

Transcript
GNSO Drafting Group on Cross SO/AC Working Groups
22 November 2011 at 20:00 UTC

Note: The following is the output of transcribing from an audio recording of the GNSO Drafting Group on Cross SO/AC Working Groups teleconference on 22 November 2011 at 20:00 UTC. . Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/gnso-cwg-20111122-en.mp3>

On page:

<http://gns0.icann.org/calendar/#nov>

Attendees

Jonathan Robinson
Jaime Wagner
Wendy Seltzer
Mike O'Connor
Charles Gomes
Alan Greenberg

ICANN Staff:

Julie Hedlund
Liz Gasster
Nathalie Peregrine

Absent:

Rosemary Sinclair
Jeff Neuman
Tim Ruiz

Coordinator: Thank you everyone this is the operator, just need to inform that today's conference is being recorded. If you have any objections, you may disconnect your line at this time. And you may begin.

Nathalie Peregrine: Thank you very much (Lalich). Good morning, good afternoon, good evening, this is the CWG call on the 22nd of November. On the call today we

have Jonathan Robinson, Mike O'Connor, Jaime Wagner, Charles Gomes and Wendy Seltzer.

From staff we have Julie Hedlund and myself, Nathalie Peregrine. I would like to remind you all please state your name before speaking for transcription purposes. Thank you very much.

Jonathan Robinson: Thank you very much Nathalie. So this is Jonathan Robinson speaking. I'll be chairing the call today. What I hope that those of you who have managed to see the list sort of seen what I have put out in the agenda earlier today.

Really we made some significant progress to the structure of the document we are working on at the last meeting and had some email updates from both John Berard and then most recently from Chuck. So hopefully, you have all seen at least John's and ideally Chuck's input as well.

For those of you who do have the Adobe Connect it's up in front of you now. Although there are some comments if you mouse over, Chuck rationalized his comments with a comment in the document.

So I suggest the most constructive way to deal with this is to simply -- it's a short document and I think we can work over the changes and just allow the opportunity to comment on a bullet-by-bullet basis to the extent that they have been changed or if anyone's got anything to say.

Given that we've got a small group we can probably operate on an interruptive basis and that's also not everyone is on the chat. So if you feel the need to speak, hopefully you can just comment at the right moment.

If you feel you haven't got the opportunity, just ping me on the chat or but in. So let's kick off right away with - well, first of all are there any comments on that? Is anyone happy to take that view and just walk through the document?

I'll take the silence as an acceptance, but please if you do think there's a better way or alternative way of doing things, let me know. So picking up then on the first bullet point.

This is had a couple of things changed to it. This is where we started off by saying we would provide information, recommendations to chartering organizations as both John's -- I think rather than trying read the changes, I'll ask for any either comments in relation to the changes or any support for the changes that have been made.

So if anyone's got any comments -- I know Chuck this is one that you made a change to, so you may want to speak to this -- and if you need help with reading out the point by all means give us a shout.

Chuck Gomes: Jonathan I'll let you - I'll let you read mine. I can comment. But I'm driving on a freeway right now, so that would great if you would read them.

Jonathan Robinson: No problem I'll take us through them. So before - so the point that Chuck made was on this first one we really got the points to provide information recommendations to chartering organizations.

And we had and all the ICANN staff and the point here is to question why we would be necessarily providing information to ICANN staff when they're always - they would always be included.

Really this is about the chartering organizations themselves. So I don't know if - has every - has everyone seen this point or do I need to be a bit more explicit about clarifying it?

Jaime Wagner: I would like you to read them for me because I'm not - I don't have now access to the chat. So -- this is Jaime -- and I would appreciate it.

Jonathan Robinson: Okay, Jaime -- it's Jonathan again -- so the first bullet point just to look at the structure of the document let me just take a step back from all of this. The document has two real - real major components to the structure.

The first is on the scope of the CWGs and the second is on the operation of the community working groups. So what I had intended to do was also say -- and I'll just say this briefly now -- if there is any - if anyone has any comment on the overall structure of the document, by all means bring that up as well.

But for the moment I'll assume we're working on these two key areas, the scope and the operations. Now the first point on the scope is to provide information and recommendations to chartering organizations.

And then the bullet went on to say and/or the ICANN staff. Now Chuck raised the point in saying that he's not - he can't quite see why information would be needed to be provided to the ICANN staff.

They would - in any event - be included on any information we provided to the chartering organizations. And also that we'd put it as an and/or, the ICANN staff and really the correct perhaps the correct terminology to say and/or.

And really the purpose of the CWG is arguably to provide information, recommendations to chartering organizations to the extent that the ICANN staff are following that we would expect that to be the case anyway.

So are there any - any comments or if Chuck really raised as a question. But the essence of the suggestion as I read it is that we would delete and/or the ICANN staff. And we would move to say that the purpose of the CWG is to provide information, recommendation to the chartering organizations.

Charles Gomes: That's correct Jonathan.

Wendy Seltzer: It's Wendy, I'll second that recommendation.

Jonathan Robinson: Right, well then in the interest -- go ahead Jaime?

Jaime Wagner: I agree with Chuck's point. I would like only to have a few comments from staff or anybody from staff.

