

**Policy & Implementation Working Group Meeting
TRANSCRIPTION
Wednesday 19 November 2014 at 2000 UTC**

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Wednesday 09 April 2014 at 1900 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-policy-implementation-20141119-en.mp3>

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

Attendees:

Cheryl Langdon-Orr – At-Large
Olevie Kouami – NPOC
Stephanie Perrin – NCUC
Anne Aikman-Scalese – IPC
Jonathan Frost – RySG
J.Scott Evans – BC
Michael Graham – IPC

Apologies:

Tom Barrett – RrSG
Amr Elsadr – NCUC
Chuck Gomes – RySG
Alan Greenberg-ALAC
Greg Shatan – IPC

ICANN staff:

Mary Wong
Karen Lentz
Berry Cobb
Terri Agnew

Coordinator: Okay, recordings are started. Thank you.

((Crosstalk))

Terri Agnew: Go ahead, (Cordero).

Coordinator: And at this time the call is being recorded. If you have any objections you may disconnect at this time. Thank you, you may begin.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the Policy and Implementation Working Group call on the 19th of November, 2014.

On the call today we have Cheryl Langdon-Orr, Anne Aikman-Scalese, Olevie Kouami, Jonathan Frost and J. Scott Evans. I show apologies from Amr Elsadr, Tom Barrett, Chuck Gomes and Alan Greenberg.

From staff we have Mary Wong, Karen Lentz, Berry Cobb and myself, Terri Agnew. I would like to remind all participants to please state their name before speaking for transcription purposes.

Thank you very much and back over to you, J. Scott.

J. Scott Evans: Thank you very much. This is J. Scott Evans for the record. First thing we always do on these calls after the roll call is we ask to see if anyone has any change to their statement of interest. I guess I would be the only one who does and I'll make sure to go in and update that on the wiki...

((Crosstalk))

J. Scott Evans: ...that I have - hello? Is that I have been elected as president of the International Trademark Association. I start serving in that role on January 1 so I'll make sure that gets updated.

Next, I want to dive right into the IRTP principles guidelines draft that was considered on the call last week by the group. I think Cheryl was on the call and Olevie was on the call but I don't think Jonathan or Anne were on the call.

But this document has been circulated and the redlines that you see before you are those changes that were made from the rough draft that was

presented to the team by staff based on implementation - or I'm sorry, based on comments given to them during the call.

And it's been circulated so the first thing I would ask is those that were on the call last week if you see anything in these redlines if you've had a chance to review it that you believe is not reflective of the conversation and discussion last week. If so I'd like to raise that now and work through that.

If not, I would ask that everyone who has not had a chance to review this document, who doesn't have a point to make at this point, to understand that we're trying to move along the timeline that we set for ourselves in LA so I would ask that any comments or thoughts that you have regarding this language be submitted to the list no later than close of business Pacific Standard time on Friday, I believe that's the 21st of November. Okay?

So that's the plan. If you have comments of the language now based on what you see and you participated on the call last week, you have a comment or question, let's talk about it now or if not, if you haven't had a chance to review it would ask that you review and any comments or thoughts you have be presented to the list by no later than close of business Pacific Standard time on Friday, November 21.

Okay, now I'm going to scroll down to Roman Numeral 5. I'm sorry, did someone say something?

((Crosstalk))

J. Scott Evans: Is that Olevie? Yes? I'm sorry, I can't hear you.

Olevie Kouami: (Unintelligible). Is okay. Okay for me.

J. Scott Evans: Yes, Anne.

Anne Aikman-Scalese: Thank you, J. Scott. I have a real quick question for those on the call last week because I didn't get all the way through the recording and that is regarding the deletion of the liaison provision in Roman Numeral 1 E. There was a - so talk - just wondered about the reasoning on deleting the GNSO liaison to the IRT. Is that just because it would be discretionary at the time or?

