

**Policy Process Steering Committee (PPSC) Policy Development Process (PDP)  
Work Team (WT)  
TRANSCRIPTION  
Thursday 17 February 2011 at 14:30 UTC**

Note: The following is the output of transcribing from an audio recording of the Policy Process Steering Committee Policy Development Process (PDP) Work Team (WT) meeting on Thursday 17 February 2011, at 14:30 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-ppsc-pdp-20110217-en.mp3>

On page:

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(transcripts and recordings are found on the calendar page)

**Participants on the Call:** □

Jeff Neuman - Registry Stakeholder Group - Work Team Chair

Alan Greenberg – ALAC

James Bladel – Registrar Stakeholder Group

Paul Diaz - Registrar Stakeholder Group

Avri Doria - Non Commercial Stakeholder

Marilyn Cade - Individual

Tatiana Khramtsova - Registrar Stakeholder Group

**ICANN Staff:**

Glen de Saint Gery

Marika Konings

Gisella Gruber-White

Margie Milam

**Absent apologies:**

David Maher - gTLD Registry Stakeholder Group

Alex Gakuru - Non Commercial Stakeholder Group

Wolf-Ulrich Knochen – ISP

Coordinator: The recording is on. Go ahead.

Gisella Gruber-White: Thank you. Good morning and good afternoon to everyone on today's PPSC PDP call on Thursday the 17th of February. We have Jeff Neuman, Tatyana Khramtsova, James Bladel, Marilyn Cade, Paul Diaz, Avri Doria. From staff we have Marika Konings, Glen DeSaintgery, and myself Gisella Gruber-White. Apologies today from Alex Gakuru, David Maher, and

Wolf-Ulrich. Alan Greenberg has just joined the call, and if I could please remind everyone to state their names when speaking for transcript purposes.

Thank you. Over to you Jeff.

Jeff Neuman: Okay, thank you very much. It's the 17th of February and we are making really good progress on getting this report out by the deadline, which is February 21 which is this coming Monday.

Just to kind of go over some logistics. We will go over some logistics first and then dive right into some of the comments to the report. If we can get everything finalized, the goal is to have all of the substantive issues aired out on this call today. Then I want to find out from people who are going to be planning on submitting additional comments by tomorrow. All comments including drafting comments need to be in by then so Marika has over the weekend to incorporate those and get the document out on Monday.

And then once we do that, I think we will be good to actually not have a call next week, and then just resume a Thursday call on March 3 at - because of a policy Webinar call, that same day, March 3, will only make our call for an hour and start at one-half hour later. So what is that UTC Time? Does anyone know what that is off the top of their head?

Gisella Gruber-White: 1500 UTC.

Man: 1500.

Jeff Neuman: Right, so we will start at 1500 UTC Time on March 3. That will be the next call and the last call before the San Francisco meeting. Just to remind you all that in San Francisco we have a session during the weekend prior to the meeting, which is that Saturday. Actually Marika, what is - are we scheduled for Saturday or Sunday at this point?

Marika Konings: As far as I remember, I think Saturday at the end of the day if I'm not mistaken.

Jeff Neuman: Okay, so we are on the schedule for Saturday. We are presenting to the GNSO Council the final report. We're also going to have a session during the weekend I believe on Sunday to talk about - and I may be mixing these two up. The schedule will come out on this coming Monday as well, but we will have a short scheduled time to meet and talk about our presentation for the workshop, which will be held on Wednesday. It's tentatively scheduled at this point from noon until 1:30 San Francisco Time.

I'm told that there may be food for us there, but we're still trying to work out those details. And of course like all ICANN schedules, they are subject to change.

And other logistics items - we will put this out for public comment. The plan is to put it out starting on the 21st and then ending on March 31, which is obviously the last day of March and a few weeks after the meeting ends, so it's going to be kind of tight. It's a six-week period for comments. By the time everyone goes to San Francisco and comes back it's not a very long period of time after that, and then we have the month of April to assimilate those comments, revise the report if necessary to submit to the PPSC at the beginning of May.

Are there any questions on the schedule? Okay, just again a reminder. No call next week. We will have the next call on the 3rd of March. Diving in...

Avri Doria: Question.

Jeff Neuman: Yes.

Avri Doria: Can that all be printed out and sent out on the list?

Jeff Neuman: Yes, we can do that. Okay, so jumping right in, there were some comments. Oh, let me ask the question before. Does anyone plan on submitting additional comments by tomorrow just to help Marika for planning purposes? Speaking for myself, I will be submitting some comments on a couple sections that I have not gotten to yet by tomorrow. And again, most of my comments should be just kind of clarification or grammar, sentence structure, things like that. I'm not really - it's not really my role to go in and change any recommendations or change the meaning of anything. I'm just trying to make it look - you know I'm just trying to help us explain our rationale.

Alan.

Alan Greenberg: Yes, my intent is to submit something, but I also have my own PEDNER PDP one to work on. So whether I will get to this I'm not sure. Again, nothing substantive, but I hope to do a full read through.

