ICANN Moderator: Gisella Gruber-White 02-15-11/7:00 am CT Confirmation # 1329615 Page 1

# Standing Committee Drafting Team (SC-DT) TRANSCRIPTION Tuesday 15 February 2011 at 13:00 UTC

**Note:** The following is the output of transcribing from an audio recording of the Standing Committee Drafting Team on 15 February 2011, at 13:00 UTC Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but should not be treated as an authoritative record. The audio is also available

http://audio.icann.org/gnso/gnso-scdt-20110215-en.mp3

#### On page:

http://gnso.icann.org/calendar/#feb (transcripts and recordings are found on the calendar page)

## Participants on the Call:

Wolf-Ulrich Knoben – ISCPC Tatiana Khramtsova - Registrar Stakeholder Group Avri Doria - Non Commercial Stakeholder Group Philip Sheppard - CBUC

### **ICANN Staff:**

Glen de Saint Gery Marika Konings Gisella Gruber-White Julie Hedlund

## Absent apologies:

Ray Fassett – Registries Stakeholder Group Mary Wong - NCUC Rudi Vanscnick - At–Large

Gisella Gruber-White: Thank you. Good morning, good afternoon to everyone. On

today's standing committee drafting team call on Tuesday, the 15th of February we have Tatyana Khramtsova, Wolf Ullrich Avri Doria, Philip Sheppard. From staff we have Marika Konings, Julie Hedlund and myself, Gisella Gruber-White. No apologies made for today. And that please just remind everyone to state their names when speaking for transcripts purposes. Thank you. Over to you Wolf.

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT Confirmation # 1329615

Page 2

Wolf Ulrich:

Thank you very much Gisella. Good morning, good afternoon to everybody? So it's the first meeting of this drafting team on the matter or chartering a steering committee. And I've - I'm happy that we have this group together.

I do hope that we will have some more participants in the future. I know that Mary Wong could not participate today because she indicated she is not available. And maybe others will join.

I don't know - there was another name indicated whom I don't know but he had other (problems today) to participate. Anyway, this item steering committee on improvement implementation has been - let me see - has been talked about for several months already on council level as well as on within the GNSO I would say.

And so far, I've - I've outcomed the resolution the council made last time that this drafting team should be established. But to think about a charter of this steering committee.

At first - well what I would like to do today is at first to think about the mandate of the - of this drafting team whether we have the same understanding of this mandate and then think about a outline of a chartering of this steering committee how we could approach that and what kind of elements should be implemented to the charter.

And then at the end, if it's time, so we should also think about the participation within that group, the timing of that group and at then end, also formally we should also find, let me say, a (DT share) because as I understood from the council's last call for (an intern's chair) still an (intern) share for this call.

May I ask you whether there is anything else to be added to the agenda from your side or anything different? I have...

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT

Confirmation # 1329615

Page 3

Philip Sheppard: (Are you talking) to me? Philip speaking.

Wolf Ulrich: Who is speaking?

Philip Sheppard: Like I said, that sounds good to me Wolf

Wolf Ulrich:

Okay thank you. I hope you all joined the Adobe connect so you can see the raise your hand and you can see also the documents which are on the screen. Okay. So clarifying the mandate of the drafting team, you remember so from the work, so from - done on the implementation and the improvement of the implementation, there have been established in the past the different steering committees, the OSC and the PPSC with some draft - with some working teams.

And I was going through the charters of those steering committees and what I found was that there was already in the - in their charter was already something allocated which may be or should be allocated to this - to the new steering committee as well.

So I put it in that chart, in that document. You can see the OSG or (OSC) charter, of us drafting, we're saying in addition to what the main targets are. Once recommendations have been implemented, the OSC will be responsible for viewing and assessing the effectiveness of the new improvements and for recommending further operation and enhancements as warranted.

And the PPC is a little bit like different in the same direction so include the responsibility for reviewing the (unintelligible) of the new (policies) and for recommending any further changes.

So I will be very clear here and also find a consensus on that, that with the (content) resolution from we just had where we established a new steering committee, it is also intended to finish that the work of the so far existing

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 4

steering committees, OSC and PPSC should be finished and then those elements should be part of this element or in addition from some other and it should be taken (over) by the new steering committees.

So that's my first comment, how I understand that just from the - from this status that we can see how it's a relation between the new steering committee, the old steering committees and the council then.