J. Scott Evans: Yes, Mary.

Mary Wong: Thanks, J. Scott and thanks for the question, Anne. I think - if you look further down in what is now Section 2 the - a similar provision has been inserted there as part of the topic of IRT composition. So hopefully that's helpful for your information. And I can look back through the notes to see if there's any additional thoughts on that but it is there, it's just in a different place.

Anne Aikman-Scalese: Just a different place. Okay thanks, Mary.

Mary Wong: No problem.

J. Scott Evans: All right, any other questions or thoughts? Okay let's move down to Roman Numeral Number 5. It's IRT operating principles. Now if you see on our agenda that seems to fall in line with many of the bullet points that are listed there.

So I'd like us to - people to take the time - let's give ourselves 5 minutes to read through the language that's there and then we can discuss this, okay? And give everybody about five minutes and then we can discuss Roman Numeral 5.

Okay, now before we get started I see that Karen Lentz has joined us. If she would just give us a brief overview of what this - these principles are designed to take care of and then we can jump into our discussion here on the call. Karen, would you mind doing that for us?

Karen Lentz: Sure, J. Scott, thank you. And I actually missed last week as well so if I misstate or leave something out anybody can chime in. But the idea of this document is to have some operating principles for how IRTs work particularly relating to advance notice of milestones and, you know, sufficient time for people to - for the members to be able to review and respond to and discuss documents, transparency in terms of the operations, recordings of (unintelligible) and all of that.

There was a discussion a little bit a few weeks ago in relation to Point D about, you know, how staff should handle it when there's not, you know, there's kind of low participation either from, you know, some or all of the group members and how that should be addressed. So we've added, you know, first of all as a matter of principle you want to, you know, find out if there's a easy cause that can be addressed. But how to, you know, signal and communicate how the work is proceeding in that instance.

And then E relates to the scenario where there is a lack of agreement or where it seems that there is an issue - an implementation issue that may need to be escalated to the GNSO and this is something the group has been talking about in terms of contemplating having a set of steps that can be followed when that happens which is not in existence but the idea here is that there is a framework for, you know, how to have those discussions when that happens within an IRT. So that's Section 5.

J. Scott Evans: Okay, thank you very much, Karen. So let's look at 5a because basically all of this stuff is basically just sort of - this is J. Scott Evans for the record, I apologize.

This looks like, you know, meat and potatoes stuff but it's the kind of thing that it needs to be laid out so that we know that the process is being followed and that everyone is getting the appropriate notice and that when situations

arise that might be difficult or prickly we know how we're supposed to handle them.

So A says, "Meetings of the IRT are scheduled by the GDD project manager in a timely manner. The GDD project manager is expected to circulate the draft agenda to the IRT ideally at least 24 hours in advance and will send out call-in details to all members of the IRT.

Now I'm going to take the chair's prerogative and ask the first question, Karen or someone from your team, when you say ideally does that mean at a minimum at least 24 hours in advance?

Karen Lentz: I don't know exactly if that word was added for a reason after last week's discussion either. But, yeah, I mean, I think the idea of a principle is you have an expectation that that should be - I mean, I don't know if we need the word "ideally" actually if we're saying as a matter of principle you want to give 24 hours notice.

J. Scott Evans: Yeah, I think - yeah, I...

((Crosstalk))

J. Scott Evans: I think, yeah. I mean, I just - at a minimum at least 24 hours notice sounds like better language to me because ideally is a waffle word but at minimum I know, in fact, it just means it can be 48 hours in advance but at a minimum it will be at least 24, correct? So I think we just plainly - Mary, are you raising your hand?

Mary Wong: Yes I was, J. Scott. And, you know, we may not need to include the language but - and I was just actually looking back through some documents. I think where this came from as well is the GNSO's method of working, say, through the Working Group Guidelines, for example, where we also have this expectation that the agenda will be sent out 24 hours in advance.

But I don't think that's a hard and fast rule so I think that's where it came from so...