Jeff Neuman: Okay, Avri.

Avri Doria: Yes, I don't know. I have some more reading I need to do. I am trying to complete a work project. I don't know if I will get to it. But if I do, I may - and if I find anything else to comment on, I may. But if I don't make it by tomorrow, then I will just quit and not worry about it.

Jeff Neuman: Not worry about it until the public comments.

Avri Doria: Not worry about it until the public comments, right.

Jeff Neuman: Yes.

Avri Doria: You know.

Jeff Neuman: Okay, anybody else planning on it? Okay, so let's jump into - I'm going to start with - even though Marilyn kind of just submitted before the call. I'm going to start with Marilyn's comments because I think she only has a few minutes to be on the call with us. And so - and actually Marilyn's comment is really related to - I think it's probably in response to Wolf's comment on Recommendation 7. So we will kind of just discuss those together and I think it will be fairly easy to resolve because I think Marilyn hit the nail on the head. I don't think the report - Recommendation 7 basically talks about the potential outcomes of a PDP process.

And in one place, it talks about a conclusion that no recommendation is necessarily. And I think the intent is as Marilyn has stated it. It wasn't that - as Marilyn says in her comments, a recommendation that no changes be made is still a recommendation. And I think that was the intent that yes the group would make recommendations, but one of those recommendations could be no change to existing policy.

So with that being said, I think we are all on the same page. Marilyn was there - or well Wolf is not here actually. Wolf is not on the call, but his comment is why undertake the whole PDP in advance and then coming to such a conclusion. And then Marilyn offered her comments. I think we're all on the same page.

Marilyn, anything else to add.

Marilyn Cade: No, I just - you know I just wanted to be - I think the intent was whatever you say, it is a recommendation. Whether it's no action, it's action, it's further study, anything, that is your recommendation.

Jeff Neuman: Correct.

Marilyn Cade: So I - that probably clarified it, but maybe just - you know I think we all agree that the output of the PDP could be further study is needed in the future. No

action at this time, or no action, or a range of different steps, so I thought that kind of probably captured the intent.

Jeff Neuman: Right, so I think Marika you can...

Marika Konings: Yes, this is Marika. I'm just wondering if it would help if we changed the conclusion that no recommendation is necessary to - a recommendation that no changes are necessary. Maybe that would clarify that you know that would be a recommendation, but it would basically say you know no need to do anything.

Jeff Neuman: Yes, I mean I think that gets to it. I think Marilyn included another thing that I'm not sure is mentioned in the paragraph, which is we say recommendations for future policy development, but I think Marilyn also said, "Recommendations that future - or that additional research necessary."

Marilyn Cade: Right, that additional research or an additional study would be needed. Something like that.

Jeff Neuman: Right, yes no I think that makes sense. Just not necessarily the same thing as future policy development. Marika, can you add that?

Marika Konings: Yes, I will.

Jeff Neuman: Okay. Okay, let me jump into Avri's recommendations, and I think Avri submitted a comment. And I will turn it over to her on Recommendation 39, which is - I think it's just a semantic issue, Avri.

Avri Doria: Exactly. Itemizing just didn't do it and so I was recommending something like the normal parliamentary term of divide the question or whatever, but itemizing just - I assume the report will itemize the recommendations. Item 1, Item 2, Item 3; it's (coding) on the items separately that's the issue. And so I'm just recommending a different phrasing for that.

Jeff Neuman: Yes, so I think that's right. I think itemize - we can replace itemizing. I'm kind of a little hesitant, and you guys could change this - offer to comment on the chat. I think using a parliamentary term like dividing the question is probably a little bit confusing. And I know you say we could divide it in a footnote, but I'd like to keep the body of the report as simple as possible.

And so you did say at the beginning it's basically separating the recommendations. So if we took that concept, I think Marika and I were just talking before the call of just taking that kind of language. Do you remember Marika what we said? Something like - basically separating the recommendations. What's the words we used before? Did we say it's interdependent?

Yes, so I think we're going to...

Avri Doria: But just saying separating them into separate motions, you are essentially defining - you know dividing the question, which I think is fine.

Jeff Neuman: Yes, I just want to just avoid parliamentary (work).

Avri Doria: No, I understand. I think it would be good for us to be educated in it, but I understand also the desire to avoid it. We don't want to teach people too much.

Jeff Neuman: Right. It's okay for the council to have to understand what that is, but not necessarily for anyone in working groups and you know others that may read this type of document. Okay, so that's 39.

Recommendation 45 - let me turn to it. That's - I'm scrolling through.

Avri Doria: I have two issues in that one if you want me to start while you are looking.

Jeff Neuman: Yes, please.

Avri Doria: Okay, basically there's two issues. One is on identifying who it is in a work team that does the self-assessment. And okay we have it listed as you know something that's still controversial. The chair liaison or the working group participants. It can't - and to my mind, it just seems impossible that it would be a self-assessment without the working team itself being the one to do it. I don't understand that.