I would like now just to start with that and go then into a discussion about that and see if some comments, that that is the same understanding from your side and then we can, well, discuss that. Avri please.

Avri Doria:

Yes thank. This is Avri. I think that the standard committee has a large difference from the steering committees. The steering committees basically put in to affect a set of policies - a set of practices perhaps. And now those will start being lived with. They'll be constant over the next year or two, realizations that it doesn't cover this, that it's too strong for that, that it's whatever.

And that - so that's part of what I can see this standing committee dealing with those many little issues that come up of things that don't work right or things that we realize once we started working that more is needed.

There was a very specific decision at the beginning of the creation of the steering committees that they would be short term, that they would take the initial problem, that they would pose a solution and then, you know, we would move on.

There had been a recommendation at the beginning for permanent standing of both of them but that was objected to by the council at the time which is actually good because I think another thing a single standing committee will be able to do is look at some of the affects that come out of one steering committee having decided on something and another committee having used

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT

Confirmation # 1329615

Page 5

it and found that it didn't fit quite right. That's I think a lot of what we saw in the SOI DOI discussion, is it was used in various places.

And so one of the things I think the standing committee also gets to review is the more complex question of how do these things combine to make GNSO council and GNSO working group practice actually work? Thanks.

Wolf Ulrich:

Thank you Avri. Philip.

Philip Sheppard: (Unintelligible) speaking. I think I (boldly) agree with what Avri is saying and I think we do need to be very clear as to where the work of the OSC and PSC and I'll start. So my assumption is that both those committees should've been responsible for implementing some (different caps) of adoption of everything in the improvements reports.

> And that essentially our job for this new group would be the subsequent review of those changes that have been implemented from those two standing committees and it presents any problems. But then we're not looking at doing anything afresh. And I think that priority would help because then we see a natural ending to the job of those two committees and an actual start to what we would do.

> I also think that goes into the flavor of what council was saying at their last meeting which is a desire not to have a continuous activity of change and socalled improvement for which council felt have been distracting from its key work of course which is that of policy management.

Wolf Ulrich:

Thank you Philip. So do I understand that correctly, so my suggestion as going in that direction, so do you see a - an overlapping phase between the so-far existing SCs steering committees and the new group? So that's the first one - the first question. And if that, what does it mean for the responsibility and let me say for the new group? So in the context of this -

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 6

both - let me say the items I just mentioned in the - from the OSC and the

PPSC charter.

So what I would like to say is, you know, I would like to find a way of co- of

coexistence if it's needed, of the three - the three groups. So if not, then it

may be easier to be handled. So it depends on the work to be done and the

tasks allocated to the different teams.

So my question again, how do you see that and what's - what is your advice

to that? I - just see first in my role, Marika one comment, then I think - I don't

know who was first, but Philip maybe and Avri. Marika?

Marika Konings:

Yes, this is Marika. I - in relation to that question, I think it is important as well

for the drafting team then to take into account that I think that if you look at

the OSC and the PPSC, I think they're at different stages of their work. As I

understand, I think the OSC is nearing the end of its tasks while I think the

PPSC still has a very large task remaining which is the review of the PDP

report that the work team hopefully will put out in time for the San Francisco

meeting but will still need to go through a round of public comments before it

actually gets submitted to the PPSC itself.

So they might need to do further review so I think they have some more work

ahead as part of their charter as it currently stands and then the OSC. So that

would need to be taken into account in a discussion if you talk about whether

there needs to be overlap between the three or whether it's desirable or not

or how that might work.

Wolf Ulrich:

Yes, that's - okay. I understand. Yes. Philip please.

Philip Sheppard: Yes, thank you. Yes, I agree with what Marika is saying and speaking with my

(half on) OSC chair, at the moment we have one outstanding work item which

is getting the rules on proxies right because currently we haven't and I'm

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT

Confirmation # 1329615 Page 7

waiting for some feedback from council in order to do that work. But I agree that the PPSC has more ahead of it.

Wolf Ulrich:

Okay. Avri.

Avri Doria:

Yes, I think - thanks. I think actually we can - and I mean I agree but I think like you said at the beginning, it's once the work has been approved by the council and until then, it remains in the PPSC and OSC. So we don't necessarily need to worry about them being different stages that basically it's not handed over to this group. Well, this group doesn't exist yet but once this group formerly exists, it's not handed over until it's been approved.