J. Scott Evans: Yeah, sure. Anne - my point is I think that 24 hours is fine but I think it should say, "at a minimum at least 24 hours" rather than "ideally." Ideally doesn't really have any meaning to me. Anne.

Anne Aikman-Scalese: Yeah, just very quickly, is it clear that that means with the materials that - the agenda and any associated materials for review? Like if there's an expert report or something like that.

J. Scott Evans: Well it doesn't say it so it obviously isn't clear that that's what it intended so if that's what's intended is that it will be, you know, the agenda and any materials you need to do the call we should put that in there.

Anne Aikman-Scalese: Thank you.

J. Scott Evans: Mary, is your hand still up or is that a new hand?

Mary Wong: I'm sorry, that was an old hand. I'll take it down.

J. Scott Evans: Okay. All right, I see that Cheryl Langdon-Orr is in agreement with that discussion. So the two changes I see here is to remove "ideally" from the second line and insert "at a minimum at least 24 hours" and then to insert that it would be a draft agenda and any needed materials. Okay.

So 5b, there is a presumption of full transparency in all IRTs with at a minimum a publicly archived mailing list and a recording of all IRT calls. In the extraordinary event that the IRT should require confidentiality it is up to the IRT in coordination with staff to propose a set of rules and procedures.

Any comments, concerns? Again, this is J. Scott. Jonathan Frost.

Jonathan Frost: Jonathan Frost. I agree with the principle...

J. Scott Evans: You need to speak up a little bit.

Jonathan Frost: I'm sorry, can you hear me?

J. Scott Evans: Yes, much better.

((Crosstalk))

Jonathan Frost: All right this is Jonathan Frost. The way - I agree with the principle of it but the way it's worded says there is a presumption of full transparency. It's a little ambiguous between IRTs will be presumed to be transparent and we - they - the IRT shall be operated with transparency unless a presumption is overcome.

So I think maybe it should be reworded to be a little bit more active so that that ambiguity is not there.

J. Scott Evans: Okay. Could you perhaps take that and make it more active and send it to Mary? Jonathan, your mic is off again. And then I'm going to - Jonathan...

Jonathan Frost: Yes I...

J. Scott Evans: Okay, thank you. And then, Cheryl.

Cheryl Langdon-Orr: Sorry. Cheryl for the record. Thanks, J. Scott. I just want to draw attention to my note in the chat, why not reserve a chat in house here? It's a good rule, it's (unintelligible) standard and it's one that (unintelligible) ICANN when they've gone in (unintelligible) that I've been engaged with (unintelligible). Thank you.

J. Scott Evans: Okay, so you're saying rather than when there is an extraordinary event they should at least have to use Chatham House rules so in other words it's confidential as to who says what and what the attribution is but the general subject matter of what was discussed by the group would still be transparent.

Cheryl Langdon-Orr: Absolutely. Cheryl for the record.

J. Scott Evans: Okay. Okay. I think that that's probably a safer way to go in the environment we live in especially given some of the trade negotiations that have gone on that have had absolute secrecy and has really pissed off about 9000 million hundred billion people.

At least to give people sort of a sense of what's going on so it doesn't look like some sort of, you know, (unintelligible) or star chamber. Mary, is that your hand again?

Mary Wong: Yes, and this time it's a new hand. So...

J. Scott Evans: Okay.

Mary Wong: ...first with the first section the language here does come practically word for word from I believe the Working Group Guidelines. And there may well be a good reason for us to, you know, be more specific here or not. But on the first point of the presumption of full transparency I understand what Jonathan is saying but that is literally from the Working Group Guidelines so there may also be an argument for consistency between our different sets of documents.

In the second sentence, the language there also comes from the Working Group Guidelines except of course there it says it's up to the working group in coordination with the chartering organization to propose a set of rules and procedures. So it may be that here you could, if you wish, insert the Chatham House rules as an example rather than as a fixed methodology.

So I just wanted to raise those two points, J. Scott.