And the second point is while I understand the desire for a template for how to do this, I think that yes that's a nice thing to have, but it's not necessary and I have two concerns about making it necessary.

One is that that means until we've developed such a template, we cannot do it and that seems problematic to me. And two, that to figure out what belongs in a template, we need to figure out by doing and by experiencing the right way of doing this in a GNSO PDP (is). All self-assessments while they are done by the self are done sort of differently given the character of the group.

Because you are doing that at the end of a many-month effort where the group has certain dynamics, has ways of doing things, et cetera, and those won't always be the same. So to say we're going to a priority to define how you do this when there isn't. So I agree that for you know longevity's purpose we should document some guidelines at some point, but I don't think they should be made a priority requirement. Thanks.

Jeff Neuman: Okay, let's take that one issue at a time. I think with your first part I tend to agree that - and I think it's in line with what we discussed that there should be an assessment. We probably could just get rid of the part that says more clear guidance on who should conduct the assessment. I think we should just say there should be an assessment.

If it's a self-assessment, you are right. It's kind of - it would be the working group that would do it implicitly. Or do you think we should actually state that the assessment should be done by the working group?

Avri Doria: Me personally, I think it's redundant to say so. But in case there are any questions, which I guess there would be, it may be useful to say so. I think it goes without saying that a self-assessment is done by the self.

Jeff Neuman: Yes, I think that's right. So if anyone disagrees, please chime in. But I think you are right. If we just say, "However the work team notes that there is no" - we could say, "There is no existing standard or template for such an assessment. And recommend that such a template be developed after (some experience)."

Basically your point is after there is some experience with doing these assessments someone should come back - or people should come back and develop a template based on what happened prior, right. That's kind of your point.

Avri Doria: Yes.

Jeff Neuman: Marika, does that make sense?

Marika Konings: Yes, this is Marika. Yes, so we take out the self or...

Jeff Neuman: No, no, no. We take out the parenthetical, right. So it would say, "However, the work team also notes that there is no standard or template." Or that, "There is no existing standard or template for such an assessment (period)." And then you would say something like, "The PDP Work Team recommends that a standard or template be developed after" - sorry Avri. I was going to say after several - I don't know. I'm trying to think of words. Basically after several self-assessments have been done and those can be reviewed to determine if the template can be developed.

Sorry Avri. You were saying?

Avri Doria: Yes, if I could make a slightly different recommendation and go with, "However, the work team also notes that there is no - that there are no ICANN guidelines for such an assessment and recommends that these guidelines be developed." And then basically, "Be developed."

And that's - so one of the things was changing it - in one place talk about standards and templates and another place talking about guidelines. I think guidelines is the right thing, you know.

Jeff Neuman: Okay.

Avri Doria: That these guidelines be developed after the GNSO has developed some experience in doing these self-assessments.

Jeff Neuman: I think that works, yes. Marika, do you want Avri to repeat that?

Marika Konings: This is Marika. Yes, because I'm not clear on whether your bit stays in as well.

Jeff Neuman: No, I think Avri - the way Avri just stated it is better. So it's...

Avri Doria: Do you want me to do it again?

Jeff Neuman: Yes.

Avri Doria: Or (are you going to) try to do what I did?

Jeff Neuman: No, no, no. I will let you do it.

Avri Doria: Okay, "However, the work team also notes that there are no ICANN guidelines for such an assessment and recommends that these guidelines be developed as the GNSO gains experience doing self-assessments."

Jeff Neuman: This call is being recorded. Yes, I think Avri just stated it really well, so I'm not sure...

Avri Doria: Yes, I got it.

Jeff Neuman: Thank you, Avri. That's good. And then does that solve both of your 45 comments?

Avri Doria: Yes. Yes, it does because it's basically not making them an (end/begin) type of action where first guidelines are developed and then self-assessments are done. So yes, it deals with both of them.

Jeff Neuman: Okay, good. Now let's go to your next comment, which is overarching Issue 2, which is on Page - is that 31? Yes, it starts on Page 31. Do you want to go over your comment?

Avri Doria: Sure. At the moment we say that ICANN is strongly encouraged to use volunteers to assist with translation where appropriate and practical. At the moment the way that one stands I would recommend it being bracketed, though I did also offer a possible solution. And basically, I mean I am strongly against us preordaining that volunteers are the way to do it.

I have no real objection to us saying look into using volunteers as part of an overall program, but I think this is too important and too professional a requirement. This is not like coming up with a policy where we're all professionals and we go back and forth, and argue, and develop, and progressively get to something.

This is something where someone sits down and does something that's accurate enough that the person reading it in French and the person reading it in Russian are getting the same meaning. And that - while volunteers can help with that, they can't be relied on to be professionals at doing that.

So basically, I was suggesting something like, "ICANN is encouraged to consider whether the use of volunteers to assist with translation is appropriate and practical while it is considering the enhancements of the translation strategy, which is part of the overall strategic plan." So still say - you know not get rid of the desire that many in this group had, though not all, that volunteers should be considered, but certainly not strongly recommend that volunteers do it.