Julie Hedlund: So this is Julie and I agree with the change as well. I think that staff would be expected to be, you know, be monitoring, you know, the information that's being provided to the chartering organization.

And so I think it's implied that staff would be receiving that information and it doesn't have to be called out. And I see that Liz just joined the call. I don't know Liz if you have any other comments on that?

Liz Gasster: I just missed the discussion.

Julie Hedlund: Oh, it's okay. It was with relating to under the scope of the CWGs in the first bullet. And it says to provide information and recommendations to the chartering organizations and/or the ICANN staff.

And Chuck questioned why staff would have to be called out and why they would be listed as sort of an and/or since staff would...

Liz Gasster: Right, I saw Chuck's note and I thought he had a really good point. Hi Chuck.

Charles Gomes: Hi Liz.

Liz Gasster: When I wrote it -- because I think I might have been the one to write it -- I was thinking that there would be cases where, you know, there was a particular need to communicate to ICANN staff about something like -- and I was thinking about in particular implementation recommendation sort of more of second bullets where it's the staff doing - implementing something.

And there's a need for a cross community working group to comment to the ICANN staff as sort of the target of the - the comment or the feedback or recommendations.

But the way I read Chuck's comment it took me a minute to sort of read it and think about it. I think what - the way I read it was to say but even in that case, you want the recommendation to go to the chartering organization for forwarding to ICANN staff.

It's still having ICANN staff called out separately might imply something direct that might be counter to what this group actually wants and that. But that was my intent in highlighting ICANN staff was to make the point that there could be cases where we aren't so much informing or the group isn't so much informing the larger community about something.

But is more wanting to inform, you know, hypothetically the gTLD implementation on a particular, you know, matter that should be directed by staff. Does that help?

Jaime Wagner: Yes, may I comment?

Jonathan Robinson: Please Jaime.

Jaime Wagner: Yes, I think what the spirit of Chuck's comment is that short - it would be like a short circuit if we - if the group - cross community group would assess staff directly.

I think it should be through the chartering organization as always even in implementation matters.

Jonathan Robinson: Are there anymore comments. My sense is that while Liz has help to explain the background to that she's not resisting the change to delete that.

So really we're in a position where we can simply shorten that bullet point according to Chuck's suggestion.

Liz Gasster: And if you wanted to guild the Lilly -- it's Liz again -- you can say, "Recommendations to the chartering organization." You know, and then down below in the outcomes you can say, "And upon agreement by the chartering negotiation." And we sort of have it there in the second to the last bullet.

CWGs should communicate as outcomes to chartering organization for further action. We can have a bullet expanding there that said that further action might involve the chartering organization's forwarding the recommendations on to staff or to, you know, the broader into that community to make clear that there are approachable beneficiaries of this type of advice which was really the small kernel that I was attempting to do.

And you're absolutely right, I would not object to the change whatsoever.

Jonathan Robinson: Right and we can then - we can put something. I mean we can pretend she put something in to the outcomes that move that down list to make it clear because that's where the outcomes might.

Julie Hedlund: Right and Jonathan this is Julie. I tried to capture what Liz just said in the outcome of bullet so that we can come back to that one when we get to that point.

Jonathan Robinson: Great, thank you very much. All right, so then - I mean essentially this first section of the document covers the scope of the CWG as I said. And there are the edits that have been made in the interim since our last call in addition to the one we just discussed were on the right-hand side dealing with the rationale of the three different points that make up the section.

And really they were a sort of polishing from an editorial point of view in my view rather than substantial points. So I am not sure we need to spend a lot of time talking about these three changes.

I'm open to any comments or thoughts, but my suggestion is that we should accept them unless there is a - a dissenting point or discussion around any of them. So feel free to respond.

Liz Gasster: And Jonathan did you see in the chat room Wendy has indicated a possible change in the scope. The change limit purpose to just purpose.

Jonathan Robinson: Yes, I'm sorry, I'm sort of -- because there's some value in mousing over the comments in the live word document, I moved off from the chat. So...

Liz Gasster: That's all right, that's why I'm here. So...

Jonathan Robinson: Thank you. So here the suggestion is that we go - we change which bullet is that?

Liz Gasster: It's not one of the bullets; it is the sort of sub header underneath the scope of CWGs. It says limit purpose to and Wendy has suggested changing that to simply purpose as opposed to limit...

Jonathan Robinson: Yes, that's seems pragmatic. Are there any -- I mean it's probably neater and implicit that by setting the purpose one limits the purpose in any event. So that doesn't seem illogical to me at all. Thanks Wendy.

I don't know if anyone's gotten any objections. If not, I suggest we accept that suggestion.

Jaime Wagner: Could you please read the whole bullet for me? This is Jaime.

Jonathan Robinson: Yes, Jaime I was going to say something in a little bit. But essentially at the very top of the section, that says the first section, it says scope of CWGs and then we -- our subheading for that section says, "Limit Purpose to." And instead Wendy is just suggesting that we change that to Purpose.

So it's really just a subheading on the scope of CWG.

Jaime Wagner: Oh, it a typo also, yes.

Jonathan Robinson: Yes, exactly.

