Policy Process Steering Committee (PPSC) Policy Development Process (PDP) Work Team (WT)
TRANSCRIPTION
Thursday 06 January 2011 at 14:30 UTC

Note: The following is the output of transcribing from an audio recording of the Policy Process Steering Committee Policy Development Process (PDP) Work Team (WT) meeting on Thursday 06 January 2011, at 14:30 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-ppsc-pdp-20110106-en.mp3

On page:
http://gnso.icann.org/calendar#jan

(transcripts and recordings are found on the calendar page)

Participants on the Call:
James Bladel – Registrar Stakeholder Group
Alan Greenberg – ALAC
Wolf-Ulrich Knoben – ISCPC
Paul Diaz - Registrar Stakeholder Group
Tatiana Khramtsova - Registrar Stakeholder Group
Avri Doria - Non Commercial Stakeholder Group
David Maher - gTLD Registry Stakeholder Group
Alex Gakuru - Non Commercial Stakeholder Group

ICANN Staff:
Glen de Saint Gery
Marika Konings
Gisella Gruber-White
Margie Milam

Absent apologies:
Jeff Neuman - Registry Stakeholder Group - Work Team Chair

Coordinator: The call is now recorded; please go ahead.

Gisella Gruber-White: Thank you. Happy New Year to everyone. And on today's PPSC

                PDP call on Thursday the 6th of January we have James Bladel, Alex

                Gakuru, Tatyana Khramtsova, Paul Diaz, Alan Greenberg, Avri Doria, Wolf

                Ulrich-Knoben. From staff we have Marika Konings, Margie Milam, Glen de

Saint Géry and myself, Gisella Gruber-White. Apologies noted from Jeff
Neuman.

And if I could please just remind everyone to state their names when
speaking for transcript purposes. Thank you. Over to you James.

James Bladel: Hi, good morning. Thank you, Gisella. And this is James Bladel. And as
Gisella mentioned Jeff Neuman, our Chair, is on vacation today enjoying
some warmer weather so he has asked me to step in and moderate the
discussions today.

We have two goals for today's call. The first is to discuss and finalize the
proposed timeline for the delivery of the final report which is the timeline that
Marika has in the Adobe Connect window for those of you who are on Adobe
Connect.

If there's time remaining then Jeff has asked that we then move into
discussing or continue our discussion of outstanding issues and if possible
then move into the discussion of the final report.

But I think that the primary task that's right in front of us is the finalizing this
timeline. Jeff has mentioned that we are required to have this delivered to
Council January 19 but if all possible he'd like to get this to the Council by
January 13 which is I believe the document cutoff for their next meeting.

Is everything I said correct, Marika, or am I missing some of those dates?

Marika Konings: This is Marika. I just missed the last one you made because the 13th of
January is the next meeting and I think Jeff was saying that he would like to
submit it just before that date so the Council has it available for that meeting.

James Bladel: And when would the document cutoff - the submission deadline be to have
something considered for that meeting?

Marika Konings: The cutoff date actually for motions I think was yesterday and reports I think is the same day. I mean, I don't know this kind of information if there's an official cutoff date for it because it's actually for information kind of documents.

So I'm not really sure. Actually probably Wolf might know because he's been part of the OSC. I don't know if there's an official deadline for this kind of information when that gets submitted to the Council.

Alan Greenberg: It's Alan. I don't think there's a formal cutoff date for documents other than those associated with motions.

James Bladel: Okay so let's proceed under the assumption that if we can get this finalized by the 13th which is a week from today that should be ready for the council meeting which probably means that we would have to have it done by the 12th.

But I think that that is really somewhat immaterial; we just need to proceed through with what we have in front of us and then hand this back to Jeff with our comments and hopefully with our blessings.

So hopefully everyone had a chance to at least give this a cursory overview. I think it was sent initially on December 9. So perhaps if I could ask Marika to walk us through this document and we can go from there?

Marika Konings: This is Marika. Yeah, I'm happy to run through the document. As you note on Adobe Connect what I've done is basically taken the dates and comments from Jeff's email and put them in a table format as that might make it easier to review the different tasks and dates that have been proposed.

So the first task is explanation of the draft final report and the target date that Jeff has set there is the 1st of February so that's - looking at the calendar that

would leave us basically three meetings to cover all the outstanding issues and make sure that people have reviewed the actual draft document that's already out for a while now.

James, you just want me to run through it and then we just take comments or you want to stop at each task...

((Crosstalk))

James Bladel: What you think would be best or I think running through the entire thing and then taking comments afterwards would probably be the most expeditious way to get through this.

Marika Konings: Okay. So then the task would be the public comment period on the draft final report which would run between the 1st of February and the 25th of March. Jeff notes there that, you know, he's taken some margins here on, you know, noting that the 1st of February deadline might be ambitious as there's still quite some work that needs to be done.

And I think he allows as well for some additional time after the ICANN meeting. I think just for the record here as well the publication deadline for documents that are to be considered or discussed at the meeting in San Francisco is the 21st of February.

So then basically following that we would have the preparation of final report so that would leave us 25th of March to the 30 of April to review the comments and integrate those that are deemed relevant into the final report. Jeff noted he thinks this time might be short but I guess this partly will depend as well on the number of comments received and how substantial these are.

And then the PDP working group submit to the report to the PPSC who would then consider the report between the 1st of May and the 27th of June noting that in this timeframe there might also be a back and forth between the PPSC

and the PDP work team on issues that are flagged by the PPSC following which it will be submitted to the council with a target deadline of the 27th of June.

James Bladel: Okay and that lines up with the ICANN meeting in Asia is that correct?

Marika Konings: I think that's correct, yes.

James Bladel: Okay. Alan.

Alan Greenberg: Yeah, just on pure formatting in the time period if you included in there in brackets the number of weeks - the number of weekly meetings or the number of weeks that's included that would be really helpful in getting - in being able to gauge or, you know, or some measure like that being able to gauge how realistic this is.