And basically, you know sort of place our faith and requirement on the work that that staff is already doing to develop a coherent translation strategy that we will be able to comment on separately as it is developed. Thanks.

Jeff Neuman: Okay, thanks Avri. And I put on the chat I think this relates to the comments originally raised by James and Paul, so I'd like them to weigh in on your proposed text as well as Alan.

Alan Greenberg: I very strongly support exactly what Avri just said. Translation is an area where there are professionals around. ICANN happens to have some, we're not. So I think we need to give a recommendation that we think it's worthy of consideration, but I don't think we can go any farther than that. Thank you.

Jeff Neuman: All right, thanks Alan. Paul or James. Paul.

Paul Diaz: Yes, thanks Jeff. It's Paul. I guess my - I understand what Alan and Avri are saying and I appreciate it, respect it. Can we add in something about you know ICANN making appropriate resources available or recognizing the resource implications of professional only translations?

You know the reason I was pushing for volunteers was just as a cost-saving measure because we all recognize translation is very expensive. And it just seems that if we recommend profession only but don't caveat that or don't balance that with but ICANN you know consciously think about the budget for

what we're recommending and essentially find offsets - find cost savings elsewhere. Otherwise, it just seems we're just going to keep growing and growing ICANN's budget because there's always important things like this that need to be done.

Jeff Neuman: So Paul, Avri suggested language in the last sentence, which says, "ICANN is encouraged to consider whether the use of volunteers to assist with translation is appropriate and practical while it is considering the enhancements of the translation strategy, which is part of the overall strategic plan." So even though she used the word professional in kind of her rationale, I think the language doesn't really mention professional.

Avri Doria: This is Avri. If I could interject as a possible answer.

Jeff Neuman: Yes sure.

Avri Doria: "ICANN is encouraged to consider whether the use of volunteers to assist with translation is appropriate and practical as a cost-cutting measure while it is considering." Wow, happening. "While it is considering the enhancements of the translation."

So in other words, if that goes in, I mean I still don't think it's necessarily the way it should be done, but does that cover getting your content into the recommendation?

Jeff Neuman: Paul, do you want to offer a thought on that? Paul agrees. Okay, good. James and then Alan.

James Bladel: So yes, I think I mostly agree with what Paul was saying. I thought that there was another point to at least having a program or a pool of volunteers identified. Not only would that save cost, but that would also establish some sort of a threshold for demand for specific languages so that we wouldn't

have for example a single person requiring ICANN to hire professional translators for a single language that was only wanted by that one person.

I was thinking that you know by ensuring that everyone had a contribution to make to spreading this to larger linguistic communities that that would ensure that it was at least a minimum threshold of demand for documents in that language before it proceeds. But I think I can live with the proposal that Avri made with Paul's edits. Thanks.

Jeff Neuman: Good. That's good. Okay and then back to Alan and Avri.

Alan Greenberg: Yes, we seem to be getting closure, so I'm going to be very brief. Our mandate is to come up with recommendations for how PDP should be done and I think we've determined pretty well that some level of translation is necessary along the way. You know we're not saying all discussions have to be held in every language. (What we're doing is quite moderate).

There is a huge amount of pressure on ICANN to do something. There's a similarly huge amount of pressure on ICANN to constrain its budgets. I don't think we need to belabor the point in this particular report. We are increasing in our minds our importance if we think this is going to drive ICANN on translation either to use volunteers, not use volunteers, or do more or less translation. So I think we're - this is a tail. We're not wagging the dog. So thank you.

Jeff Neuman: Okay, thanks Alan. Avri.

Avri Doria: Yes, a quick comment. I don't think that the strategy of policy coming out of the you know staff is going to be based on a single person's whim requiring that they will be looking at things like (fix UN) and perhaps consideration of the language of the country that we're going to have a meeting in on occasion. I don't know for sure. Certainly as I say, we're all going to have the ability to comment on the overall policy and its expenses as time goes on.

And one of the things -- and I'm not suggesting we go into this recommendation, but I will recommend it again later you know at the policy discussion if it's appropriate - is certainly some of the time you know there may be someone that sort of recommends, "Oh, we really need to translate this into Farsi," or, "We really need to translate this into Swahili," or some specific language that isn't included on the staff list. That may be one of the conditions under which it is appropriate to come up with a volunteer basis.

But that also will need a policy where you can put a stamp at the top of it saying, "This is not an official translation". This is because when you have a volunteer do it, you still have to hire someone to make sure it's correct, and you have to hire someone who can review it and edit it for correctness.

So that's something that needs to go into the overall policy of the details of how if it's appropriate, when it's appropriate, and in what manner of doing it would be appropriate. And I have spent too much time on translation policies in my other job to think we should get into that now. Thanks.

Jeff Neuman: Okay, well going back, I think it sounds like everyone is agreeing on this text and we certainly have other places that talk about how important it is, so I think we're there.