Jaime Wagner: The title?

Jonathan Robinson: Yes, thanks.

Jaime Wagner: Thank you.

Jonathan Robinson: All right. So let's take that change from Wendy and then look at these three points on rationale. And as I say really it's a question of any objections to the changes or any suggested further tweaks to those changes.

Otherwise I suggest we absorb that into the current version of the document. Those that haven't got the document in front of you, if you would like me to read out the changes, I'm happy to do so, please ask.

Jaime Wagner: It's the ones that John proposed yes.

Jonathan Robinson: Correct Jaime.

Jaime Wagner: Yes, okay.

Jonathan Robinson: All right, well that sounds like we have our scope of CWGs with the three bullets and the three rationale point's stable at this point, subject to further comment on the list in the meantime.

So I think it makes sense then to move on to the - just - I just have to take a moment. Sorry it's just after 8 pm here and I have a cleaner come into the office with a vacuum cleaner.

I told him that wasn't the right time to be doing that. So focusing on the operations of CWGs which is the next major section. It's broken down into formation, execution and outcomes.

So dealing with formation first of all there are three bullet points in here. And again we've got John's changes and then the resent suggestions by Chuck. So I think I'll jump straight to Chuck's suggestion in the second bullet point.

And the second bullet point reads, all participating SOs and ACs should approve a single-joint charter wherever possible. Now I think Chuck has come in and said, "I don't with an astute because he said I don't believe nonparticipating SOs and AC's should be required to approve the charter.

No my reading of this was that it was intended to cover what, what Chuck has said, it just had or perhaps was afraid or as tightly as might be.

Charles Gomes: So Jonathan, so what I suggested was inserting the word participating.

Jonathan Robinson: Oh, I'm sorry, correct. I -- yes, exactly. So its - so I think that was implicit but it needed your clarification Chuck. So thank you for pointing out. So unless anyone has any objection all that's being said here is it's changed from all SOs and AC's should approve a single joint charter.

And from my point of view it was implicit that that meant all participating SOs and AC's. But having seen Chuck's point I can now see how it might have

been misinterpreted or potentially misinterpreted. Any comments on that or are we happy to just...

Jaime Wagner: But wherever possible it's maintained, yes?

Jonathan Robinson: Correct.

Jaime Wagner: Okay.

Jonathan Robinson: SOs and AC's.

Charles Gomes: I have a question on that. What does it mean whenever possible? If an SO or an AC is participating wouldn't they need to - participants to -- I guess what are we trying to say when we say whenever possible?

When would it not be possible?

Jonathan Robinson: That's a good question Chuck and let's reverse back. I mean we had previously didn't have whatever possible and this was on the whenever possible, I'm not sure when this -- maybe someone could help me when this was added. I think...

Liz Gasster: Is Alan on the call?

Jaime Wagner: I can -- it's Alan and me that suggested is that -- the point is a single charter is desirable but sometimes we can operate in different charters. If it's not possible, I mean if the requirements for a single charter and unified one should not preclude the formation of CWG.

Liz Gasster: Well, it's Liz. If I could just - I think Alan had a couple of examples and we can go back through the, you know, invite him to (Opine) on the next call. Of course, we had the one experience with the joint applicant support group

where, you know, it was sort of the classic -- it didn't fit the model that's the wherever possible.

And, you know, it was the consensus of the ALAC that they did want to pursue aspects of the issues that the GNSO did not want to pursue. I mean it did happen once, well you know it might just be a one off but it did happen at least once.

And another key because I think Alan had mentioned there was more of a hypothetical about where you could kind of see it evolving would be a situation and I mean maybe you would have a CCNSO, GNSO working group where there were issues of common interest and then other aspects of the same issue that really were, you know, affecting one SO more than another - uniquely more than another.

And to try to rationalize situation where that could legitimately occur like or even in an SSAC GNSO working group where there's a profoundly technical direction that, you know, goes by a separate set of rules and might even involve different confidentiality or other rules that might be.

You know, I think he was thinking about, you know, cases that were maybe less controversial or political than JAS group but where it could legitimately happen. That's my recollection.

((Crosstalk))

Charles Gomes: This is Chuck; all of those comments are helpful, now I know where people are coming from. But I do have one more question. So if you didn't have a joint charter what would be the governing procedures for the group?

Mikey O'Connor: This is Mikey. I'd like to join in on this as this point. Sorry, as a newcomer to join so early. But I'm asking sort of the same question that Chuck is asking.

And I think that given the fact that Chuck suggestion of all participating SOs and AC's should approve a single-joint charter.

Since we've now said participating ones at least if we have branches or subsets of a working group that have really a different task or a different set of deliverables, we should have a separate working group, a separate charter for that.

But as the guy who's running the joint, you know, the CWG right now, the notion of trying to keep a straight subsets where this part of the conversation is only interesting to CCNSO and the NRO and this parts only interesting to the GNSO and the SSAC, that would be very difficult as chair of working group to manage I think.

So I'm - I'm a little cautious about the wherever possible, I like the participating a lot.

Jonathan Robinson: Mikey, it's Jonathan. I really appreciate both yours and Chuck's perspective on this and it's very helpful to get an -- it's a little bit of a challenging one to deal with at the moment.