And I'm talking about more specifically for council because there's been a lot of calls to shorten the time period. And I think when you start looking at a breakdown and how many weeks are allocated for each of them which includes the potential for public comment periods I think it'll become - hopefully it'll become clear to people that it's not overly generous.

In terms of the actual content it is aggressive I think. And I, you know, I worry about can we really do everything necessary, for instance, in the first section within the next three meetings? And I'm not sure if this meeting is even counted in that list of three.

So we've got to publish some dates and I think this is as good as any. I'm not sure if minor refining at this point is going to really give us anymore accuracy than what we have in this draft. Certainly seeing the number of weeks, the number of weekly meetings for each of those sections might help trigger us to say no this is not realistic.

But other than that I think the overall thing is good as it's going to get and how likely we are to meet it is not clear to me. Quality here matters. It's not an issue of getting something out to meet the deadline regardless of whether it's sort of acceptable and useful or not. We're going to suffer for years if we get anything wrong in a major way that we can't fix. Thank you.

James Bladel: Thank you, Alan. And, Marika, you have your hand up?

Marika Konings: Yeah, this is Marika. You know, I have no problem - I can add indeed the number of weeks contained in each section or how many weekly meetings we - that would equate to to give some more clarity.

Just one comment because I agree that I think especially the first task is very ambitious because indeed it would leave us after this meeting three meetings to get through the different outstanding issues and incorporate those into the report and, you know, review that report.

I think the only way that we would actually, you know, be able to achieve that if we could actually set a deadline for people to review the draft as it currently stands noting that of course we are making changes to those issues that have been identified as outstanding issues.

But I'm wondering if we could maybe set a target date for when people should review the current draft and provide comments and edits on the mailing list so that we don't all wait until, you know, the last moment to suggest changes which might result in further discussions if, you know, they're, you know, important changes that people are suggesting.

So I wonder if that's an additional target date that we could add to this if people are willing to commit the time to, you know, maybe do that in sort of the next two weeks for example that at least we can close that chapter. And when we do the next review it just means that, you know, we can adopt all the tracked changes that are currently in the document and only focus on

those that have been made based on the discussions on the outstanding items.

James Bladel: Okay Marika I think that's a good idea especially given that if you have both the final items coming back into the draft at the same time that people are suggesting edits I think it gets very confusing for the person holding the pen to figure out which is which especially if they're in conflict.

So what is the sentiment on the group for establishing a cutoff for the current draft as it exists today for review and edits by - I guess that would be by the - are we saying the 21st of January? Is that what you're thinking Marika?

Marika Konings: Yeah, this is Marika. Yeah, that would work. And as I said, I mean, it doesn't mean that then no other changes are going to be made it's just, you know, people making the commitment to actually review the draft as it currently is so then in the next draft we can just focus on those changes that have been made based on our discussion of the outstanding items or any issues that have been identified by people as needing further discussion, you know, as they are in the current draft.

James Bladel: Right. So it's more of a desire to get the bulk of the edits to the existing draft reviewed or submitted before we start to open the floodgates for public comments and other materials to come in?

Marika Konings: Right.

Alan Greenberg: Yeah, Avri has had an X up several times; I'd really like to know what it is she's objecting to.

James Bladel: Well I see it's not a hand it's an objection box...

Alan Greenberg: I know.

James Bladel: Avri do you want to weigh in on this?

Avri Doria: Yeah, if you'd like. I object to setting a cutoff because cutoffs are
                  meaningless. Basically people have set cutoffs lots of times and then, you
                  know, the right person submits something after the cutoff and we say oh well
                  okay yeah fine okay because we can.

                  I just believe cutoffs are meaningless. I think it's a good idea to encourage
                  everybody to do it and to, you know, but to say we're going to establish a
                  cutoff just is meaningless.

James Bladel: Okay but what is the alternative then to, you know, to prevent against the kind
                  of competing edits that we would be if we didn't have something like that?

Avri Doria: I don't really understand the idea of competing edits. I think if we have made
                  a change based on an edit today that then gets a competing remarks
                  tomorrow it really doesn't matter whether we're weighing the two competing
                  comments against each other while making the edits or weighing what we
                  changed it to based on the first one against the second.

                  So, I mean, we have to weigh all the competing points of view together at
                  some point. So I just don't see that, you know, it makes - certainly we should
                  try to finish everything that's on our plate before we go and get more. I think
                  that makes sense.

                  But, you know, having spent a month since Cartagena doing nothing to all of
                  a sudden say okay now we will finish in two weeks with everything that's
                  been on our plate for the last two months or a month and then move on is just
                  - it's just artificial.

                  And so you'd asked does anybody object to the idea so I said yes.

James Bladel: Okay fair enough. You know, I think I'm going to go back to the queue here
                   because I can see that there's some folks lining up. Marika, Alan, if you don't
                   mind I'd probably defer to...

Marika Konings: Yeah.

((Crosstalk))

James Bladel: ...response.

Marika Konings: Yeah this is Marika. I just wanted to comment on what Avri saying. You know,
                   I agree of course at the end of the day you want to see all the edits and all
                   the proposed changes but what my point is here is that basically the
                   outstanding issues is what staff has identified in the report as saying, you
                   know, these are issues that, you know, we didn't really discuss in detail or we
                   didn't reach a conclusion so we need to have some further discussion to be
                   able to, you know, put actually some language in the report.

                   And in some cases we've outlined some potential options or notes for the
                   group to consider. But on the other items that are currently in the report
                   basically, you know, what we've done is looked at our discussions and
                   basically translated that into language in the report.

                   And I don't think anyone has taken the time yet to go through that. And my
                   concern is that if we wait until all the edits in there are in there and then
                   people go like oh but, you know, I didn't realize that, you know, we agreed to
                   this change or, you know, I actually don't agree how that has been interpreted
                   then we basically go back and reopen the whole discussion again.