Moving on to my comments, let me just clear up one on Recommendation 29. It was basically sentence structure that I didn't - I thought it said something different than it actually was meant to say. So it's not that I was saying that people should never review or take into consideration public comments received. The sentence implied that it was staff that was doing the reviewing and taking into consideration the public comments, which is not the intent.

So what I've asked - what I think should happen on that recommendation is it should be a separate sentence clarifying that it's the working group that is responsible for reviewing and taking into consideration the public comments received. And then I think that solves the whole issue.

Again, that's Recommendation 29. And so I think with that, unless anyone wants to discuss it, I think that was the intent and it was just my misreading of the sentence structure.

Recommendation 24 I want to go back to because I want to make sure everyone is on the same page. I put - I added additional language, which I think makes it in line with what we agreed to, but I just want to double-check and make sure everyone was fine with that.

Because this was the recommendation that basically says, "The PDP work team recommends that even though a working group currently forms the basic mode of operation for a PDP, there should be flexibility to accommodate different working methods if deemed appropriate by the GNSO Council or allow for a different mode of operation if so desired by the GNSO Council in the future without requiring a complete overhaul of the bylaws or GNSO operating rules."

And then I added, "Provided that whatever mode of operation us is used contains each of the elements set forth in the ICANN bylaws and PDP manual."

So that clarifies that. We might not use a working group structure but we still have to - even if it's not a working group structure that's followed you still need to follow all the other elements in the bylaws and the manual. So that still means public comment periods, it means all the stuff that we've been talking about for the last couple years.

So I want to clarify whether that's what we - that what we agreed to. And so let me go - Marika, sorry, let me go to you first.

Marika Konings: Yes, this is Marika. In relation to this recommendation we discussed it as part of the outstanding issues. And at that point it was pointed out as well that

there is some language in the procedure manual that talks about this same issue so I think at that point we basically suggested that everyone should have a look at what is in the procedure manual to make sure that that tracks indeed the discussion.

You know, with the changes that you've proposed we might need to make it more specific in the procedure manual because what it basically says now - and that's on Page - I think 51 it says now, "The preferred model for the PDP team is the working group model due to the availability or specific working group rules and procedures that are included in the GNSO operating rules and procedures."

"The GNSO Council should not select another model for conducting PDPs unless the GNSO Council first identifies the specific rules and procedures to guide the PDP team's deliberations." So we don't here say specifically that, you know, they should also follow all the elements that are in the bylaws and the manual.

So if there's agreement to the changes that you've suggested I guess that should be more - made more specific then as well in the manual.

Jeff Neuman: Okay. I mean, for my personal opinion I think it should be made more specific but let me go to - make sure everyone agrees with the concept first and then - Alan.

Alan Greenberg: Yes, a couple small points; the PDP procedures manual is not under our control so we cannot change that at this point. I would suggest two changes to what you have here, number one, I would say - and I don't have the exact wording - there should be flexibility to accommodate different working methods as described in the procedures manual if deemed appropriate by the GNSO Council.

So I think we should make a reference that the procedure manual already allows for this; under certain conditions but it already allows for - we're not introducing a new concept here which was part of the gist of our discussion last time of people who were objecting to this.

Jeff Neuman: Well, what do you mean? So now I'm a little confused. There's nothing in the manual that describes other methods of operation.

Alan Greenberg: No it allows for other methods under a set of circumstances. That is we have rules.

Jeff Neuman: So you would say again if deemed appropriate by the Council or allow for different methods of operation as - sorry you said as described in the PDP manual?

Alan Greenberg: No, no.

((Crosstalk))

Jeff Neuman: The part I described - different methods are not described.

((Crosstalk))

Alan Greenberg: I'm not sure looking at it right now where it - where the phrase fits in accordance with the GNSO procedures manual or something to that effect. My second comment was going to be the sentence is getting far too long and complex and needs to be broken up.

((Crosstalk))

Alan Greenberg: I think I've just - I've just proven that by not quite knowing where this phrase goes. All I think is for someone reading this I don't want them to think that we

are inventing the concept that maybe something other than a working may be appropriate sometime in the future.

I mean, the simple example is we could say the new - the new thing we use is identical to working groups except there is balanced representation or except something like that. So, you know, all the other rules are already there and will be honored but it's not quite the working group as defined today.

Jeff Neuman: Right. So on this - so let's cure the sentence structure here. So, Marika, if we ended that first sentence at, "If deemed appropriate by the GNSO Council," period - it would say, "There should be flexibility to accommodate different working methods if deemed appropriate by the GNSO Council," period.

Deemed it should - oh you could say, "If deemed appropriate by the GNSO Council," and then delete all the words up until without. So you'd say, "If deemed appropriate by the GNSO Council without requiring a complete overhaul of the bylaws or GNSO operating rules."

Alan Greenberg: Okay.

((Crosstalk))

Jeff Neuman: ...end of sentence. Then you would say - I'm trying to get Alan's comment of that it's not a new thing.

Alan Greenberg: Yes, I mean, we have the phrase different working group methods and then different mode of operation and I'm not quite sure the - that those are very different.

