

**ICANN
Transcription
Standing Committee on Improvements Implementation meeting
Tuesday 22 April 2014 at 19:00 UTC**

Note: The following is the output of transcribing from an audio recording of Standing Committee on Improvements Implementation meeting on the Tuesday 22 April 2014 at 19:00 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-sci-20140422-en.mp3>

Attendees:

Ronald Andruff – Commercial and Business Users Constituency – Primary – Chair
Angie Graves - Commercial and Business Users Constituency – Alternate
Greg Shatan – IPC - Alternate
Jennifer Wolfe – Nominating Committee Appointee – Primary
Jennifer Standiford - Registrar Stakeholder Group – Primary
Amr Elsadr – NCUC – Primary

Apologies:

Cintra Sooknanan: NPOC Primary – SCI Vice Chair
Thomas Rickert - Nominating Committee Appointee – Alternate
Anne Aikman Scalese – IPC - Primary

ICANN Staff:

Marika Konings
Mary Wong
Terri Agnew

Coordinator: The recordings have been started. You may begin.

Terri Agnew: Thank you, (Holly). Good morning, good afternoon and good evening. This is the SCI call on the 22nd of April, 2014. On the call today we have Ron Andruff, Greg Shatan, Jennifer Wolfe and Angie Graves. We have apologies from Cintra Sooknanan. Thomas Rickert is hoping to be able to join a little later in today's meeting.

From staff we have Mary Wong, Marika Konings and myself, Terri Agnew.

I'd like to remind all participants to please state your name before speaking for transcription purposes. Thank you very much and over to you, Ron.

Ron Andruff: Thank you very much. So the first element - first item on our agenda is the updates to our SOIs. And I'm wondering has anyone had any changes to their Statements of Interest since we've last met? Hearing none we will now move on to record that there's been no changes.

And the approval of the agenda; does anyone have anything they would like to add to the agenda or any comments on the agenda? Otherwise we will deem it to be approved. Hearing none we have approval of the agenda.

And the first item up on the agenda today is the confirming the SCI membership apropos. As I look at the list we have two BC representatives, one IPC representative and one Non Comm representative and a large number of our committee not present.

It's an interesting situation and one that our staff team and I have been talking about for some time. And so we decided we would (unintelligible) a notice to all of the constituencies and just confirm that in fact all of the members who are on the record as being SCI members were in fact the representatives as well as to awaken and particularly and to awaken those constituencies who have not been present for these calls.

We ask that they would confirm to us who the representatives were and if there were any alternates that needed to be added to that list if they could kindly do so.

So it was quite a lively little email that went out insomuch as there were a number of people that responded; some with some shock, some with horror and some very friendly and happily. So it seemed to have touched a nerve in

certain places but we don't see it necessarily in the result of our call today having such a short list of people who are attending. So it's a little frustrating.

But that was the essence of that email. It was really to particularly awaken those constituencies who have been missing in the - at the SCI even though they have representatives, a primary and an alternate. We had never expected, I don't think, anyone from the beginning that we would have both primaries and alternates being always on the calls but we would hope that that would happen as often as possible when the SCI was first formed some years ago.

So with that I wonder if there's any thoughts or questions that anyone would like to bring to the discussion about this membership and that series of emails that went out? The floor is open.

Mary, please go ahead.

Mary Wong: Thanks, Ron. And so just a couple of points that I think there's not every constituency or stakeholder group has appointed - at least formally appointed an alternate, I don't think. And certainly I know that that's - we probably do need one from NPOC because of Marie-Laure's recent departure from the SCI. So I think that's kind of one thing.

I don't now if we've heard back from any of those or whether for those specific groups. You know, and staff can do this, just contact the person who's the primary and say, "Do you have an alternate?"

The second point or second piece is something from one of the responses where I think there's always been a practice that whether one is primary or an alternate member the real difference is in terms of say being a chair or a vice chair but that everyone can and everyone has more or less to the extent possible attended the meeting.