Now of course we've had a couple instances where, you know, it's been approved and then all of the sudden it's oops, we didn't realize and so we kind of unapprove it and sent it back.

And since there is not standing committee, what else could they do? But at a certain point, it's approved. Those committees no longer having work that's on their list of to-do will probably cease to function or drift away, you know, after a while and so it comes - but if I think we define it more as based on what piece of document, what piece of the process is finished and approved and put into practice, that that is the indicator for when it shifts from one place to another.

I think it becomes easier. There still may be some fuzzy spots, you know, and then of course it's the council that gets to decide, no, we don't think this is ready for the standing committee yet. We really want to send this back to the OSC or the PPSC for the following reasons, they still have that ability. But, you know, by and large, there's a definition. Thanks.

Wolf Ulrich:

Okay so what I understand from your from the discussion right now is so you really see a - let me say - a parallel existence or you see committees which, by the way, I understand also for far committees - are steering committees or

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 8

standing committees. I was of the opinion it's called steering committee -

OSC is the steering committee and then PPSC is (not).

So there may be a phase of the coexistence of all three committees then.

And depending on what the council is going to decide, that's where I understand from your (goods), then the - a task is going to be handed over to the new group or maybe returned to the OSC or PPSC for further improvement on that. Is that what I understand correctly?

Avri Doria:

This is Avri again.

Wolf Ulrich:

Yes.

Avri Doria:

I think so although I think in general it will be clear. I mean, with the standing committee once it's going will have its own set of, you know, predetermined tasks perhaps. But I was thinking in a general case, what I was saying is we don't limit the council and others if the council - even though we may think, oh now, that's a standing committee thing, you know, the council and its wisdom decides, no, no, we really think this is still, you know, for example, with the council - with council practice, you know, the council operational guide.

And, you know, that's been one of the most contentious documents so far because they really have to live with it on a day to day and so, you know, they may - and I know the they is you - but they may decide that, you know, no, we want more work out of them. We know we already approved it but we want more work out of, you know, that committee.

Wolf Ulrich:

(Right).

Avri Doria:

That that can continue to happen that, you know, it's not just because you formed a standing committee and the operational guide was already approved once but then, you know, unapproved, that that makes it the standing committee's.

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT Confirmation # 1329615

Page 9

And what I'm saying is the council has that (latitude) but by and large, I would think that the rule was unless council decides otherwise, once they've approved something, it would belong to this new standing committee as opposed to the steering committee. Thanks.

Wolf Ulrich:

Yes, thank you. So okay. The only question is then for me - or many questions in regards to that, it could be - I understand so - I understood so far, PPSC and OSC have a charter where their tasks are pointed out so - and to make recommendations to be implemented and so in addition, then if in their (talk) in addition to what I just mentioned before, that there is a responsibility given for reviewing and assessing the effectiveness of the new improvements and for recommending server operation enhancements.

And that's when I read it - read that, that may be an overlap to that - what this new (coup) should do, should think about. But let's discuss that further on. I understand that first, and I would agree that to some extent there is a power (leg) existence of these three groups but then it is very necessary to clearly differentiate between the different terms those groups have with regards to - let me say - reviewing and assessing the effectiveness for example, if there is - if they are allocated to their (unintelligible).

We should be clear on that and we discuss that further on and think about what should be our recommendation to council with regards to that. Okay. Okay but that brings me to the point of the mandate of this drafting team.

The mandate of this drafting team is to come up with a - from my understanding, to come up with a charter or with proposal suggestions for options for charters if their might be a variety of terms we could not get consensus on with this (thing) or if you find, okay, it could be that way or this way.

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT

Confirmation # 1329615

Page 10

So is that the understanding - the common understanding on that? Hearing no objection to that, so the question then is should be - and let's go immediately to the third (icon) on the agenda. What should be in a draft charter or a draft charter or the options of charters for the steering committee?

I have put some words and just a list of words, very general, in the document I sent out and so the - at first what I would like to say, is well, okay we have some general working - what is it about this standing committee in general what words would come from there. Is it - how is it implemented in the organization here?

And then we should find some - a working method for this composition committee. And that's one of the major points to be discussed is should this steering committee work in an active way or proactive way that means - it may mean - let me say - just to come up with recommendations and to do something by themselves or to initiate something by themselves.

Or should it be a committee which is going to react? That means it's waiting for something which has to do with improvement items which sometimes - in which is (wrong with) improvement or something which is to be discussed with the already implemented improvement elements and just waiting for an initiation by council or by whomever.