Jeff Neuman: Well I've taken those out so now it would just...

Alan Greenberg: Okay.

Jeff Neuman: ...so what I said is - starting at the beginning, "The PDP work team recommends that even though a working group currently forms the basic mode of operation for a PDP there should be flexibility to accommodate different working methods if deemed appropriate by the GNSO Council without requiring a complete overhaul of the bylaws or GNSO operating rules," period.

Alan Greenberg: Let me propose something else; what you said up to, "Appropriate by the GNSO Council in accordance with the GNSO operating procedures manual," period, "Any such changes and any such new working methods must," or - sorry, I've lost my train.

Jeff Neuman: No so you - I could see it - we don't even need without a complete overhaul. You could just say, "Any such new working methods," and then go to the last sentence, "Must continue each of the..."

Alan Greenberg: Yes.

Jeff Neuman: "...elements set forth in the ICANN bylaws."

Alan Greenberg: That's what I was trying to get at, yes.

Jeff Neuman: So, Marika, do you want me to repeat that so you'd...

Marika Konings: No I think I have it.

Jeff Neuman: Okay good.

Alan Greenberg: Okay. That says, you know, reminds people we're not inventing something new because not everyone has memorized the operations manual or not every sentence in it and it covers - and it addresses your point that says you can't get around the rigor that we're looking for by changing from the working group to something else. That's good.

Jeff Neuman: Right. Okay then let's see so that takes care of my comments then we go to Wolf's comment.

Marika Konings: This is Marika. Just one question then when you look at the manual if you can see indeed if that language is specific enough or whether anything else needs to be added based on, you know, our rewording of this recommendation that will be helpful.

Jeff Neuman: Well I think the one thing that you didn't say when you were reading that section was the last part of it which is that it needs to contain all the other elements.

Marika Konings: Okay.

Avri Doria: Is it possible to see the rewording? I got lost.

Jeff Neuman: Marika is there a - I don't know if you've been handwriting it or...

Avri Doria: Like you did when you changed mine live.

Marika Konings: I can type it here in the notes so if you give me a second.

Avri Doria: Thank you. I'm sorry.

Jeff Neuman: Okay we'll pause for a little break.

Marika Konings: I think that's it.

Jeff Neuman: Yes.

Marika Konings: Apart from the spelling mistakes.

Jeff Neuman: Avri, do you have any - does that help?

Avri Doria: Let me get to it - it's moving on me. Yes, okay thanks.

Jeff Neuman: Okay good. Jumping to Wolf's comments the first one is be consistent calling it a proposed final report. There's still some draft - yes, okay. That's - you'll go through that, Marika, and make sure it's whatever we use is the - is consistent.

Marika Konings: Yes.

Jeff Neuman: Is it practical to the potential reader to look for the initial report? For further context isn't it more useful like attaching the context? Yes, the issue here for - the initial report was how many pages, 150 pages or some absurd - obscene amount?

So I didn't want to attach it as an annex, I mean, we could provide a, you know, there's a link to it but to - that was the reason why I didn't - why I included language to say review that report but didn't suggest it be included as an annex. Marika.

Marika Konings: Yes, this is Marika. To make that easier, you know, we can include a link or a hyperlink so people can go directly there. But I agree with you, I think we're now already on 124 pages.

I mean, another thing I can do is when we post the announcement and open the public comment forum that we also there include a separate link to the initial report so people can go back and check what was in there originally and, you know, compare that to what we've produced now so that it's all at hand.

Avri Doria: Jeff just said he got dropped and is dialing back in.

Marika Konings: Oh okay. So would people agree with that or do people feel strongly that the, you know, the whole - I think it's a specific chapter in the initial report but still that was quite a lengthy chapter that, you know, describes our discussions on the different items. Do people feel strongly that that should be included in this report or are people comfortable with including it as a link? Avri.

Avri Doria: Yes, I'm certainly comfortable with including it as a link. However an alternate suggestion - and that would also help make perhaps the initial report shorter and it's something I've done in other groups and I know I've suggested it here before I'll just put it on the table again - is to move all of the explanatory or old stuff or whatever and attendance sheets and all that good stuff to a companion document so that this one can be kept shorter than 100 if that were possible.

But that there was also a new companion document that just had, you know, addendum after addendum after addendum of all the (cruft) that people might want to historically be able to review in one place what this was about.

The problem with including by reference is every couple years the Website will get reorganized and including by URL reference could easily become a dangling reference within a short time. And so that's one of the reasons why people often recommend no we've got to have the substance and its inclusion by - not by reference but by inclusion.

And but if you want to do that then I always think the companion document that has everything - and it's just appended, I mean, it's work to format it but it's not a writing exercise - is a useful thing. And then you have two documents the point and the (cruft) that, you know, is available for as long as anything is available. Thanks.

Jeff Neuman: Yes okay I'm back on. And I missed part of it so Marika, if you can just help summarize where we are and...