                   So the reason why I'm, you know, advocating for having a cutoff date or a
                   deadline for reviewing the current draft is so that people can actually flag
                   issues that weren't identified in the outstanding items list that they feel, you

know, are not closed and, you know, they don't agree with how that's written up in the report.

So that would be, you know, in think on minor edits like, you know, a comma here or a spelling mistake I don't think we're going to have a cutoff date for that because I think anyone will appreciate, you know, we don't want to send out a report that has stuff in there that's incorrect.

But I'm talking more about the big issues and I really want to make sure that we've discussed those and covered all of those and don't, you know, realize, you know, one day before we're actually wanting to polish the report that there's some big items there that, you know, people just didn't realize that, you know, they didn't like or didn't agree with.

So that's the main reason why I'm proposing to have a deadline or a target date for people to actually review it and, you know, share their comments with the list.

James Bladel: Okay. I - thanks Marika. And I tend to agree, I think anything that we can do to help Marika manage all of those incoming changes would probably be helpful.

Avri, would you be open to the idea of, you know, setting like what Marika said not necessarily a deadline to lock out further edits but more of just a target to encourage everyone that, you know, there is this current existing report out there, you have had some time to review this and we would like to make sure that everyone has, you know, as a group has reviewed this and submitted their edits by the 21st of January.

And it's, again, it's not closing the door for future edits it's just essentially, you know, it's a little bit of a, you know, poking everyone with a stick and saying, you know, this is out there, it hasn't changed and it's about to change again so now is the time to get some thoughts in there.

And I see that your red X has become a green checkmark. Does that go for the rest of the group as well? I'm going to take silence to be consent here. And I see some green checkmarks. Okay.

Okay Marika so we will do that then and maybe we'll add this into the chart here that we're going to encourage everyone to have their - the current version reviewed and edits submitted by the 21st of January because we're about to move into a new phase of edits after that.

I put myself in the queue because I have a question. And it may be that I'm just missing something big here but what will the group - this group be doing during the time that this report is open for public comments? And I think that's in that February-March timeframe.

So, you know, I mean, how will we as a group be moving the ball forward, you know, while this report is out there for public comments? And I'm just kind of throwing that out for discussion if anyone has any ideas. Go ahead Marika.

Marika Konings: This is Marika. I definitely have an idea. I'm, you know, as I've advocated before I'm really hoping that everyone will take the report back to their respective constituencies and stakeholder groups and present it and, you know, have a discussion on what the big changes are and have a dialogue going there on what issues might exist and encourage everyone to submit public comments.

I'm hoping as well that we can have a similar kind of workshop or presentation in San Francisco to encourage, you know, the ICANN community to, you know, pay attention to this report and, you know, get people to provide input.

And I think as well it's something that of course we could do like we did as well in the last time. If we see that people need more time we could already start reviewing comments that have come in and work our way through it, you know, as an open process. But I guess it depends on when people submit them. And the time we have left I guess, you know, people can work on the other working groups.

James Bladel: Okay, okay well I just wasn't clear on what was happening during that it looks like eight-week period there. Alan, thank you for being patient, go ahead.

Alan Greenberg: Okay a couple of things. I did have some comments but they were addressed by what you have already - the decision you've already come to. I'll point out that comments are - you're calling them edits and I'm saying I suspect there are going to be areas where people raise concerns; they don't necessarily have a suggested solution or simply that the group has to come to a conclusion on something.

So they may not all be edits that are being raised they may just be comments or concerns. And those are harder to resolve than just having Marika, you know, insert the three words in that someone feels is appropriate.

In light of that and in light of the fact that some of the issues raised may well be substantive and our timeframe is actually more compressed than we're talking about when you factor in the public comment periods as you just pointed out. We're not going to be very active during some of those periods as a group.

I would strongly recommend - and I - don't kill me for saying it - that we find an acceptable time at the beginning of the week to hold a second weekly meeting and not necessarily hold it every week but that we know we have one set aside that we can invoke when necessarily without starting a Doodle at that point and take the time right now to do it well so we get reasonable attendance at the second meetings.

Because I see that there's going to be a need for two meetings a week when we go into the heavy work periods of this process. And I think we should be prepared for it and not do it at the last moment. Thank you.

James Bladel: Okay thanks Alan. And that idea of having a second meeting do you see that applying to all phases listed on this table or just...

Alan Greenberg: No as I said I think...

((Crosstalk))

Alan Greenberg: ...it's probably going to be necessary in the very first phase and perhaps in the period where we're responding to comments if we get comments. I just think we should have a time allocated which we know is acceptable to most of the members of this group so that we can schedule it when necessary and we don't have to go through the process of discovering a good time at that point.

So we should have two on the steady state agenda although we may only hold one in typical weeks.

James Bladel: Okay. I think that's a good idea at least to get ahead of that now especially when you consider that we're off for eight weeks accepting comments and then we're only on for four weeks processing those comments.

((Crosstalk))

Alan Greenberg: Moreover this particular phase is going to be one of the more intense ones to get that - the document out by February 1.

James Bladel: Right okay...

Alan Greenberg: So I think we're going to need the second week - the second meeting a week towards the end of this month also.

James Bladel: Okay. I will send that over to Jeff but what does the group feel about that idea of at least reserving in advance a second session that we can fall back to to get some of these heavier items done in the first and third periods?

That was an error on my part, let me change it.

Alan Greenberg: You announced your error before the X showed up on my screen.

James Bladel: Well that's latency so. Okay Marika could you send out or could your folks put together a Doodle for when that second session would likely fall? And I'm thinking that it doesn't make any sense to do it on a Thursday because that really wouldn't allow for any work to occur in between the two sessions. So are you thinking like a Monday or a Tuesday, Alan?

Alan Greenberg: It's got to really be a Monday because Tuesday doesn't...

((Crosstalk))

Alan Greenberg: ...allow much time between the two meetings. So...