Because as you can see from the edits we had - we didn't have whenever possible but it was our intention in fact in some ways to remedy what might have been a perceived.

Well, what was at least in some quarters, perceived a problem with the dual chartering could happen in one other case before? So I suggest the pragmatic way of dealing with this right now is to accept the change of participating and to square bracket whenever possible.

In other words to market for further discussion and when we can get hopefully a few more others on the call including Alan who perhaps was one of the proponents of this.

And maybe one of the things I can suggest is that we go back to the previous notes and see and read those before we invigorate this discussion. And just so we square bracket it part for the moment and come back to it on the next call.

Jaime Wagner: May I add some - one thought only -- this is Jaime -- the idea is to by the reality of the JAS working group. And it has not a joint charter and what would be better, not to try to achieve a common charter?

Or to let things go as they finally went? So I think it's a conception to reality, the fact that this would never - it points for the ideal situation of a joint and common charter.

But it opens the room that if not possible, it doesn't preclude the formation and the working of this working group on a sort of a different charter. It's not a new branch. I don't think it would be needed the new branch of work, of different work, different working group.

It is the same working group but with scope more limited and a wider scope in some aspect. And it's really happens, that's what I think -- it already happened, so I think it's a conception to reality and not - it's not the ideal.

I can say that but it's what happened.

Mikey O'Connor: Jonathan, it's Mikey. I'd be happy to square bracket this until we had a few more or keep going in this discussion whichever way you want to go.

Jonathan Robinson: Let's -- I guess it's illustrative to take a couple more minutes on it in any event. I meant it does seem that it's probably worth -- my concern is if we discuss it now that we come to - I guess we cant' really come to any further conclusion with the limited participation.

But by all means respond to that Mikey.

Mikey O'Connor: No, I'd actually prefer to wait until a few more people were on the call. I like to hear Alan's perspective and so on. So it's fine with me to wait.

Jonathan Robinson: Great, well then...

Wendy Seltzer: This is Wendy and let me suggest that we wait until rather than having the conversation multiple times.

Jonathan Robinson: Agreed. I agree. So let's - let's do that, let's square bracket whenever possible except Chuck's change on participating. And move ahead for the moment.

Julie Hedlund: Thank Jonathan, this is Julie, I've capture that. And I - if I don't know where you want to go next. Perhaps to Chuck's other comment and then Wendy had a few comments in the chat too that we can address as - as you think - when you think it's right.

Jonathan Robinson: Yes, okay great. Let's have a let's move onto then Wendy I'm just trying to catch up...

Wendy Seltzer: Sure, I'm happy to just say it loud. The two questions that I had were, the rationale column, I'm reading that as notes to us. And that won't form part of our public output. But if we expect that, we want those rationales to be part of the public output, but then I might suggest we do some work to parallelize them.

((Crosstalk))

Jonathan Robinson: So Wendy, my take -- it's Jonathan -- my take is that those might well be published as part of the more detailed communication on why we, you know, because I think we need the possibility if we just use the left-hand side it's a

little bland and although it sounds useful as a tool, the rationale to discuss why we've done something to keep a record of why we've done something, then maybe equally useful in communicating the output of the group.

So I would suggest that we'll probably keep them in.

Wendy Seltzer: Okay, I just note that there are varying degrees of formality and detail to them. I'm not sure but it, it would be our priority to ask staff to spend more time detailing them, but maybe we can add that.

Jonathan Robinson: Does anyone else have any comments about the usefulness of these - the rationale side of the document in potentially being retained into a final form of the document.

Mikey O'Connor: This is Mikey, a newcomer I found them very helpful.

Liz Gasster: And it's Liz, I think it was Alan that suggested it and I think his thinking was that it might save some time with the other SOs and ACs in, you know, just kind of following the bouncing or understanding your groups thinking about why something might be proposed.

You know, as a way of communicating to them as ultimately a final agreed document might not even need it but for the purposes of discussing what the other SOs are thinking behind it that it might save time.

Charles Gomes: Jonathan, this is Chuck again.

Jonathan Robinson: Go ahead Chuck.

Charles Gomes: The -- I had automatically assumed that the rationale was going to be included but I don't have a strong clue one way or the other. In some cases I thought the comments were helpful and others I didn't think they were very helpful.

But I can go with whatever the group wants to do on that. I obviously it and edit it in that column just because of one concern, but I can go either way.

Wendy Seltzer: Okay, this is Wendy. That's fine and I will happily work with Liz to add some detail there.

Liz Gasster: And really -- this is Liz -- I put it in the cap that I just winged it on these rationale. You know, to give, you know because Alan suggested it and we haven't focused on it at all as a group.

And it just seemed to be easier to put something down for people to comment on rather than try to draft them as a community. So I appreciate all the edits and no one will hurt my feelings at all if they completely scratch what's here and write, you know, more constructive things.

Julie Hedlund: And I just note -- this is Julie -- Alan has just joined into the chat room and he's in the process of providing a comment.