And then act on this. So that's a basic question to that. And there may be also different views on that and I would like to ask at first I see Marika.

Marika Konings:

Yes, this is Marika. If I just may make one more point on our previous items, something that the drafting team probably should take into account as well that I think as it currently stands that the charters of the OSC and the PPSC are due to expire in June.

So if this team - if the drafting team feels strongly that there should be some overlap or some time which - during which you should coexist, that might be

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT

Confirmation # 1329615

Page 11

an issue that they might want to raise as well in their feedback to the council at some point with an indication as to - until what moment it might be appropriate to have that coexistence or probably that would require some input as well from the steering committees depending on where they are in their cycle of dealing with their responsibilities. But I just wanted to note that as well for the record.

Wolf Ulrich:

Okay. Good - it's good to know. So we should take that into consideration as well. Philip please.

Philip Sheppard: Oh if I could - a couple of comments. One just actually to reinforce what Marika said about the context (barriers) the (cont) charters was ending in June. It is slightly odd that the OSC or council with a deadline with end of January to give us feedback about the issue of proxies to improve those rules and council missed that deadline and so we're currently waiting for that information.

> At the same time, as we have a supposed charter expiry in June. So to some extent, the issue of overlap is one that's in council's control because we're waiting for information from them though these things are not necessarily in the gift of the steering committees.

> Really the main point I was going to make was in reaction to - of one of your bullet points, this point about proactive versus reactive. I mean, for me I saw the, like, the finishing work the on the OSC simply being getting the information right (so there) can be the - last few actions we've been doing has simply been tidying up (attempts) at implementation, hearing feedback immediately that those cause problems and addressing those.

> I see the job of this new group being a bit more long term and that, you know, things might've been happening for some time. They were basically working but, you know, perhaps we started having conversations and things could be better, you know, how about doing it in a slightly different way.

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT

Confirmation # 1329615 Page 12

So not that they are actually difficult in operation but they - there may be

improvement in the way things are done or we have - we learn from doing.

And in that sense, I saw the job of this new group as being more reactive to

those sorts of learnings.

So I think that should also relate to our next point about membership. And

one of the things I think it would...

Wolf Ulrich: I (said) come to that later on if we can maybe la...

Philip Sheppard: Okay fine.

Wolf Ulrich: Let's stick on that point and then - and now it's Avri.

Avri Doria: Okay yes. Thanks. On Marika's point, I don't know about the overlap. I don't

know, self-explained for various reasons that they haven't.

know that we need to be prescriptive about that. I think that acknowledging that there is overlap because some things haven't ended yet because of, you

But so that one can start while the others are finishing and not so much for

this group to say we want to see or we recommend overlap but just it's an

acknowledge thing that one is starting up because some work is done and

therefore it needs to be reviewed, maintained, et cetera and one isn't.

In terms of Philip's point about it being reactive, I think in the general case, I

agree. It is reactive although I think that it may also be reasonable among it's

chartered activities to have periodic review or set a poll or actual information

collecting, not just wait until things rise to the level of people complaining

because they can't stand it anymore.

But at some point have an action that says, okay, these practices have been

inpra- you know, in - established for a year now. You know, do a review. See

ICANN Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 13

how they're working. Are there tweaks that are needed? So yes, primarily be reactive but have some sense of just maintenance and continuity of looking at it and making sure that it's still, you know, fit to do the job it was intended to do. Thanks.

Wolf Ulrich:

Thanks Avri and Philip. So when we - I think to make it clearly, so - and it is important really to differentiate what was (it means) - active and let me say reactive in that sense. So I refer to what I think Marika was drafting something for the county last time, a suggestion, also what we should think about is - so the question was that way, showed, for example, the mandate of this steering committee also and compares operational issues arising from the implementation of the recommendation. There may be some discussion already that have been taken on staff level. And I would like - maybe, Marika, you could comment on that to what is behind of that question so - because that's really what you should know so whether we should go into that kind of activity that means operational issues but what is behind of that, Marika.

Marika Konings:

This is Marika. I actually don't recall specifically talking about the operational issues. I'm just trying to...

Wolf Ulrich

It was, you know, there was just...

Marika Konings:

Right, right. And I'm just quickly looking back at the email I sent. So I think that's more talking from the implementation side. And I think that's...