James Bladel: Right.

Alan Greenberg: ...Monday is preferable; Tuesday is the fallback I would guess.

James Bladel: Okay.

Avri Doria: I'm confused. This is Avri. I didn't get my hand up. But I'm confused now about dates. We already have a meeting - what's today? Today's Wednesday - oh okay. No today's Thursday.

Alan Greenberg: It's Thursday where I am.

Avri Doria: So we're talking about a meeting - yeah - so we're talking about a Monday or a Tuesday. Okay that does make sense. Monday is probably good.

James Bladel: Okay. Okay Marika, go ahead.

Marika Konings: Yeah this is Marika. I think looking at those dates probably Monday is going to be the most likely alternative as there are a couple of other working group meetings that are already having their weekly meetings on Tuesday. So I'll work with Gisella to identify some times on Monday.

And we can send out a Doodle and make sure people understand that this is, you know, reserve slot for a second meeting that, you know, we might decide on Thursdays whether we're actually having that meeting or not.

James Bladel: That sounds good. And just so I'm understanding do we want to assume that that's also a 90-minute meeting or leave it open to possibly a 60-minute meeting?

Alan Greenberg: I'd reserve 90. And again we don't have to schedule the whole thing.

James Bladel: Yeah.

Alan Greenberg: But if you only schedule 60 you can't make it a 90 easily.

James Bladel: Nope you can only get out of there a little early; I agree with that Alan. Okay so I think that we have a few ideas here relative to this timeline. I think everybody understands it's ambitious; it's not, you know, overly aggressive. But I think it puts a stake out in the ground and it gives us something to aim for.

And we can capture a few thoughts here; one that we will be encouraging everyone to review and comment on the current draft that has been stable now for at least a month. And we want to get those edits in - strongly encourage - emphatically encourage those edits to come in by January 21 which will greatly simplify or at least provide some sanity to the folks from staff as they try to merge all of the changes into the next version of the report.

That we would send out a Doodle for a reserved second slot on Mondays for 90 minutes, you know, possibly at the same time. I don't know if that works for everybody but I guess we'll just wait and that's what the Doodle is for. We'll see if that comes back.

And that with those caveats or those qualifiers we can then report back to Jeff that the group has signed onto this plan. Sound good?

Alan Greenberg: Yeah.

James Bladel: Okay great. And I now have us coming up to the top of the hour so the next phase would be to reconvene the discussions on the matters of substance. I wanted to give Marika time to put that up and give everyone a chance to reset their brains back to early December which is probably the last time that we took a look at this particular document.

And also before we dive in just kind of give a few minutes if there's anything that any orders of business that someone would like to tackle anything quick before we proceed in this - before we change course and go back to this.

Okay the queue is clear so Marika where did we leave off on this particular document?

Marika Konings: This is Marika. We left off on Issue 6, implementation on Page 8 at the bottom.

James Bladel: Page 8, let me - I don't have the fastest scrolling window in the world here. Okay we'll give everyone a chance to catch up while we go through Issue 6, implementation and just starting at Recommendation 43 is that correct?

Marika Konings: Correct.

James Bladel: Okay so the recommendation currently reads the PDP WT recommends creating a working group implementation review team which would be responsible for dealing with implementation issues.

The working group may provide recommendations for how the working group implementation review team might be composed as part of its final report. The PDP WT has not arrived yet at a possible recommendation in relation to how the process for reviewing and addressing implementation questions would work and hopes to receive further input on this issue during the public comment period.

And there's one comment here a suggested approach it looks like - help me figure out where this is coming from. Mary Wong's comment might provide some guidance. Is this - was this something that was raised during the discussion of this idea in Cartagena or was this prior to that?

Marika Konings: This is Marika. This is part of the comment she submitted on the initial report. As those comments came in quite late I think some of them that we touched upon but I think in this one she provided some concrete suggestions that the group might want to review.

I can actually - if you want I can post the language that she put in there in a note on the screen.

James Bladel: Well I guess - and maybe I'm alone on this - I'm just trying to get my mind around the context of both the recommendation and the comments. So this is

- this is coming from the PDP WT which is the other half of this PPSC coin correct? Or no this is us.

Marika Konings: Right, this is us.

James Bladel: Okay. It threw me for a minute here because I saw working group right after that. And there we're talking about a standing implementation review team?

Marika Konings: Correct. I think the - if I recall all the discussion we had is that in certain cases a working group might recommend creating an implementation review team that will basically track the implementation and might serve as a consultation body for staff when, you know, the implementation plan comes out or if there's specific questions.

I think one of the issues we left open is how such a process would work because I think there we had some discussions should issues first be taken back to the council who would then identify whether indeed it's a policy question or whether it's an implementation issue and how that would then feed back to the review team.

And how can you as well maintain the review team taking into account that implementation sometimes takes some time, you know, will people still be interested to stay on as a member of a review team after they've, you know, already done all the work on a working group.

Should this be an ad hoc body that's created by the council when it's deemed appropriate? So I think we had a broad discussion around it but we didn't really come to any concrete recommendations on, you know, how this should work or how it should look and who should be in charge or who decides how things would work.

James Bladel: Okay. Okay thanks Marika, I appreciate the background. I see we've got a queue going here so I'll start with Avri.

Avri Doria: Yeah hi, thanks. Yeah I think also that the conversation has - and I think as Marika sort of indicated - has moved on in several different directions. So one of them there has been the discussion in the council which has, you know, meandered at times on the creation of a general implementation, you know, standing implementation review committee.

But that was more about reorganizational things and not necessarily about following through on policy. Within the working group they sort of looked at it as what does a working group do after it's finished its work? The experts in some cases that you have on the topic are in that working group.

So do you want to keep them signed on? Do you want to just assign a couple people as a review team? Do you want to do that? Those were questions - those are really questions that the working group working team didn't have so much within its purview of you get a charter, you work on it this way.