Marika Konings: Yes, so this is Marika. So I suggested including a link instead of the whole document and making it also available in the announcement and the public comment forum so people have easy access to it.

Avri then suggested possibly creating a companion where all kinds of background documents would be all linked together so people can find that all in one place and, you know, as a separate download.

If I can make, you know, another suggestion on that because my proposal would be as indeed our report here is already very lengthy and includes as well a lot of annexes. And I think it's something we've discussed before as well.

What I would like to do as part of the publication of the report to make the executive summary - the executive summary and the content of the report and the annexes all available as separate downloads so that people can clearly see what they are downloading and can choose for example just to download the executive summary or only download the executive summary and, you know, the content of the report but not the annexes or only the annexes.

And as well of course have a complete download where everything is in there. So that might, you know, accommodate, you know, people having that available. And I think in that same strand we all have the initial report there as well for people to download.

Jeff Neuman: Yes I think that does make sense. It seems like Avri agrees as well. So that's good. I'm sure on Monday when they're posting all the documents they're going to be...

Marika Konings: Yes, they will be delighted. I mean, I've already warned them because I actually have three reports that are coming out on Monday and then the proposal would be to give all those reports the same approach because it's

an issue we've heard before where people, you know, don't really want to download all the annexes and only want to have the executive summary but it means you have to go and cut and paste themselves.

So I'll try to do my best to do that for the different reports that will come out on Monday.

Jeff Neuman: Okay. So the next comment is on Page 6, Line 7 - I'm not sure it's still Page 6 though in this - or Line 7 on this - in this report.

Marika Konings: And I think it's probably relating to your version because I think he responded to the email that had your attachment so I'm assuming that he actually looked at the - but I'm not sure which one of the two documents. I'm guessing the recommendations but just a guess.

Jeff Neuman: Yes so let's see if we could find that at some point. I think it's just a wording issue and it's words I added that I'm not wedded to. So if you want to go through it and see if what he says makes sense and just want to make some changes based on that I'm fine with that.

Marika Konings: Yes I'll try to find it.

Jeff Neuman: Okay. Recommendation 7 we talked about. Recommendation 10, I don't think the word properly is necessary. So let's see Recommendation 10, what page is that on? Okay Recommendation 10 is on Page 12. Okay within 45 days after receipt of either an instruction from the board, two, a properly supported motion from the council, or, three, a properly supported motion from an advisory committee. It says the word properly - properly supported motion.

I mean, I think - I see what he's saying. I mean, do we think it takes out anything from removing the words properly supported? Or are - Alan.

Alan Greenberg: I support it because I don't know what a properly supported motion is.

Jeff Neuman: Well it's got to be one...

Alan Greenberg: I've seen that before and I haven't commented but I'm not quite sure what it means.

Jeff Neuman: Well because if you just say a motion it's got to be an approved motion, right? It's not just a motion.

((Crosstalk))

Jeff Neuman: Right, so it's not just someone makes a motion it's that - it's an approved - it's passed, it's a resolution that had a - someone who introduced it, someone who seconded it and it passed by whatever threshold is required to pass it. So I think that's kind of what the intended meaning is. I mean, you could say from a resolution by the GNSO Council.

Alan Greenberg: I'm trying to find the actual context here, one second.

Jeff Neuman: Okay it's Page 12, Recommendation 10.

Alan Greenberg: Yes, no I've found it I'm just trying to see where's the wording.

Jeff Neuman: At the beginning of the red first...

((Crosstalk))

Jeff Neuman: That's it.

Alan Greenberg: Okay. Yes, I mean, we may know what the properly supported procedure is for the GNSO. We don't necessarily know what it is for an advisory committee; the advisory committee has its own rules. I would take out properly supported and put in formal.

Jeff Neuman: So you would say formal motion?

Avri Doria: Formal request how about?

Alan Greenberg: Formal...

Jeff Neuman: Well it's not a request it's actually one - it's a resolution; it's something that passes.

Avri Doria: Right.

((Crosstalk))

Avri Doria: If I can interject since you're talking about this issue?

Jeff Neuman: Yes please.

Avri Doria: Right and, I mean, Alan is right; each of the advisory committees may have a different way of doing it. So, you know, it's a consensus from a - a consensus request from the GAC. It's a ALAC, you know, proper ALAC motion.

It's a whatever so that's why just a formal request - if they make the request formally based upon whatever process they use which is really not for us to define that should be the starting - so that's why I think formal is a good word and perhaps it is a request that they're making because the Council does not have to actually, you know, do anything. But...

Alan Greenberg: Yes.

Jeff Neuman: Okay so what if we say...

Alan Greenberg: Margie has her hand up; maybe she has some wisdom for us.

Margie Milam: Yes, this is Margie, I have a suggestion. You could say a duly approved request to pick up on Avri's notion that it's not just a motion but then also to make sure that it was - they followed whatever procedures they needed to within their organization.

Jeff Neuman: So I think we could say different things for each one; so it's an instruction from the board, an approved - or something like a resolution from the GNSO Council...