J. Scott Evans: Okay well here's what I would suggest is we do what we want to do and then we can have that discussion of whether we need to have consistency at the end of the day. I say we get it that we want it to be. I see no reason that we can't improve on what is the - in the Working Group Guidelines if we feel like it's an improvement.

It may require that we can go back and then look at the Working Group Guidelines and make them consistent and work backwards because we're always working to, as we learn to improve and better ourselves. And I see that Stephanie Perrin has said in the chat, "Clarity is better than consistency in my view," and I would agree. I mean, we're not going too far afield and a little color detail I think is probably a good thing.

Okay. C, unless I hear any other comments or see other hands go up. No. Okay, J. Scott again for the record. "The GDD project manager will lead the meetings of the IRT." Any comments or thoughts? Okay.

I see Cheryl agrees. I think that's fine. I think that's exactly the way - it's a much more efficient way to make things work. Michael Graham agrees.

Okay, so 5d as in dog. "If there is a lack of participation resulting in meetings being cancelled, and/or decisions being postponed, the GDD project manager is expected to explore the reasons," parenthetical, "for example, issues with the schedule of meetings, conflicts with other activities or priorities," close parenthetical, "and attempt to address them," parenthetical, "for example, review meeting schedule," close parenthetical, period.

"However, should the lack of participation be deemed the result of IRT members seeking no specific seeing," sorry, "seeing no specific need to attend the calls as they are content with the direction the implementation is

going, ICANN staff can continue the proposed implementation plan as long as regular updates are provided including decisions being taken on the mailing list and deadlines for input are clearly communicated," period.

Thoughts? Concerns? Red flags? Yellow flags? Green flags? Cheryl, she's fine with that. Anne has raised her hand.

Anne Aikman-Scalese: Yes, thanks J. Scott. It's Anne. I'm just curious about the language, "is deemed to be." Is that - so whose supposed to deem it that way? Should it be like staff in consultation with the GNSO liaison or, I mean, who is deeming?

J. Scott Evans: As I read it that means that that's the situation as it exists. So the community would deem it because you read this rule and it says well, they've looked into all this but nobody is participating so it's deemed that they're happy with this so long as the other things are happening. It's not a proactive decision made by anyone. It's a matter of convenience.

Okay Jonathan Frost, I think your hand is an old hand so if it is if you'd take it down for me; if it's not I'm going to call on you. Okay then it's Michael Graham.

Michael Graham: Yeah, I'm just wondering about this. It's sort of like a (unintelligible) shouldn't the IRT be asked, I mean, whether or not they have any concerns or not rather than it be a matter of attendance that's sort of puts it into a murky area for me and I don't see why that's being provided for I guess.

I sort of - I guess the long and the short of it is I sort of agree if, you know, if there's no problem and people aren't showing up then they can deem it's no problem but shouldn't the IRT be asked do you have a problem with anything that's going on are you fine if we don't call a meeting now rather than it be something that's determined by lack of attendance. I'm just a little big concerned by that.

J. Scott Evans: Okay. Thanks, Michael. What if we leave in the language about the lack of participation and then we say that the GDD will issue a email to the list telling them that there's been a lack of, you know, that the participatory levels are such that it's deemed that they're okay with everything and here's the plan from now on; they won't have meetings, they're going to do the following things. So there's some sort of notice put to the IRT's mailing list.

Michael Graham: This is Michael again. Yeah, I think that would be fine and ask for their input if they believe otherwise.

J. Scott Evans: Okay. I see two hands have raised. Stephanie Perrin has raised and then Karen Lentz. Go ahead, Stephanie. We can't hear you. I see that your microphone seems to be turned on, on the Adobe Connect but we're not getting any sound. If you'd like to type it into the chat I'm happy to read it to the group.

I'm going to move on to Karen Lentz.