Liz Gasster: Wendy, if I could follow-up with one other substantive suggestion which is on the outcomes of CWGs where it says policy recommendation should be considered and approved. I would just substitute policy recommendations should be considered for possible approval leaving open, of course, the possibility that the SO or AC task would -- it's not to approve the recommendation.

Jonathan Robinson: So Alan have we got you on the audio now? Sorry Wendy, just checking whether Alan had joined us on the audio as well.

Chuck Gomes: While you're waiting for Alan, I think Wendy's point's a really good one. So that's a good edit.

Jonathan Robinson: Thanks Chuck. Thanks. Sorry, go ahead.

Julie Hedlund: Oh I just wanted - this is Julie. I just wanted to indicate that I have captured Wendy's change in the document that...

Jonathan Robinson: Great. Thanks Wendy and thanks Chuck for your support then on that. So I think we'll let Alan join as and when he can. He's on - he's coming on the chat, but that shouldn't stop us.

So I think we've agreed that we will keep the rationale in and that is likely to be retained even potentially into the final form of the document for - to assist in understanding why the recommendations are as they are or the - down the left hand side.

So I think we're at the third bullet now on the formation of CWGs where we had (John)'s comments in there previously, and then a new point by - introduced by Chuck.

In this - continuing in the vein that we have done previously I will assume that you are able to see and will comment on - and either will have commented online or will now comment on (John)'s point our focus on the change that Chuck has made.

So just reading out the - this is really the rationale for why CWG charters should include outcomes expected of the CWG and the steps to be followed to review those outcomes by the chartering SOs and ACs.

So that's the point and the rationale is for consistency, predictability and to reinforce and we had consensus about the scope in terms of each Working Group.

And Chuck has changed that to be and to reinforce joint support about the scope, so changing consensus to joint support based really on the view that

consensus has - is subject to various definitions and potential - yes, various definitions.

So that's what's proposed is to change consensus to joint support about the scope in terms of each Working Group.

Julie Hedlund: Jonathan this is Julie. I just want to point out that that language is parallel to language that's just above it, and that both the third and the fourth bullet say the same thing for consistency, predictability and to reinforce, you know, consensus change to joint support.

So I've - I just want to confirm that we would delete consensus and - if people agree and include instead joint support both for the third and fourth bullet.

Chuck Gomes: Yes thanks Julie. I just...

Julie Hedlund: Or second and third bullet.

Chuck Gomes: I know noted that myself and I missed it in the previous one. And I'm comfortable with whatever wording that the group wants to use. If we do do it in the one I agree we should do it in the other.

Jonathan Robinson: Are there any strong views about either retaining consensus or moving to take Chuck's point about joint - the fact that consensus is subject to various definitions and move with joint support. Does anyone feel strongly about this or have any comments on it?

Alan Greenberg: It's Alan speaking.

Jonathan Robinson: Hi Alan.

Alan Greenberg: Yes. For just the reason that there are so many definitions of consensus and it's not clear which one we mean here, it's probably best to avoid the word.

Jonathan Robinson: Thanks. Well unless there are other comments I think we'll take Chuck's suggestion then and put that into both. And just to - that's both bullet points, the rationale for bullet points two and three.

Just to highlight here I think and Julie or Liz correct me if I'm misunderstanding, after the outcome of this call I guess we will probably see a clean version of the document for further edit online. I mean, is that your - the way you might see that happening?

Julie Hedlund: So this is Julie, Jonathan. I'm currently editing the document based on the conversation we're having here in this call.

Jonathan Robinson: Yes.

Julie Hedlund: My sense was that I would accept the changes that have been agreed to on this call, bracket the things that need to be bracketed but that - well I should say accept the changes of those, you know, that have been made set by (John) and Chuck.

And then where there are changes that are being made to the text on this call, for instance Wendy's changes to the first outcome bullet. I've indicated those as tracked changes so that people then would see the version of the document from this call, new draft text post-22 November call.

And the changes that - the tracked changes they would see would be those things that have changed on this call if that makes sense.

Jonathan Robinson: Yes it makes perfect sense and unfortunately I couldn't think of a more logical way of doing it, so that sounds excellent. Thanks Julie. All right, so we are then into the central portion of the second section of the document, which talks about the execution of CWGs.

And I guess I should highlight that to the extent that this document doesn't cover the scope of things, that's certainly something to think about perhaps between calls because for the moment we're reviewing what's in the document, and there's a slight danger that we haven't got everything in the document that we should have, but there are no changes from Chuck in this section.

There are simply the changes that were previously made by (John). So are there any comments or improvements to any of the three bullets under the central section of this - of the execution of CWGs?

Mikey O'Connor: This is Mikey. I have a question about the first bullet, the as appropriate change. Could...?

Jonathan Robinson: Yes.

Mikey O'Connor: Could we run through the rationale for that because again I'm sort of...?

Jonathan Robinson: I don't have an answer to that Mikey and if someone might step in and help here. But I - my recollection is that there's a - you see that the - that there's a presumption here that there is perhaps a uniform set of Working Group guidelines.

Now in practice my understanding is that there may only be one set of formally adopted Working Group guidelines, and those may become the standard and those are the GNSO Working Group guidelines.