Margie Milam: Well it's got to be a duly approved one though right and so it's got to be...

Alan Greenberg: Well...

((Crosstalk))

Margie Milam: ...by the requisite vote.

Alan Greenberg: I'm not sure how we use the terms. Motion is something - is something when it's being discussed. I think the outcome of an approved motion is a resolution.

Avri Doria: Yes.

Jeff Neuman: Correct.

Margie Milam: Right, yes that's right.

Jeff Neuman: So we'd say for two is a resolution from the GNSO Council or, three, a - what were the words you used, Margie, duly...

Margie Milam: Duly approved request so that would pick up different formats from different organizations.

Alan Greenberg: Yes, duly approved is clear - is better than formal, yes.

Jeff Neuman: Okay. So we have instruction from the board, resolution from the GNSO Council or a duly approved request from an advisory committee - from an advisory committee, right, okay.

Alan Greenberg: Gee, we're getting good at this.

((Crosstalk))

Avri Doria: ...Margie to give us the right words.

Jeff Neuman: All right we're making good progress here. Okay last one, Recommendation 19 last sentence; is it clear enough that the first two adopted refers to - oh sorry, it should be the first adopted refers to the charter itself whereby the second is referring to the modifications only. So let's - it'd probably help to look at that resolution.

Yes and I don't think it's Page 19. I think have to go to - oh I'm sorry it's Recommendation 19, yes so that's on Page 15. That recommendation says, "The PDP work team recommends updating Clause 7 of Annex A of the ICANN bylaws to reflect that a charter is required for all working groups and if specified the voting threshold that should apply to the adoption of the working group charter which is identical to the one that applies to the initiation of the PDP."

"Any modifications to a working group charter after adopted by the GNSO Council, however, may be adopted by a majority vote of the GNSO Council (of) that term is currently defined in the bylaws." Avri.

Avri Doria: Yes, I think the problem is parsing it in reading. And I think perhaps if you made, you know, added the word made between charter and after in that

sentence; any modifications to a working group charter made after adoption, you know, by the council of the charter, you know, so just to be explicit.

So I think it was clear but it was also one of the sentences that if you stare at too long you start to grow ambiguity into it.

Jeff Neuman: Okay can you repeat that again?

((Crosstalk))

Avri Doria: ...extra words.

Jeff Neuman: Yes, can you repeat that - those words again?

Avri Doria: Yes, so any modification to a working group charter made after adoption by the GNSO Council of the charter...

Jeff Neuman: Got it.

Avri Doria: ...however may be adopted. And then you've made it triply redundantly clear and harder to start reading ambiguity into it.

Jeff Neuman: One would always read ambiguity into everything.

Avri Doria: Well I'm not a lawyer so I don't know how to do that.

Jeff Neuman: Yes you do. You don't have to be a lawyer to do that.

Avri Doria: Well that's the philosophy in my, what do you want?

Jeff Neuman: Okay. Marika you got those changes?

Marika Konings: Yes I do.

Jeff Neuman: Okay so let me open up the floor. Are there any other changes? Any other substantive issues you think we need to discuss at this point? Again comments are due - Avri, you had your hand up is that for something new or...

Avri Doria: Oh no, sorry it's - I forgot to put it down, apologies.

Jeff Neuman: That's okay. All right anything else substantively? Great so just to remind everyone all comments are due by tomorrow close of business wherever you are in the world.

And if there is any substantive issue please make sure you send it in a separate email and, you know, highlight it, call it urgent, please read, call it whatever you will to make it stand out that people will read that and know it's not just - you're not just making a kind of grammatical or stylistic change.

So then again the report will be published on Monday. Please let your stakeholder groups, constituencies, advisory committees know that they need to start preparing it and their comments that we will have a session in San Francisco. But by the time we are - we come back from there there's only very little time to actually get your comments in.

Any - and lastly a reminder we'll submit this on email. There will be no call next week; there will be no Monday call the week after that but we will have a Thursday call on March 3 which will start a half hour later than our normal start time and only go for an hour. Any other comments?

Avri Doria: I won't make that March 3; I think I'll be on an airplane.

Jeff Neuman: Okay well really that...

Avri Doria: That doesn't matter I'm just letting you know.

Jeff Neuman: Yes. The purpose of that call is really to just kind of go over our presentation slides that we can then present to our stakeholder groups, constituencies, etcetera. And our - at that Tuesday or Sunday sessions, whatever you all have with your different groups and - so that's the purpose of it. It's not really too big of a deal if you miss it. But please show up. I don't mean that - if you're around please show up.

Okay thank you everyone.

Avri Doria: Bye, bye.

Jeff Neuman: Thanks.

Paul Diaz: Thanks Jeff.

Jeff Neuman: Take care.

Marika Konings: Thanks. Bye.

Gisella Gruber-White: Thanks, (Ricardo).

Coordinator: Thank you, have a good day.

Gisella Gruber-White: Enjoy the rest of your day. Bye-bye.

Coordinator: Thank you, you too.

END