Karen Lentz: Okay. Thanks, J. Scott. And I think to Michael's point it's no problem to add a statement that there should be some sort of, you know, status inquiring of the IRT if they have any feedback on, you know, how the meetings are going and, you know, if anything is - conclusion needs to be drawn from the lack of participation.

I think what we would want to avoid is just a sort of, you know, if people aren't participating in the meetings they're not necessarily going to respond to a notice like that either. And there's, you know, the members don't necessarily have to wait for staff to ask if there's a problem - if they believe that there's a problem with how things are going.

So I want to, you know, I think it's helpful to perhaps add a, you know, notice step like that. But I don't - I'd be concerned if it was a showstopper if no one ever, you know, if you never get a response to that then you're sort of...

J. Scott Evans: I wouldn't expect you to get a response, Karen.

Karen Lentz: ...at all.

J. Scott Evans: This is J. Scott. I would just expect it to be a notice so it's not sort of like we move into a different stage by some sort of passive non response. I think if you send a notice rather than saying well we took, (unintelligible) we looked, the meetings are all careful, everyone's able to - they're just not coming I think everyone is a little concerned that we seem to be drawing assumption from that rather than if you say, "Listen, here's where we are. It looks like this is why no one's participating because everyone's happy so we're going to do these following things to keep you informed. If you have an objection to this, object."

If no one objects then you just proceed as it's outlined. That's how I sort of saw it going but - and I think - I see Anne's hand saying yes or checkmark saying yes. I see Mary's hand is up again too.

Mary Wong: Yes, J. Scott. And I think your suggestion would probably be helpful because just for everyone's information, even though we don't have a whole lot of IRTs to draw on what we've seen from the staff side is that for various reasons we don't always get responses; we don't necessarily know when people are going to be absent for a significant period of time.

So to the extent that the IRT is viewed as a partnership between the staff and the community as I think we all believe they are, as Karen says, we don't want things to be held back so your solution may very well be helpful because if you just wanted the folks on this working group some of whom are

not on IRTs to know that this is a problem and we're hopeful that these principles will try to resolve some of those problems.

J. Scott Evans: I agree. And I think putting out a notice is, I mean, similar to any kind of, you know, public notice they do it with legal actions, they do it in, you know, anything, they post things and committees everywhere and you look, you know, it just is something for people to react to rather than an assessment that's dominantly made and you move forward.

Okay, and I see we're getting some green checkmarks here so I think that that's the way we'll go if we could just insert something about a notice in there so we can look at that language maybe at the next call.

Okay now we're going to E as in egnog, notice I'm being seasonal with my alphabet. "Should there be disagreement between the proposed implementation approach proposed by ICANN staff in the views of the IRT or any of its members, the GDD project manager with the support of the GNSO Council liaison if appropriate, should make all efforts to resolve this disagreement."

"Should the disagreement remain the GNSO Council liaison is expected to make an assessment using the standard methodology for making decisions as outlined in the GNSO Working Group Guidelines whether there is at a minimum consensus in the IRT that the issue should be escalated to the GNSO Council for consideration."

"If the GNSO Council liaison makes the determination that there is consensus for such escalation the following procedure applies." Okay. Here is my comments. I get what you're saying but that is the cludgiest thing I've ever seen in my life and I will take it and try to make it clearer. I know what you're trying to say but I got lost halfway in the middle of it.

I think it's just not a friendly read and that's all that needs to happen. Is - are other people - agree or disagree? I see Anne agrees. I mean, I get what you're saying, I just think it needs to be a little bit tighter. And I'll take that on and circulate that to the list only because that's what my general counsel is making everyone do at work with our contracts and so it's a good exercise for me. As a typical lawyer I only take on work that's beneficial for me. I'm teasing.

Michael Graham: Good point.

J. Scott Evans: Oh I'm making myself laugh alone in my room. So okay is everybody comfortable with that? I'll circulate it to the list and then we can decide whether it's the revised language that we want to include. Looks like that's the way to go.