And so it does seem a reasonable thing for the PDP group to look at and say, yes, after a working group has finished a work those working groups that are PDP working groups we would like to have them do A, B, C. We would like them to have a core group that remains as a standing group to review the implementation etcetera.

And then whether the details have to come from the council or not, you know, is another sort of bureaucratic issue; you might just say that these working teams - I mean, this working groups just watch and participate with the staff and they bring issues - they sort of act as, you know, reviewers that pass messages to the council when there's something that the council needs to review but by and large they're just a resource for, you know, the implementation staff.

But that's a PDP issue more than a working group - how does a working group work it's just that the question came out of there. I think that the

working group work team sort of closed the issue without saying, you know, there's really nothing there to do.

You know, at the most the working group can make a recommendation in its report to the council and the council could say yes we agree, you know, you should stay open to work with the implementation staff or the council could say no way, you know, we're sick of you people; we want you to go away and stop bothering us and close it down.

So I think that's - so I don't think there's a pending issue on the working group stuff on this personally. But I think it's a very important issue for what a PDP does in terms of following through. We've seen lots of motions in the council saying well, you know, what's happening with the implementation and so on. Thanks.

James Bladel: Okay thanks Avri. So a question would be is this - and I'm not sure if this is outlined in our report. Would this be a standing committee or group or would this be something that is formed only as needed depending upon the PDP that's coming out of council? Would it be a subcommittee of the council that acts in this capacity or members of the original PDP?

I'm not sure if we - I have to go back and take a look at the report and see if we've covered or addressed any of these questions. I'll take myself out of the queue and go to Marika and then Alan.

Marika Konings: Hey this is Marika. On your question within the report I would need to look back as well but I don't recall that we actually discussed like the notion of a standing implementation review team.

I think we discussed more that each working group might make a recommendation that it would be appropriate for an implementation review team to be creative following the implementation of their recommendations

noting that on certain cases there might be nothing to implement because there are no, you know, recommendations or no consensus.

But you know maybe that's another avenue to explore and saying maybe we currently want to explore this idea of a standing committee. I know this is also being discussed for example in the context of GNSO improvements, should there be a kind of standing committee that once all this work is done takes over and takes care of any issues that might come up at a later date.

So you know maybe that should be part of a broader discussion of the role of standing committees and taking care of these kind of issues, so might be something else to explore.

James: Okay, thank you Marika and then Alan, you're next.

Alan Greenberg: Yeah, I definitely do not think this is a GNSO standing committee. I think it's absolutely crucial that it involves people from the PDP. I mean if you look at why are we talking about this, we're looking at it to partly be a sanity check to make sure that what's being implemented in fact is following the intent of what the PDP suggested.

The second is to act as a sounding group if there are questions or options on how to implement or if staff finds it's not implementable what is a reasonable alternative given that situation.

And I think you need people who are participating in the overall discussions and who understand some of the rationale behind the intents.

So I definitely think it needs subject matters, whether council decides to add someone else to the group or something like that to look on it from the point of view of council, fine.

I think the kind of thing Marika is suggesting that it be something that the PDP group can recommend as part of its recommendation is reasonable. I think any PDP is going to have some implementation issues unless it comes out saying we couldn't resolve it and we're just you know giving up the task.

But I think the exact form will vary, whether it's the whole PDP team working group that participates or a subset will depend to some extent on how big the PDP working group was itself.

So I think we want to allow for it, we don't want to make it mandatory and we need some level of flexibility. But I can't think of many cases where it would not need to involve people from the original PDP group.

James Bladel: Okay thanks Alan. I agree, I mean its one thing to say here's a mechanism that's available for those situations that call for it and it's another thing to say this is a requirement.

And I think that you know to separate the folks who participated on the PDP versus the folks who were tasked with you know reviewing the implementation I think is probably a good way to lose the intent or some of the subject matter expertise that was built up during the PDP process.

Alan Greenberg: Yeah, I mean we have another case here where we're tossing a report over a wall to a group of people within ICANN who may not have participated at all in the PDP process and are now supposed to have the great insight to understand exactly what was meant and do it right.

And we've had problems in the past, this is an attempt to address that. You know currently what has happened with PDPs is we send it over to ICANN, the implementation group and four months later or five months later something comes back saying this is how we're implementing it.

And you know we're trying to avoid the situation where people on the PDP working group, that's not what we meant or that doesn't really accomplish what we were looking for.

James Bladel: Okay, next is Alex.

Alex Gakuru: Yes, I think I wanted to support most of the things have already been said but maybe just to add a new angle to the usefulness, to the new usefulness of the standing committee, or the standing working group is the fact that they'll help resolve the older problem where during the implementation an issue which may arise as a policy issue and staff may consider it an implementation issue.

On the council, so I think the standing committee will help address those issues before they arise to identify which are implementation and which are policy and then maybe they need to address it as a policy, then they can go back to the original work team. Thank you.

James Bladel: Okay, thank you Alex and I put myself in the queue here just to test and see if there were any further comments on this subject before we move on to the next item.

Avri Doria: I don't have my hand up yet but I will.

James Bladel: Okay, go for it Avri.

Avri Doria: I have a question. So what did we resolve to do about this? We've talked about it but are we doing something or are we just moving on?

James Bladel: Well I think that based on what we're hearing so far is that we are supporting the recommendation as it reads in the report, is that correct? It sounds like Mary's comment was not necessarily offering a critique of this idea but more of a support of what purpose it could serve or what function it could take out.

I think you know from my perspective and I think this is what I'm hearing from Alex and from Alan is that as long as this is an option that's available and not on the critical path for PDP to become implemented - for PDP working group recommendations to become implemented that that is just one other mechanism that's available should the council and the working group choose to recommend it.

And I think that that makes it a lot less controversial. I don't know, what are your thoughts?

Avri Doria: Okay, I guess I don't remember what the text currently says and I don't have it in front of me but I think we should at least touch notes that we need to confirm that the text says what you know Alan essentially said.