But I think it was seen to be perhaps a little presumptive. That may have been the issue was to simply soften the phrasing or the - that maybe...

Liz Gasster: Well it's Liz. I can explain.

Jonathan Robinson: Yes, thanks Liz.

Liz Gasster: It actually wasn't to do with the Working Group model specifically. It had more to do with the Bylaws mandated in policy development processes for the GNSO, the ccNSO and the ASO.

So the key here and we could say it much more explicitly, you know, thanks to all who are highlighting these ambiguities that seem clear enough when you write them, but need a closer.

I think the way to say this more accurately would be policy recommendations should be considered and approved through the, you know, appropriate SO Bylaws, you know, Bylaws defined policy development process so that, you know, you would use Annex A for a GNSO PDP, Annex B for a ccNSO PDP, et cetera, and I think that's what was intended.

And in the event that, you know, in some future time there would be a joint PDP process, which is conceivable, right, there could be a reason why we would want to develop a specific policy development process that applied to the GNSO and the ccNSO or the ASO, you know, then that might be relevant too.

But for right now we have separate policy development processes that have to be followed for the Bylaws in order for capital C consensus policies to be adopted up through the Board, so that's what's intended there.

Mikey O'Connor: So this is Mikey.

Alan Greenberg: And it's Alan. Can I get in also?

Jonathan Robinson: I'm sorry Alan. We don't have everyone on the chat so we are doing it a little bit - yes, but please come in after Mikey.

Alan Greenberg: Okay.

Mikey O'Connor: Could we say something like CWG should follow the approved charter and bring concerns back to all chartering organizations for a resolution according to their respective processes or something like that, so we simply acknowledge that - and again I'm trying to sit in the role of customer of this?

What would be helpful is to know what kinds of things I have to bring back, to whom and how those decisions are going to get made. And this is - this wherever possible casts a giant jarful of ambiguity into this that makes it tricky for a Chair or a Co-Chair I think.

Jonathan Robinson: Alan was your - were your thoughts along a similar line or where they...?

Alan Greenberg: Well I've got a number of thoughts. One of them was what Mikey just said. Now for the sentence as it's written according to their appropriate practices or whatever is exactly right, because this particular sentence is talking about - essentially saying what happens if the charter is wrong?

What happens if the charter needs to be changed? This point does not cover what should be the first bullet of execution or maybe it goes into the charter one that says the charter should define what rules or procedure will be used by the Working Group.

And in execution the Working Group should follow whatever the rules are that are appropriate for that Working Group. The as appropriate fits for, you know, if we're going to say the Working Group guidelines capitalized which implies the GNSO, then yes it should be as appropriate.

And since this is a straw man proposal coming from the GNSO it's appropriate for the GNSO to use its vernacular, but we shouldn't assume that's what's going to come out the final end of the pipe.

But this whole bullet is not really talking about how the Working Group is working, but says what happens if it needs to go off - veer off in a different direction.

So in that case I think Mikey's words are right. We may want a first bullet which talks about actual execution of the Working Group in the normal steady state, which is not rechartering but is simply how does it do its work.

Jonathan Robinson: Julie, I mean, I think those sound like two very sensible suggestions and there may well be some other comments that follow on it. But just to capture that for the moment, I mean, essentially I've heard a suggestion for an additional bullet point that further develops the chartering, and then some changes to this existing first bullet on the execution. Do you feel you've got enough to capture that?

Julie Hedlund: I think so. What I'll do is I'll give it my best shot and obviously people can then, you know, make changes and correct me once you get a hold of it.

Jonathan Robinson: Yes great, thank you. Does anyone else have any, I mean, I've - those seem like practical suggestions from both Alan and Mikey. Does anyone like to come on those points or respond, or are we happy to essentially accept them, at least accept Julie attempting to capture them as...?

Chuck Gomes: Jonathan this is Chuck. I think they were very good suggestions.

Jonathan Robinson: Great. Appreciate the support Chuck. Thanks. Well that sounds like another little couple of small steps forward which is great.

Julie Hedlund: Jonathan this is Julie. Do you want to - should we mention the comment from Wendy to introduce numbering in place of the current format? So for instance the first item, you know, it says scope of the W, you know, CWGs would be, you know, Number 1.

You know, and then purpose I assume would be, you know, then a subheading of that like A and then there would be a sub, you know, sub - subs underneath that, you know, for those three bullets and so on, if I'm - Wendy's noted as a form of nested numbering.

Jonathan Robinson: Yes, and that's - so that suggestion's come through on the chat. I actually offered my support on the chat for that. It seems to me to be very practical even if it's just simply for the purposes of discussing it and rather than referring in each case to the bullet and so on.

So I - unless there are any objections I think we'll absorb that Julie if we may and...

Alan Greenberg: No, I think it will allow us to focus on things and not have to spend time pointing to the right paragraph. It's perfect.

Jonathan Robinson: Right.

Julie Hedlund: Right, I'll take care of doing that. Julie.

Jonathan Robinson: Right. So in terms of the substantive changes that have taken place since we last met - and I'm conscious that we've attempted to contain this to an hour previously and we may well be able to do so now.