Wolf Ulrich

Yes.

Marika Konings:

Question where I think someone said that might be, you know, for the council to decide, you know, looking at for example some of the recommendations of the OSC where they've gone to implementation and people then have come back saying oh well we actually don't think they work or we don't like them or, you know, I've identified issues with them. At that stage should those go back

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT

Confirmation # 1329615

Page 14

to the OSC and the respective work team? Or would that be something for

the drafting team to take on?

So I think that's, you know, I think Avri commented there that, you know, it

depends a bit. You know, if the steering committee is still alive and still active

it might be appropriate to go back. If it's not, maybe it's more appropriate then

to go to the drafting team.

But I think Avri's suggestion of leaving it up to the council might be

appropriate because it might be difficult to, you know, really write that in black

or - and white when it goes to - back to the steering committees or the

existing steering committees and when it belongs in the remit of the drafting

team but the - of the standing committee, sorry. So...

Wolf Ulrich

Yeah.

Marika Konings:

That was one of the questions that, you know, we thought that should be

addressed. And then we have already partly discussed it today as well.

Wolf Ulrich

Yes. Okay. So one of - one thing (unintelligible) is the implementation. We

were talking about, okay, maybe this new steering committee will take tasks

from the council after the recommendations of the other steering committees

have been -- so it's a question -- have been approved by the council or have

been implemented already. So that's a difference.

So different is the approval given by the council is one thing and the other

thing is now it starts to get implemented. And during the implementation

phase there may arise problems or questions and these things which then

have to be dealt with.

So how do you see this - it is a different in the activity. It means if some - if

steering committee picks up a - an approved recommendation to review that

then there may be no practice of - taken so far with that recommendation.

**ICANN** Moderator: Gisella Gruber-White 02-15-11/7:00 am CT

> Confirmation # 1329615 Page 15

So is - what I would like to find out is is there any need for the steering committee to step into the process in such an early stage. It is - that means before practice have been won by the people dealing with the implemented recommendations. Philip?

Philip Sheppard: Thank you. It's a good question. I mean it's difficult to answer I think in the abstract as Avri and Marika have pointed out.

> If I look -- I think I'd just like to talk about some of the expertise, not wishing to reinvent the wheel -- if I look at the way that the OSC has operated the - at the steering committee level we were fully representative of all constituencies. And we were an oversight body, a second set of eyes, of non-experts but people who knew broadly the processes and systems looking at the recommendations that came out of our expert work teams.

If I look at the working practice of the work teams typically they have fairly lengthy discussions on some issues in terms of the basic principles involved, you know, what are we saying as a principle like references on any declarations of interest or whatever statements of interest. And having thought about that and agreed on those principles they then turned those into a set of implementable rules and - for those and discussed them. And finally they go through a set of rules having gone through a couple of these iterations not just from the experts on the working team who's also representative but of the steering committee and finally of course the council itself.

Now if anything of those subsequently proves wrong it would be a pity to have to go back to basics if you like if it's a simple change that's required and in fact there's no change that anybody wants in terms of the objectives or the principles but there's merely a mechanical change needed in a certain process which was recommended in doing a certain way, you know, or even the ways that staff have had to implement it.

ICANN Moderator: Gisella Gruber-White 02-15-11/7:00 am CT Confirmation # 1329615

Page 16

So I think there is a balance between not letting go of that expertise that's there for some of those things where that is useful as opposed to a completely new set of eyes and new people or in a new group looking at other changes that may be required particularly when the new rules have had a chance to bed down, see how they look. And I think that will probably be much more in the field of what's coming out of the PPSC than the sort of operational guideline rules that we've done on the OSC because I think that's where the bigger challenges are going to be and where we will see some holes and some difficulties.

Wolf Ulrich

Yes. Thank you, Philip. So that's how I see also a difference, you know, regarding two of the PPSC or especially the PDP working team is doing - coming up with though this is a new process which has to be dealt with and which expertise has to be found with this.

So the question is then because - and I understand that with regards to some elements of this process we have implemented already some so-called appeal mechanisms. So that's what I understand. That is something if somebody is not satisfied with something in the process, in specific elements and he can appeal according to that - to the process itself, to whomever.

And so the question is - so that's - what I don't see is - should be covered by the steering - the new steering committee to deal with such items. The steering committee should just deal with some items which from the process itself come up and may be not - no, not very - let me say very beneficial, applicable to the team or to the process itself. So help is (unintelligible).