And I just don't remember that it does, so thanks.

James Bladel: Okay, maybe we can check on that not on this call but if we can maybe check on that off line and ensure that some of those elements are captured Marika?

Marika Konings: This is Marika because I think the report itself you know we focused mainly on the recommendations so it doesn't have the language of you know our previous discussions in it.

But you know what I can do is propose some added to recommendation 43 that basically talks about that, you know I think we strongly recommend that if the board deems it appropriate they should recommend as such, it is not mandatory, however there should be flexibility as different issues might require different approaches.

And that kind of way and add that kind of language or I mean if Alan wants to provide some suggestions or someone else I'm happy to add those as well.

But I could include it for the next draft so people can have a look at that and see if that fits with the discussion we had today.

James Bladel: Okay and I can help you with that as well Marika, I don't want you to feel like all of this ultimately ends up on your lap. Alan, go ahead.

Alan Greenberg: Yeah I think Marika it's captured what I was going to say in passing but I'll say it explicitly. I think this - when we say it's an option I believe it's an option the working group can consider.

If the working group as one of its recommendations say set up an implementation working group then it's one of the formal recommendations, I don't think council has an option to pick and choose.

But I think it should be the working group that makes that recommendation, not a council decision. But Marika did imply that in what she said and I support that.

James Bladel: Well okay, if I can weigh in on that for just a moment Alan, I mean what are the thoughts about - I mean can we envision a scenario where the working group believes that something - that this is necessary, submits to council, council submits to staff and we go you know on through the implementation process and then later in the process the council says wait a second, we think staff's gone you know off course here.

We need to set up an implementation review team even though it wasn't recommended by the PDP. I mean...

Alan Greenberg: I think council has that - the right to do that and we may want to say that explicitly but I don't believe council should have the right to not set one up if the working group recommends it is what I was saying.

James Bladel: Oh I see, okay.

Alan Greenberg: But yes, you're right, one could ask after the fact realize it and we want it there so staff can't say sorry, you tossed it over the wall too late. I agree, I support that.

James Bladel: Okay, Avri?

Avri Doria: Yeah, I think I'm going to just to slice that stronger, not that the working can consider doing this but actually that the working group should consider having one and that there in normal cases should be one because as Alan said there is almost always an implementation issue.

I also agree it's fine that if the working group - what you said James, that if the working group did consider it of course the council can say hey, you guys should do one of these.

So that doesn't seem problematic to me but I think that we should consider a much stronger recommendation than that they could do this. Because if they really should do this unless there's a good reason not to.

James Bladel: Okay and one good reason not to might be that there's no policy recommendations that are coming out of this PDP.

Avri Doria: Right, and that's how I think of should, should it support but there might be reasons why it's not a must. But you should.

Alan Greenberg: Yeah, this whole thing is in support of that ICANN policy staff should not be writing the policy while they're doing the implementation.

James Bladel: Right, understood Alan. Okay. So I think our action item here is that perhaps Alan and myself can submit some notes to Marika that could become added to the text for adding Recommendation 43.

And that we could review those as part of our next round of reviews. So I think we're on the same page here. Are we ready to move on?

Alan Greenberg: Yep.

James Bladel: Okay. Somehow we go from Number 6 to Number 2 but you know that's the ICANN ordinal counting system. Recommendation Number 45, the PDP work team notes that the GNSO council review on the PDP working group is important but has not arrived at any possible recommendations yet and hopes to receive further input on the steering public comments.

We have a suggested approach here that as part of the working group guidelines every working group is encouraged to carry out a self assessment which would then be submitted to the council.

So what are we saying here? We're saying that we're asking for like what, a council report card at the conclusion of each PDP working group? You know do we - and the recommendation is that the working groups already have a mechanism for self review?

Go ahead Avri. Avri you may be on mute.

Avri Doria: I was. But perhaps Marika wants to go first, talk, I'll stand down.

James Bladel: Okay, go ahead Marika maybe she can shed some light on this and help us out.

Marika Konings: This is Marika just to clarify what is in the suggested approach, it's just to note that in the GNSO working group guidelines which have just been submitted to the GNSO council, every working group is actually encouraged to carry out a self assessment at the end of their process which would then be submitted to the GNSO council.

So the suggested approach or possible approach would be just to say okay, we'll refer to what is recommended there instead of creating our own process and we need to look back how specific the GNSO working group guidelines actually go, whether there's a - I think there's some recommendations that maybe - you know some kind of metrics or template should be developed to facilitate that kind of review.

So again that might be something that the PDP work team might want to reemphasize or maybe there's a strong feeling that there should be a specific review process that the work team would like to propose in relation to PDP working groups.

James Bladel: Okay thank you. We've got the queue here, Avri and then Alan.

Avri Doria: Okay, yeah Marika said most of what I wanted to say. The only thing I would add is that the working group work team recommends that they consider doing it.

What we in the PDP team can do is require it. In other words there are many working groups, sometimes the chartering organization it may be very wispy, it may not matter.

And so that's why in the working group work team everything is a guideline, is consider doing this, consider doing that because all groups are not created equal. In the PDP case what we're saying is when the working group is chartered for a PDP you must do it.

And then we could even include elements that we thought needed to be included in that. And that's where I see the different slides, you know we're saying that when you use working groups for PDPs do X type thing.

James Bladel: Okay, thanks Avri. I have a question to that and maybe this is something that's in our report or perhaps it's implied in the recommendation. But have

we defined the role of this - you know I don't know if the working group guidelines have a recipe or a template that working groups are supposed to follow during this self review.

And where does that - is that published then as an annex to the final report or what - has this been used in the past? What does it look like?

Avri Doria: Can I give it a go?

James Bladel: No, go ahead, Alan's very patient.

Avri Doria: Right, I do not think we got explicit against we had a guideline that one could be done. It was not made a pre-requisite for the final report as an annex. There may have been an assumption that it gets published.