So I just wonder if there's a sense among some of the reps out there that maybe only one of them need attend a meeting. And I don't know how much coordination there is. So I wonder if a note to that effect might be useful or not as the case may be?

Ron Andruff: Thanks, Mary. I think one of the important elements to note is that the - as you've noted the alternates - some of the alternates are missing and I see Marika has also posted into the chat a link.

And the alternates we've asked - that was the key element I think, one of the key elements of the email we sent out, "Could you please provide us with your alternates as well?" And that, as we see here, we're missing them from the Registrars; we're missing from the Registry, the ISPs as well as from the NPOC. And it looks like - well it looks like the NCSG - that's all taken care of.

So those are, you know, a good number of people that could be added and would certainly help us have our - enough people on the call to be able to do the work that we need to do. And that really was the principle that email went out under.

So, yes, I think, I mean, I'm just wondering do we need to follow up with them? I think that email we sent out was quite clear, you know, we need to know who your alternate is. I think if we start chasing them we might be finding ourselves alienate them as much as anything else.

But perhaps what we can do is have staff send out a follow on email to my email just asking if there's been any discussion with regard to the alternates to see if we can get that up to speed.

But that's certainly a frustrating point I think because for all of us who do join the calls regularly and trying to do the work it's a little bit frustrating to do the work when we cannot.

I'm almost tempted right now to actually (unintelligible) close just because we have so few constituencies on here and the work that Greg has done on the consensus level guidelines with Amr, Cintra and Thomas is work that we would like to try to put to bed today but we don't really have enough people to do it as far as I see. What are your thoughts, Greg? Jennifer?

Greg Shatan: This is Greg Shatan for the record. I guess my thought is if there are any we could take a look at it. I know it wasn't sent out that long ago. And there was also another iteration of the waiver of the 10-day rule, rule that was sent out also, you know, last week which I think was, you know, close to final.

You know, it could be that if there's any discussion on the consensus levels from those who were on the call it would be nice to have the comments. And I can go back and do another iteration. With regard to the waivers to the operating procedures rule I think Marika had one comment I believe which was well, which I think was appropriate to, you know, not get too bogged down in kind of the interplay between the 10-day rule and the resubmission of a motion rule.

But, you know, if we could make some progress if anybody has, you know, anything to say about either of those we could try to move forward. But I agree, we couldn't - certainly couldn't, you know, close the consensus level discussion on this call and maybe not even the 10-day rule one, you know, could go out to the list. I don't know, again, what the timing is vis-à-vis the next GNSO Council meeting. But if we kind of lose this meeting we may lose the next Council meeting for the 10-day rule rule.

Ron Andruff: I agree with that. We probably will miss it, Greg, just because of the timing. My view on the work that was done on the consensus levels is that - is really I think we're there now. That's why I'm a little frustrated that we don't have enough people here on the call to move that forward.

Mary's posted in the comment - in the chat the deadline for documents is the 28th of April and so we're right at that date and effectively we would have had to complete this work here and I don't think we're going to get that done today.

Jennifer, what do you think we should do? Should we stay on the call or shall we adjourn and send the message out to everyone on the committee that we really need to show up so we can get the work done? Your thoughts, Jen?

We're not hearing you, Jen, I'm not sure if you're on mute still or not.

Jennifer Wolfe: Can you hear me now?

Ron Andruff: There you go. Now we heard you. Go ahead.

Jennifer Wolfe: Now you do? Okay, sorry, I had a headset on, I think I hit the wrong button. Well I agree, I think it's hard to have these kind of calls if we only have a couple people on the line. And I don't know if part of the problem is maybe we have it too frequently or if there's some other issue.

But in terms of moving this particular matter forward I think maybe taking it up on list would make more sense and getting some consensus through the list as opposed to having the call and letting them know that not enough people have shown up to be able to have a substantial discussion particularly when we don't have all of the constituency groups represented.