And so for me it really must be very clear between the items or issues which come up with regards with the content of the recommendations given by the different - by the existing steering committees and with regards to the application - applicability of the procedure let me say, of - for those processes.

Okay. Let's say, go on. So let's - are there - so I understand coming back to the question of proactive versus reactive I think - so from my understanding right now from the discussion, so we are - we could agree about okay, major mainly being - that the steering committee mainly being reactive with some elements of activity which have to be let me say formulated. So and I've - I will try well to do that for the next - for our next meeting so that we have something for discussion about that.

Is there any other point with - from your point of view with regard to the working message for this new steering committee do you have in mind? While working message also I think is - there should be outlined the question of funding.

No. That's different. I had a different point of decision-making. I was just - that was a point of decision-making where we come to later on.

So then let's go to the question of membership. Philip, you had a comment on that.

Philip Sheppard: Yes. Thanks (unintelligible). I found it very valuable on the OSC to know that we had a membership that was fully representative of all constituencies so that when we were adopting as the steering committee a proposal we knew that we had buy-in from all the constituencies.

> So the expectation was by the time it got to council there should not be significant disagreement because the constituencies themselves on council will have already, via the OSC representatives, have bought into the adoption. And if not, that would be the time to raise it.

And we thought that was a useful point of efficiency to keep the discussion where it should be on the operational issues and to keep council focused on policy management. So I would recommend a similarly broad and inclusive

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 18

membership for the standing committee. I think we need to call it a standing committee something as well actually rather than just a vague title.

And in relation to your composition bullet point about council members I would strongly recommend that we do not have council members on this group. I think council should be very much focused on the policy management. And we should be looking at other people from the constituencies and elsewhere to do the work of this group.

Woman:

(Unintelligible).

Wolf Ulrich

Okay. Thank you, Philip. In parts we agreed, Avri, I saw. But you have still comments please?

Avri Doria:

Yeah. In part I agreed. I definitely agree that the group needs broad participation from the constituencies and stakeholder groups.

I don't believe we can necessarily or should necessarily treat them as representatives to the group as we did the PPSC. Or even if we do we shouldn't count on that being the final word of what an SG or a constituency is going to say about it once it gets to the council level. There's just different dynamics there.

And it - we shouldn't preclude the fact that no matter how hard we try in a standing committee that, you know, still when it gets to the council, when it goes through the community review and the stakeholder group or constituency review there's not going to be issues brought up that the people that were participating didn't. It's just, you know, because you're not going to be going back for a temperature measurement to the constituency or stakeholder group on a biweekly basis so it's quite possible that - so I think it's critical that it be a broad participation from all the groups, you know, and including those that the GNSO reacts with. So we also want to do outreach beyond ourselves.

Moderator: Gisella Gruber-White 02-15-11/7:00 am CT

Confirmation # 1329615

Page 19

On the participation of council members I don't think that we have any notion

of prohibiting council members from participating in groups. I think that this

group should follow the pattern of, you know, certainly having a liaison to the

council that's being, you know, I don't know if it's - I guess it's not approved

yet but it's being recommended by the work teams and that this group should

in general follow that set of processes and have a liaison.

As to whether for example - and I'm differentiating between the drafting team

which we are now and the group that is eventually chartered. In the group

that's eventually chartered whether a council member should or shouldn't be

the chair of it is I think an open question, one that, you know, I've brought up

in a separate venue.

But I think if it's allowed generally it should be allowed in this group. If it's

disallowed generally then it should be disallowed in this group. But that's a

determination that's yet been made.

I think we have to be careful, you know, of council members in groups such

as this because they do carry more weight than other people simply because

we know that they're going to be voting on things later. You know? So there

is sort of a weight issue there that one has to be careful.

But I don't see anything in the offing that actually prohibits council members

who generally happen to be our most active members. I mean there's a

couple of us other than council members, usually ex-council-members who

are still active. But if we're going to prohibit the council members from

participating I think that becomes a general issue that's problematic. Thanks.

Wolf Ulrich

Thanks, Avri. Before I refer to Marika so I would like to add that some - one of

the intention of the council was -- and this was raised several times in council

level -- that we should try well to find so-called new blood on this steering or

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 20

standing committee. So that means if I look around right now in this drafting crew we have still old blood, okay, or very experienced blood here.