Okay. So that is taking us through 5. Mary, you're going to have to help me out here because I'm wearing new bifocal contacts and the agenda I just can't read. Michael, your hand is up.

Michael Graham: Yeah, I just wanted to ask then are you also or what's being worked on on the to be defined portion of this which is going to be the process that gets followed after that?

J. Scott Evans: Well, you know, I can take a look at that. I think Cheryl would say that - because she worked with me on the Working Group Guidelines that you can take that sort of methodology, that framework, and I think you just need to change some of the wording and make it appropriate for this.

But I think we had an entire escalation set out in that if I'm not correct, Cheryl, a whole step of how it would go like an appeal and so we can - I'm happy because I chaired about - that working group with the fine help of Avri and Cheryl, to get that done and look at those and see if we can sort of give you something for next time to stimulate thinking.

Michael Graham: Yes, it's Michael again, real quick. That would be excellent. I was just looking and I figured that there were already procedures that we could adapt for this. And knowing those from the working group I think that would be really appropriate. Thanks.

J. Scott Evans: Okay. Anne.

Anne Aikman-Scalese: Yeah, very quickly J. Scott, this is Anne. When you're doing your little - the rewrite that's going to make it clearer, I question the use of the word "escalate." I almost think we'd be better off with "review" or "consideration," you know...

J. Scott Evans: Do me a favor? Send that to me in an email because I will forget it or...

Anne Aikman-Scalese: Okay, sure.

J. Scott Evans: ...I will write it on a piece of paper on my desk and throw it away.

Anne Aikman-Scalese: Will do.

J. Scott Evans: That's just how it is in junky offices. Okay that's a great idea. Mary, can you help us out with the agenda a little bit because like I said, I can't read it.

Mary Wong: Sure. And of course because we have this it's Charter Question 3, 4 and 5 in here because I think a few meetings ago it was agreed that these are interrelated and there were further sub points added as the discussions continued so apologies that the agenda tends to get a little cluttered and therefore the small font.

But just to bring everybody up to speed with where we are knowing that a few folks were not able to make the call last week, where we are now in the agenda is Agenda Item 3 in terms of a main topic. And with the sub - with the

bullet points or the sub points there we are talking about how the IRT is expected to operate and its decision making methodology which is Charter Question 5. That's the second bullet point. And that goes to Michael's question I guess as to the to be defined part. And how far we can get with that.

Last week the group also started talking about the next few or the next one or two bullet points in particular the additional mechanisms, if any, that should be foreseen for implementation related discussions beyond those that take place with the IRT.

So, for example, how should feedback via public comments when those public comments relate to proposing policy language, how to handle those things when that is the stuff that comes back through public comments. And Cheryl and others were on the call last week may remember that we spent a little bit of time on that.

And J. Scott, I don't know if you'd like me to go through a little bit of that discussion or just pick it up from here?

J. Scott Evans: No, no, I would like you go through it a little bit because unfortunate, as I said, I had a little problem getting to the recording. I will have them under my belt by next week. But - and thanks again, Terri, for sending those - resending them to me.

Mary Wong: I think the - and Karen and others who I'm sure, you know, correct me if I'm sort of going off track here because they have a number of experiences with the IRT that I haven't as a staff member. But I think one of the reasons why this came up is that the IRT plans for implementation do often get put out for public comment and then public comments may sort of go back and revisit, you know, the policy language or suggest changes that actually go back to the policy.

So one of the points that was discussed last week is how should this be handled at the IRT level? One point that was made was that even though the IRT is led by a GDD project manager there is almost always a policy staff member who's attached to that team. And it's generally the same policy staff member or members that worked on the initial recommendations.

So what we found has been useful is, to the extent that sort of thing happens, that there is a discussion within the IRT and then with the staff members involved and if the IRT is able to review those public comments and then to say well, you know, we looked at this and here's why we decided the other way, you know, that would be - that's that way that it's been handled and that might be a good way to handle it.