I've certainly got a deadline I'm working to. And this is - in the second bullet point on the outcomes is where we've got another recent insert by Chuck.

So I think I'll draw your attention to that one. And the second bullet point which is all about the outcomes is the second - the final section which is all about the outcomes of CWGs.

The second bullet point says that the CWG should communicate Final Reports and outcomes to chartering organizations only for review and further

action. And Chuck has really suggested we discuss only a little further really...

Alan Greenberg: Does anyone remember why the word only was there?

Wendy Seltzer: This is Wendy and I can imagine it's attached to the should communicate it only to those organization - chartering organizations rather than should communicate it to the Board for example.

Alan Greenberg: I can believe that but where it's sitting right now it doesn't seem to make a lot of sense.

Jonathan Robinson: Yes. Yes that sounds like the right rationale for why it's there. So can we fix this with a simple edit?

Mikey O'Connor: I think - and this is Mikey. What if we stuck limited to? So CWGs should communicate Final Reports and outcomes only to chartering organizations for review, you know, move the only to the right place. I think that's the only issue there.

Chuck Gomes: This is Chuck and that's not - that - I think it's a little bit better than what you have here, but there might be situations where there needs to be communication to other bodies beside the chartering organizations.

As long - and I said this in my comment. As long as it's clear that the CWG is not a policy making or decision making body, I don't know. The - now if that's true and if people support that what you could do is just forget putting the only in there, and they could do that as long as there's an understanding that they in fact maybe would say it should be must communicate Final Reports and outcomes to the chartering organizations for - even for their action without any only.

And that allows some other communications as it's needed, but at the same time makes it clear that they have to communicate to the chartering organization.

Alan Greenberg: Yes it's Alan. I tend to agree. I think only, you know, sort of has the flavor that we're addressing some sin of - in the past which of course we are.

Liz Gasster: Liz. I wrote it. I mean, it was shorthand not to lose the point of exactly the discussion you're having, so just change it the way you like it. Don't worry too much really about - this stems from, you know, something Chuck and I worked on, you know, seat of the pants.

You know, so the words are to be improved upon gladly by this group, you know.

Jonathan Robinson: Yes, so that's - go ahead.

Alan Greenberg: Going back to a previous issue Liz, when you were talking before you were talking about policy. And CWGs as they are right now, I mean, yes one day we may have a joint PDP process. But right now CWGs are by definition not policy making...

Liz Gasster: Right. So I was speaking more about the outcomes, not about this formation and execution that you all were, because at some point right when I started someone had - I think it was maybe Wendy when you were clarifying the policy saying for possible approval, we got down into those bottom bullets.

Alan Greenberg: Yes okay.

Liz Gasster: And it was just to make that point Alan that - and I agree with you. The rest of the things that precede that that we're just working through, the formation and the execution, have to do with, you know, Working Group rules and such for

these non-PDP Working Groups, but just saying again about the outcomes, distinguishing, that was my point down below and that...

Alan Greenberg: With regard to the particular one we're looking at, I would be a little bit careful about putting restrictions on it. I mean, we're thinking of Working Groups right now which funnel back to the parent bodies.

I can imagine Working Groups being put together which do other things. I mean, if you think of the AOC reviews as Working Groups, you know, we as ACs and SOs contribute people to them but they do other things.

They don't report back to us and I can imagine the cross-Working Group structure being used for other things, so I would put, you know, as appropriate or as according to the, you know, in line with the Working Group's charter or something like that and not put rules in place which we may want to violate sometime in the future.

Chuck Gomes: Well Alan this is Chuck. I have a question.

Wendy Seltzer: And then Wendy would like to join the queue.

Julie Hedlund: Yes I'm sorry. Jonathan we have a few people in the queue. We have Wendy who's asked to be in the queue and Mikey as well.

Chuck Gomes: And by the way I cannot - I'm not online so I can't raise my hand.

Julie Hedlund: So go ahead Chuck.

Chuck Gomes: So...

Jonathan Robinson: If taken in that order then that would be great. Chuck, Wendy and then Mikey.

Chuck Gomes: Yes just two real quick comments with regard to what Alan said, and then one other item. And that is the - doesn't your concern Alan - isn't it covered by the fact that if the charting - you always want them to go back to the chartering organization. You're right.

Alan Greenberg: I'm not sure. There may be scenarios where that is not the vehicle, but I don't know. I'm just saying should we not be flexible. Maybe the answer is yes, no we shouldn't be but...

Chuck Gomes: Okay. All right, well we can talk about that more. The other thing is I don't think you want the word further because that makes it sound like the CWG is the acting body, and so they took some actions and now the chartering organizations can take further action. I would just delete the word further.

Alan Greenberg: Okay, in the second bullet.

Chuck Gomes: Yes right. Right.

Alan Greenberg: Yes.

Jonathan Robinson: So I'm just making sure before - Wendy I'm conscious you're waiting. Just two quick points. I wonder if everyone heard Chuck properly on that last point.

Julie Hedlund: Delete the first - yes.

Jonathan Robinson: Yes okay, and so really I think - and the question is I'd quite like to try and capture where we're at with that bullet, but Wendy and Mikey if you're coming in, I mean, I sort of - I think I've heard CWGs must communicate Final Reports and outcomes to chartering organizations for review. So Wendy?