But anyway so it's every time the same question about to bring new people here on such a committee. And so I - personally I will work on that and - for that on council level but - and also on council level to - in order that council members approach their constituencies or stakeholder groups to find people for it. But you never know what's going to happen.

Marika, please.

Marika Konings:

Yeah. This is Marika. Maybe first a comment in relation to your last comment on old versus new.

And maybe that comes back as well partly to the working method of the standing committee because I guess another question would be: is it the standing committee itself that would, you know, make changes or, you know, propose new ways of implementing certain things or is it just the standing committee that identifies the issues and then tasks either a sub-team or a specific group for which it can call volunteers to deal with that specific issue which then comes back to the standing committee who then decides whether that's the approach to go forward or not? I guess that's another discussion, you know, the drafting team might want to have.

Just a note on the membership, if the drafting team decides to move forward with a similar approach as has been done for PPSC and OSC where the membership is basically reflective of the stakeholder groups and constituencies who each designate a primary or an alternate I think it would be helpful if there would be some kind of mechanism built in to the charter in which during a certain period - after a certain period of time the stand - stakeholder groups or constituencies are asked to reconfirm that those are their representatives on the standing committee.

We've seen for example in the PPSC where, you know, members are no longer active or, you know, stakeholder groups or constituencies don't even know who are actually assigned to the PPSC partly as well because of course it has been relatively dormant for a substantial amount of time while the work teams were doing their work.

So I think it would be helpful if there's some mechanism built in as I presume that the standing committee, the ideas as well, this is a longstanding effort while on a regular basis the membership is confirmed to make sure that people that are on the list are the ones that are indeed responsible for either feeding back information to the constituencies and stakeholder groups and making sure that indeed that's a representative way of having the discussions.

Wolf Ulrich

Yes. Well this new blood is also meant as things that not only, you know, the so-far participating members of the OSC and PPSC should just move over to the new standing committee, just to oversee what they did in the past, you know, what are the OSC and PPSC decisions. So it was, you know, the intention, okay, to have a - an independent view on the items then.

So that's a wish, a request. But okay, we have to work on that.

Philip, and then Avri.

Philip Sheppard: Thanks. Just to clarify what I said earlier about council members, I wasn't proposing that we ban council members. I was simply posing that we didn't encourage them.

> And I think the way that you would populate the standing committee would be the normal call for members. And if constituencies choose to nominate a council member then so be it.

> But I don't think we should be soliciting council members per se. That was my point.

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 22

To Marika's point about working method I would have thought that the level of

work that we do should be sufficiently discrete in terms of packets of work.

But probably the standing committee itself should be doing the work and not

being a management body. But I'm open to how that happens. It doesn't

really matter as long as the work gets done.

And as to the point about old blood and new blood I mean to be realistic it

wasn't council saying this is absolutely essential. I was on that particular call.

And it was a suggestion from (Stefan).

Now I think there is a lot to be said for new blood in the policy development

area on working groups, etcetera. Not only is that a good thing but it's also an

area where it's much easier to attract new blood because that's much more

interesting.

On the other hand I think the nature of this sort of new group as was the

steering committees also deal with process, I think does need a - an

understanding of history and the heritage of these organizations. And so I

think actually in contrast to what (Stefan) was saying there was probably a

reason for old blood in such a group as this more so than almost any other

group that the GNSO is forming.

Wolf Ulrich

Yes. Thanks. Avri, yes?

Avri Doria:

Yeah, just a quick addition. I think I agree to all that. I think especially in

drafting teams it's old blood because...

Wolf Ulrich

Yes.

Avri Doria:

Coming up with charters is definitely an old blood type of activity. But I think

we constantly have to be looking for the mix of the old and the new so that,

you know, and, you know, I guess the only other thing I'd amend is to some

Moderator: Gisella Gruber-White

02-15-11/7:00 am CT Confirmation # 1329615

Page 23

people coming in ICANN are pure process freaks and that's what they care about most. So we may actually find new blood that finds this interesting.

Wolf Ulrich

Okay. Yes. Thanks. We have still three minutes to go so I would like to use that time to talk about the - our - how to organize ourselves and what is there could be time scheduled for this drafting team.

I have two questions here. The one - the first is the - my task is to present the charter for consistency or opportunities of charters to the council. So the question is: when could that take place? Is it maybe possible already to do something - well to present something in San Francisco for example which is four weeks ahead?