So the question was whether that could be the way or should there be some other way. J. Scott, does that help?

J. Scott Evans: Yeah, very much so. You know...

Mary Wong: And if I can add I think one additional point that was brought up - I'm sorry, I forgot to include this in my summary - is that sometimes what happens is by the time we're in this phase, you know, there's been quite a time lag between when the policy recommendations were first adopted or proposed and where we are now.

So obviously there's, you know, been - there'll be a turnover in folks and the original working group may have long been disbanded. So even if one suggestion is to say, well, it makes sense to go back to the working group that may actually not be practical in some circumstances.

J. Scott Evans: Yeah, I mean, I think we're going to have to - this is J. Scott Evans for the record again. I think we have to come to the realization that the whole point of adding an implementation recommendation team is they're - they may, in

certain limited circumstances, have to operate as a mini working group to handle issues like this.

You can't always go back to the - I mean, it's just kind of silly to think we're going to try to go back, reach back a year and a half and put all these people together. I think that that's just sort of unworkable. And maybe we need to handle it.

But if I'm being a heretic here, please someone speak up. But I'm just thinking that's why you have an implementation recommendation team that, you know, if you need to - the one thing that they probably need guidance on is if it's not reflective of a broad sector of the community they might have to go out and get some other people from the community to serve in on those discussions to make sure that they're being as transparent and as open as we're supposed to be.

But I don't think we have to go back and start trying to find the archive list for who was on this thing two years ago. That's my personal perspective. I - Anne, I see your hand is up. Do you have a comment here?

Anne Aikman-Scalese: I'm sorry, that's an error.

J. Scott Evans: How about Cheryl, you've done this for a while and chaired several groups. You have a comment?

Cheryl Langdon-Orr: Cheryl here for the record, J. Scott. You've got me with my (unintelligible)...

J. Scott Evans: You're fading just a little bit, could you step into the phone or...

Cheryl Langdon-Orr: I'll do my best. How's that? Any closer?

J. Scott Evans: Better. Better, better, better.

Cheryl Langdon-Orr: Okay. I'm actually eating my mobile phone now but that's another story. I've got my um face on because you wouldn't want to be too on (play). It really does need to be I guess if you've got an effective liaison and an active liaison I am comforted and supportive of what you've said.

If you haven't, however, there's a little part of me that still worries a tiny bit. It may very well be, for example, that for very good reasons, implementation review team is heavily manned, personed, by specific industry interests. That's okay but the optics on - pardon me - those who would get concerned about that if it gets too much back into policy redo there's a little alarm bell that rings.

So I'm comfortable providing all the other catches and specifically the ability of the liaison is working. In the absence of that, well, I guess we'll have to look at it if it happens. Thanks.

J. Scott Evans: Okay. Thank you very much, Cheryl. I think that's valuable input and something I hadn't thought of except to briefly say that - this is J. Scott for the record - that if it wasn't broadly representative implementation team that would have to be handled before they could, you know, make any policy.

I see that Jonathan Frost has raised his hand and then I'm going to call on Mary.

Jonathan Frost: Yes, this is Jonathan Frost. This is not completely original to what Cheryl just said but I wanted to point out that if the team that's on the IRT isn't a legacy team like the situation with the IRT is going to be needed is usually going to be a point of conflict and a dispute about differing interpretations of policy. So they're going to be - I mean, they're going to be competing interests in this situation.

So both of the interests are - they might, you know, try to stack the deck. So, I mean, if it's a volunteer team then there should be - I mean, I would say fairly strict rules of a broad representation.

J. Scott Evans: Okay. Thank you. Mary.

Mary Wong: Thanks, J. Scott. And thanks, everybody. And, again, one issue is that...

((Crosstalk))

Mary Wong: That wasn't me. My French isn't anywhere near that good. But what I was going to say is that because it was noted I think in our working group that each and every IRT can defer considerably because of the nature of the recommendations, the scope and so forth, and the other point is that a lot of these things ideally, you know, we want broad representation, ideally we want at least one representative who was on the original working group.