I think in the working group work team it was seen more as an action that should be taken just so people learn. You know what went right, what went wrong and it improves the skills of everybody in a working group.

I think again this is something that the PDP could require that such a review be done. I mean there are requirements on the final report that what was the level of participation, what was this, what was that.

So that may be part of this. There are certainly no templates for it, it's been recommended many times in working groups.

I think it's rarely been done in an ICANN group, I've been in and again so this is where the PDP group could sort of if it wants to and I'm not recommending that necessarily, can establish you know we want you to do it, we want you to submit it as part of a final report.

And then we want it to include the final three elements. That doesn't need to be in the generic working group template but could very well be a PDP requirement.

James Bladel: Okay thanks Avri, I think that's a little clearer. Marika and - Alan do you mind if I defer to Marika? She usually helps clear up.

Alan Greenberg: No, go ahead.

Marika Konings: This is Marika, I just checked back in the GNSO working group guidelines and there indeed this office has been told she did not develop yet but I think it's the expectation that at some point that will get developed. What is included there, a section on elements of the chart should contain and there's one section there that deals with the closure and working group self assessment.

And there they see that this section of the charter should describe any instructions for working group final closure including any feedback and/or self assessment that is requested by the chartering organization.

This section might also indicate if there is any specific form or template of prescribed manner in which the feedback is to be provided.

So again here I think as well they're coming back to what Avri said, you know people had talked about it but currently there is a stable format and the GNSO working group guidelines believe that it's for the chartering organization to decide that which of course in the PDP context would be the GNSO council.

So it's slotted and to define what should be done when the working group closes and how they should self assess. And again there the PDP work team might want to require that or might you know provide guidance or develop

even the template that they feel is appropriate to include in the charter of PDP work team, one day closed group and how they assess themselves.

James Bladel: Okay thanks, so there is maybe a place holder in the working group guidelines but no template, no prescription. Okay Alan, you're next, thanks for waiting.

Alan Greenberg: Yeah, I have this funny thing about not wanting to put rules in place which we know aren't going to be followed and I think this is one of them.

As Avri said the recommendations many times to do self assessments is rarely done or even external assessments.

The reality is by the time a work group finally finishes and they're working to deadline typically to get a report out in time for an ICANN meeting or in time for some other threshold the self assessment is not necessarily on the critical path.

Now I see the merits of it, I see how we could possibly learn from it although typically the problems are different with each working group and we invent new problems as we go along.

So I'm not sure the lessons are all that valuable. I just don't think this is going to get done on a regular basis and I think it could get done informally between the chair and the council liaison or something like that and to try to document some of the problems.

I just don't think it's something we should say you must do as part of the final report. I think it will get done poorly, I think it will be done politically correctly and not point out that there have been people in the group who have been acting you know to stop the process from going forward or the other kinds of problems that do happen.

And if you look at the vertical integration one where there were strong statements made all along saying we're going to need a post mortem, we have to document how it is, you know why we failed or why we couldn't come to closure or what we did well.

And of course it didn't happen, the group was so relieved that it was over that it just disbanded. And I think we need to be pragmatic in this recommendation. Thank you.

James Bladel: Thanks Alan. I put myself in the queue but I think that you captured a lot of what I wanted to weigh in on this here. My first thought is if it's - you know if something is required then there needs to be some template or rubric to show us how to do a self assessment.

If it's not required then we have to think about why is it not required and what purposes would it serve. And you know I can see a group coming out, doing a self assessment and it turns into one of these you know congratulatory exercises where everyone tells everyone else what a jolly good colleague they are.

If they were - and then the flip side is if there were problems during the process then how do you not attach names and associations to that. You know everything was fine and people were having a lovely party until constituency X came to the microphone and ruined it all.

So you know I don't know - and then the question is what effect does that have ultimately on the policy that came out of that group? You know if everyone agrees that this was a completely flawed and chaotic process and yet we came up with these you know three recommendations for consensus policy does that invalidate them?

Does that give people some latitude in whether or not they want to follow them or implement them? So I think you know it's - you're right Alan, it turns

into a gold star, the group awards itself for you know (paralism) in the face of conference calls.

Or it turns into you know a rehashing of you know possible differences or contentious issues on the call or on the PDP and I'm just not sure - I don't know. I'm trying to be as pragmatic as possible. I think that in the ideal sense I could see where it would help inform and educate I think newcomers and future working groups but I have a feeling that it would be used in one extreme or another.

I see a big red X there, Avri wants to provide a self assessment on what I just said.

Avri Doria: No, I mean I can explain why I did the grid, you're right, it does require a change in culture and I have been in many groups where such things were done honestly and sincerely, usually done better face to face than on a phone call because people tend to be somewhat more honest with each other when there's the chance of facial expressions and giggling and shouting.

But I've seen them be incredibly useful in teaching people about what they didn't know about the dynamics, what they didn't know about how they were perceived by others, you know etcetera.

So I have seen organizations where they are used quite effectively but it requires becoming such an organization. So you know I think that it's good that there's something that is recommended.

I'd like to see them done as I said before, I am not necessarily recommending that they should be tabbed with a should or that they necessarily should be included in a final report.

But I do think that they can be a good thing and I'd like to see you know GNSO as such grow to the point where we could use them as the valuable tools that they are.

So that's why I put a big red X. If it was a little pink X I could have put instead of the big one I would have used that.

James Bladel: Understood. And I think that you know the - I think that the concept is noble and could you know yield something valuable. I'm just concerned that - how it might play out I think in the real world. Alan?

Alan Greenberg: I agree with absolutely everything that Avri just said, I just don't think it should be a rule in our PDP rules on how to do it, I think it should be a process that the GNSO and other parts of ICANN should learn how to do well.

But I don't think it should be part of our rule.