So that's one question. What is your feeling about that?

And that's - the other question is then the timing so - with regards to the next meeting. My suggestion would be one week from now. So I would like personally well to prepare something, a document to hand it out reflecting the ideas from today and drafting something so - which you could alter, then amend and comment on the list about that.

And then if possible then - because I don't see that the drafting team itself takes so much time to draft something and we don't have too - if you say too much different views on that. That's what I understand from the discussion today. So just put it to paper -- that's what I'm doing -- and then discuss it and then present it.

So that would be my suggestion. I see Avri nodding or agreeing. Philip?

Philip Sheppard: Yes, happy with all that in terms of process. On timing of our next meeting I would have a problem Monday, Tuesday, Wednesday of next week but no problems for the Thursday or the Friday. If that's difficult for other people perhaps we could do another Doodle poll just to get a...

Wolf Ulrich Thursday may be a problem for others because there are different teams as

well on Thursday...

Man: Yeah.

Wolf Ulrich I understand.

Man: We have the council of (unintelligible) on Thursday.

Wolf Ulrich There's - council is beginning of March. And...

Man: Oh okay.

Wolf Ulrich No. No. It's 24th, the 24th of February. Is that...

Man: Yeah. Okay. Yeah. Yeah.

Wolf Ulrich Avri, how do you see that, Thursday, Friday?

Avri Doria: This is Avri. I have problems all next week so either early in the meeting or

late at night. But I'm going to be doing IETF and (CSTD) meetings next week

so I'll be in a weird schedule.

Wolf Ulrich Okay. Let's do it. And Tatyana, I don't know what's your schedule is at.

Tatyana Khramtsova: This is Tatyana. I'm ready for that.

Wolf Ulrich Okay. So okay, my suggestion is valid. Then we have to go for a Doodle

again I think I understand. So I will contact - get in contact with (Cesar) about a Doodle next week tentatively. Is it really, Philip, for you excluded - Monday

to Wednesday is to be excluded fully?

Philip Sheppard: Certainly the Tuesday - yeah, Wednesday I'm in meeting all day as well. And

if it was earlier in the day Monday it would be okay, before Brussels time

12:30. So that would be three hours earlier than today's start.

Wolf Ulrich That could be - could happen. So is - there is Avri. Avri, are you in Sweden or

where?

Avri Doria: I'll be in Geneva so I'll be on European time although I'm not that time-

sensitive. I'll get up in the middle of the night if I have to.

Wolf Ulrich I will have - may have problems with Mary Wong as well. Okay. Let me try.

So I will try to send out a Doodle and we will see what's going to happen. And between I will send out also a document that you can do something on the list.

Marika Konings: (Vol), this is Marika.

Wolf Ulrich I think I was still...

Marika Konings: I think one final...

Wolf Ulrich Would like to say something?

Marika Konings: Yeah. This is Marika. And...

Wolf Ulrich Yeah.

Marika Konings: Just on the proposal of having something ready for discussion in San

Francisco I just to make sure that people are aware of in principle the

publication deadline that exists which is actually the 21st of February for any items that are to be discussed and - at the ICANN meeting in San Francisco

until ten.

Man: (Unintelligible).

Marika Konings: Ignore that. But I just need to point that out.

Avri Doria: Marika?

Marika Konings: Yes?

Avri Doria: A question on that. Does that apply to things like a charter? Or wouldn't that

be the motion deadline of the GNSO? It's not like this is a document to be

reviewed per se. This is...

Man: Yes.

Marika Konings: By design, if indeed it's already in the form of a motion for the council so dub

then the motion deadline applies. It's more if it's a more general discussion I

guess then there might be a gray zone there.

Wolf Ulrich There's a - at least...

Philip Sheppard: Well now I...

Wolf Ulrich What I would like to do...

Philip Sheppard: I do think it would be good if we have something to discuss at, you know, a

40-minute meeting in San Francisco wouldn't it?

Wolf Ulrich Yes. Yes. Okay. So I will put together that.

So thank you very much for this discussion. And okay, we'll get in contact

again. Thank you.

Philip Sheppard: Okay, all right.

ICANN Moderator: Gisella Gruber-White 02-15-11/7:00 am CT Confirmation # 1329615 Page 27

Wolf Ulrich All right.

Avri Doria: Okay. Thanks.

Man: Thanks, everyone. Bye-bye.

Woman: (Unintelligible).

**END**