Wendy Seltzer: In - yes. I think I'll take my point up on the list at further length. My suggestion is do we want to include in this any must-nots to cabin the scope of these groups?

In response to Alan's point, yes I do think we want to limit what - something denominated a cross-community Working Group can do and if we want to set up a different sort of Working Group to do other things we can, but I think it's to have a limited purpose with things like it must not be taken as community consensus for the purpose of a policy development.

Jonathan Robinson: Okay thanks Wendy. Well if you could take that up more and help us develop that on the list that would be great. Mikey I'm conscious that you were in the queue as well and we should probably wrap up after that.

I mean, we haven't done a bad job of working our way through the changes, but would you like to comment further on - in response to what Wendy said or in addition to that?

Mikey O'Connor: Yes, just a quick point to say that I think we've got a choice here. We either allow CWGs to bypass their chartering organizations in some instances or not. And as a Chair of one of those - actually a Chair of several of them I'd prefer or not.

Just lost somebody. It wasn't me. I think it puts the leadership of cross-community Working Groups in a very awkward position, especially in cases where the Board reaches around the SOs or ACs directly to the Working Group.

It would be nice to have something written that we as the leadership group or Working Group like that can point to and say, "Sorry, we can't talk to you. It's against the rules. Go talk to them."

I - otherwise you put people in a very awkward spot so I would really like to have this not be very ambiguous. Thanks.

Jonathan Robinson: I appreciate the suggestion especially from someone who's got the experience of working in these groups. And I do think that as a group in general that this Drafting Team - we are - we've been asked to really assist with clarifying and removing ambiguity as far as possible for - from at least the GNSO's perspective.

So it's the kind of comments that have been received, Mikey, Wendy and others in terms of trying to tighten this up can only assist in doing that, so that's helpful.

I'm conscious we're out of time. We've been through the document with a reasonable pass and we've made some additional changes, and I think my understanding is that there are additional changes to come like those that Wendy just mentioned a moment ago.

I think it's - that's probably the time that we then took those up on the list. I had a couple of other agenda items which were really about Chairing the next meeting and reaching out to SOs and ACs, both of which I think can be covered on the list.

So rather than me fill up the last slight overrun of minutes, has anyone got any other closing remarks they feel they need to capture on record or make a note of right now?

Jaime Wagner: I would like - just like to point out that I was disconnected most of the call. Sorry for that.

Jonathan Robinson: No problem Jaime. It's coming across very broken at this stage, so I understand. You did warn us that you may have some communication difficulties.

Alan Greenberg: And I will listen to the mp3 once it's posted to see what I missed at the first half.

Jonathan Robinson: Thanks Alan and feel free to obviously comment as much as possible on the list.

Liz Gasster: Yes, and please excuse any efforts of mine to articulate what you may have said or thought that were inaccurate.

Alan Greenberg: I'll never forgive you Liz.

((Crosstalk))

Julie Hedlund: And Alan this is Julie. I have some - tried to capture sort of the main points that we discussed here with respect to the changes as well as the changes, so hopefully that will help you as well.

Jonathan Robinson: Thank you Julie. All right everyone, well thank you very much for participating. Again we're going to try and drive this to some form of conclusion over the next couple of meetings with the help of a volunteer Chair.

So if anyone is willing to volunteer let us know online, but we'll pick up those two other points that we haven't managed to deal with online over the next few days.

Julie Hedlund: And I'd - Jonathan if I could remind everyone we're not meeting next week because staff will be in meetings all week in our Marina Del Rey office. We are meeting on the 6th of December is the next - the same time.

Jonathan Robinson: Yes thank you very much for that reminder.

Alan Greenberg: It's Alan. I'd like to volunteer Chuck as the interim Chair.

Chuck Gomes: Well I object because I'm a newbie, okay. This was my first meeting of this group, and I think it'd be much more effective to have somebody that's been a member of the group for a while. So that would be the reason I object because, you know, you really need to have a little more context than I have, although I've been following things from behind the scenes.

I would hope somebody would volunteer that is - that has had a little more experience on the group than me.

Alan Greenberg: I'm not sure there are many people on this group with more. This is only my second meeting.

Chuck Gomes: Oh wow.

Alan Greenberg: And Mikey kept referring to himself as a newbie too.

Mikey O'Connor: Yes I was just going to chime in with Chuck, you know, first call...

Jonathan Robinson: All right, well that's at least one sensible suggestion. We might be able to wake up John Berard as well who's a sensible person. He's been on quite a few of the calls so we'll see if we can't reinvigorate him.

I'll drop him a line as well. But I'm sure we'll resolve something over the next couple of days.

Chuck Gomes: That's a good idea Jonathan to maybe ask John if he would be willing to do that, even be fairly direct and say, "Hey would you be willing to cover for me?"

Jonathan Robinson: Yes. I'll try that as a protocol. Thanks. Thanks for that suggestion. All right, thanks again everyone and I think we'll wrap it up at this point.

Alan Greenberg: Okay thank you all.

Julie Hedlund: Thank you everyone. Appreciate it.

END