James Bladel: Okay. So what do we want to do with this recommendation here? I think everyone is saying that this should be an option, not a requirement. I think that I'm hearing that and then that this concept maybe needs some further definition.

Right now it exists primarily in name only and then you know the idea that it should actually be encouraged to the point where some working group somewhere along the line actually does this.

But you know I guess how do we massage that into this particular recommendation? Actually our recommendation reads that we have not arrived at any recommendations, so maybe we need to create one for this - out of full cloth for the next iteration.

Any thoughts, any takers on what something like this might look like? Suddenly the queue went dark.

Alan Greenberg: It's Alan, I'm not quite sure this is a recommendation of ours but I guess the only way we have of suggesting things is through formal recommendations so you know the recommendation is council and/or ICANN should develop process and concepts and guidance.

James Bladel: Okay, does that include - that would include a template or a recipe for how to conduct a self assessment?

Alan Greenberg: I guess. I'm perhaps not the best expert in it but I have participated in ones that are useful. So you know I'm not sure a template is the right way to do it, I think guidance is a more generic term.

James Bladel: Okay, well what I'll do if it's all right with the group I'll go over this section of the transcript or recording when it's done and try to tease out some of the basic concepts and submit those to Marika and the list as potential language for recommendation here, recommendation 45.

And we can decide at that point if we want to edit, modify it or throw it overboard all together. Does that sound like a good path forward?

Alan Greenberg: Sounds good.

James Bladel: Okay. Looks like moving on here looks like we're now at the end of these issues and now moving on to a different section here of overarching issues which boy I would love to leave for Jeff.

But I mean we're now at - we've gone through about 65 minutes and we have another 25 left, do we want to go over these one by one or do we want to - are there any other housekeeping issues we need to take care of before we adjourn for today?

I want to make sure we left enough sufficient time for that as well. So is there anything anyone would like to raise here, looks like Marika, go ahead.

Marika Konings: This is Marika, on the items that we have left I think maybe we can comment relatively brief on those because for example looking at the voting threshold I think that's something that we discussed in Cartagena and if people look up under item, let me just check, item four agreement of the council, agree to Recommendation 41, there seemed to be general agreement at the meeting that it is too early to actually you know make any recommendations on the voting threshold as they were part of council structure and the house structure so more time might be needed to actually review how that works.

Now apart from the recommendation the work team made on the charter of voting thresholds which is a new one. So if people feel that there should be another kind of recommendation I think that's something to discuss but it might be something we already address.

And I think on the decision making methodology that is something where people are encouraged to look at latest version of the GNSO working group guidelines and I can send that out to the list.

So we can maybe look at that for the next call, I can extract the language basically so people can actually see whether they feel that should also apply to PDP working groups or whether there should be separate requirements for PDP working groups.

So there's maybe some homework for the next call and I think on the first one, on the definitions, I think on several parts, especially looking at the procedure manual, it's hard to define some of the concepts and scope and consensus policy, also the policy development process.

So maybe those are some items that we would just - as long as we have done our report take those out and include them either in the manual or the appropriate place to have a different definition ready.

So I'm hoping that this part of the discussion won't be as difficult as it maybe looks from the outset.

James Bladel: Okay thank you, I hope that's correct as well. Alan?

Alan Greenberg: I was just going to say that I wouldn't mind if this call ends early, I have a rather busy day ahead of me and getting a half hour back wouldn't be a bad thing, or 20 minutes back.

James Bladel: Okay. And you're right, we are now down to 20 minutes. I think the question is what we resolved today is we've gone through the primary timeline with some edits, we are going to put a stake in the ground for January 21 for comments on the existing report and set up a doodle for a timeslot reservation on Monday.

We were able to get through Item 6 and Item 2 on Pages 8 and 9 and we were able to introduce the topic of overarching issue.

Okay, I was wondering if that was me or someone disappeared and then we would of course then assume that the doodle would be going out possibly - I guess that's an open question. Supposing that the doodle comes back with the appropriate time beginning next Monday, so Monday the 10th.

Does the group want to continue on with this work on Monday the 10th and take advantage of that first reservation?

Alan Greenberg: I don't think we're going to have closure by then, so I think it's moot.

James Bladel: Okay. I agree Alan, but I just wanted to make sure that - I wanted to leave
                  open that possibility and Marika, you're up.

Marika Konings: Yeah this is Marika, I just noted that I put out one of the items that probably
                  will require some discussion in addition to the last two and that again is
                  something I can put on the mailing list so people can focus on it and hopefully
                  already think about it before the next call which is transition and how we
                  move to the new PDP process.

                  And you know would it affect in any way the PDPs that are ongoing, and then
                  there are two items that we as staff identified when we were actually
                  developing the procedure manual that we haven't discussed or haven't raised
                  before which is the determination of a PDP prior to the final report and we've
                  made some suggestions there for the working group to review.

                  And then as well amendment on modifications of approved policy, I mean
                  now the only way is to actually do - redo a whole PDP but the question there
                  as well, should there be a way to amend existing policies and in a different or
                  shorter way than you know going through a whole PDP.

                  So again just want to flag those and if everyone agrees I'll put those different
                  items to the mailing list so people can start thinking about them in time for the
                  next call.

                  And I think we're making really good progress in working through these
                  issues so maybe our time is not as ambitious after all if we make it through on
                  the next call on these items.

James Bladel: Okay and if I could just add to that Marika, perhaps we could put all of the
                  overarching issues, even those ones that we determined were probably fairly
                  brief, never know, someone who is on the list but maybe unable to attend the
                  calls or Jeff you know who is absent today might have some thoughts on that.

We don't want to miss those before we move on. But otherwise I agree, if we can start to hammer some of those things out on the list then we don't need to dive into those Monday meetings quite yet.

Okay, well we have just about 19 minutes left so sorry about that Alan, but better than zero and with that I would just recommend that we adjourn for today.

Alan Greenberg: Great, thanks James.

Marika Konings: Thanks.

END