And the hope is that we will get there with...

((Crosstalk))

Mary Wong: And here I guess we're sort of sliding also into the next bullet point, J. Scott, I was going to say because there's also this question of flagging a potential issue to the GNSO Council. And the example that we used, you know, where public comment actually relates to the policy and Cheryl brought up what's the role of the liaison and then like I said this goes to the next bullet point.

It may be worth us going back to the original working principles document, I think that was called that this group developed initially. And I can't off the top of my head remember what it says but it may be worth, you know, pulling that up and looking at it and see if we can either make a reference to that in here or in some ways develop that a little bit further either here or in the original document.

J. Scott Evans: Okay. Okay. Well all right, Jonathan, is your hand still up or does that need to be pulled down? I'm not hearing anything, I'm going to assume that that hand's been put up. Okay, here's what I suggest we do. I think at this point we have such a small group here I know that that needs to be considered but I'd like to have a bigger discussion about that so if there's no objection I think we've got some takeaways from today's call for consideration for next week.

And I would suggest that we stop today here, our 12 minutes early, with the understanding that we'll come back and discuss about the few language changes I think Jonathan owes something to Mary and the list; and I owe something to Mary and the list. And I'll try to get that out hopefully by the end - if not before the weekend at least by the end of the weekend so everyone will have two or three days to consider it before our next call.

And then we can come back and have this call and hopefully we'll have folks back from Germany and broader participation and have a more in depth discussion about some of the rest of these issues. Is that acceptable to everyone? Okay, I see Anne has raised her hand and Cheryl and Michael agree. Anne.

Anne Aikman-Scalese: Yes, J. Scott, I do agree with that but I'm guessing that we might get through that part of the next meeting with Leslie and then the entire meeting. And I wonder if staff could remind us what is our deadline for input on the draft guidance process and expedited PDP process which Mary sent out I think on the 12th and will that be on the agenda for next time? Because if it is I just want to raise that for everybody to make sure they take a look at that.

Mary Wong: J. Scott, may I?

J. Scott Evans: Please do, I'm sorry.

Mary Wong: Oh no, not at all. My Adobe screen seems to have frozen actually so...

J. Scott Evans: Adobe never freezes...

((Crosstalk))

J. Scott Evans: Adobe never freezes.

Mary Wong: I didn't say it was Adobe, I said it was my screen, J. Scott. I've been having all kinds of laptop problems, as my colleagues will attest this week so it's definitely not Adobe, don't worry.

But what I was going to say in response to Anne, I think that's probably something that staff would want to take back to the chairs. One basic question obviously is that we do have a number of these other bullet points to get through all of which are somewhat interrelated and all of which go back to Charter Questions 3, 4 and 5.

So one option is to keep going with the IRT operating principles, finish this document and finish the bullet point discussions. The other thing is that we've sent out two of the three process documents and so we're going to send a third one out very soon, probably this week.

And we probably want to time it such that people have enough time to think about and give input as you have done, Anne and as Chuck has done for one or two of the documents. So I think we might want to take this back to the chairs and hopefully, J. Scott, we can do that as soon as possible with you and Chuck on email so that we can let the working group know as Anne says, as much in advance as possible.

J. Scott Evans: Yeah. I think that's great. I think that's great. Okay. All right so with that you now only get 9 minutes back. I tried to be generous and life just marches on. So I'd like to thank everybody for their time and remind everyone that we

have a call next week that will be Wednesday, November 26 at the same time which is 20 UTC.

So I hope everyone will join us so that we can discuss - continue discussing those provisions that will be modified during the interim and that we can move on with our discussions and then answer some of the questions that Anne raised at the end of our call. So with that I'm going to bring this call to a conclusion. Thank everyone for their time and we will talk to you next week.

((Crosstalk))

J. Scott Evans: Bye.

((Crosstalk))

END