And I think, you know, maybe what we need to do as well is go to the Council and let them know that we're having trouble getting people to attend and that they really need to elect someone who is going to attend and have the alternate available if the primary can't attend. But it think they just - I think people don't realize, you know, the extent of the problem that we're having.

Greg Shatan: It's like a party where everyone thinks they're the only one who isn't showing up and then nobody's at the party. Not that I ever threw that party. Please, I'm not that unpopular - not even in high school.

Jennifer Wolfe: Well and it's hard; there's a lot of calls. I mean, when you're in a lot of different committees, I mean, you do have a lot of calls and when they're in the middle of, you know, I know for us on the Eastern time zone this is in the middle of our day and so it's easy to say I have a client call, I got to take that instead and I think that's probably what's happening pretty frequently.

Ron Andruff: Right. Right. Thanks, Jennifer. For Jen Standiford just joined. We've been - we've basically moved to - through the opening sequence of all of the agenda items and now we got to the discussion of whether or not we should be moving forward with discussing the consensus level document because there's not enough of us on the call.

It's very frustrating for all of us I think but I do believe that we just don't have enough people. So I'm going to suggest - and Marika makes the point and it's quite well taken that NETmundial is happening so many members may be traveling there. But had that been the case it would have been nice to send a statement of courtesy that they would not be attending.

So I think what we'll do then, ladies and gentlemen, just to bring this to a close today - but before I do I see Marika has her hand up so, Marika, please go ahead.

Marika Konings: Yeah, this is Marika. Just to point out as well that there's nothing preventing you from conducting the consensus call per mailing list or have the last call of comments and basically indicating by when you'll start the consensus call and what stage it will end to give people enough opportunity to provide input.

And also just to note as well that of course any changes to the operating procedures will still need to go out for public comment as well before they can be considered for adoption by the GNSO Council.

I know we discussed before that it may make sense to group some of these together and it looks that - looks like on many of these the group is close to coming to agreement on what those changes may be so it may make sense to already start indeed working through the different items at least to see if there, from a committee perspective, there is consensus so we can all start already integrating those in a redline version which we could then post for public comments.

But having said that of course that doesn't prevent you from, you know, providing already an update at an earlier stage to the Council if you think that will be of interest or, you know, if there are any issues you want to flag already at this stage.

Ron Andruff: Thanks, Marika. So just from a timing point of view as I understand it the Council call is on the 28th and the next call will be in May and then there'll be the meeting in June, correct? So we still have...

Marika Konings: Correct.

Ron Andruff: ...a couple of meetings before London.

Greg Shatan: Well if the Council call - if the next one is the 28th we've already - and today's the 22nd is the - we've missed it unless it's - and we don't have a waive rule yet. And putting off the waiver rule as a late addition would be ironic - too ironic for me - even for me.

Marika Konings: Greg, just to correct you, the deadline for submission is the 28th of April.

Greg Shatan: Oh the deadline.

Marika Konings: Not the meeting.

Greg Shatan: Oh yeah, we might actually be able to make that because I think the sentence - looking at the 10-day rule - the waiver of the 10-day rule rule I think I would be comfortable taking out the sentence that Marika asked about in her email of April 17th because the way - what she said was why are you saying that if the requirements above are not met the motion shall not be considered submitted.

I realize that's actually contradictory to what the rest of the rule says which is if the waiver isn't voted on the motion is then on the regular calendar for the next Council meeting. So it's - it is in essence submitted just it's very early for the next meeting because it's too late for the one just in front of it. So that sentence should come out and maybe I can do that or Marika can do that and we could recirculate to the list for a consensus call on that one, try to get some business done.

Marika Konings: Yeah and this is Marika. Just to reaffirm again before it goes to the Council there still will need to be public comment forum open as it concerns...

Greg Shatan: Oh.

Marika Konings: ...changes to the operating procedures. So I think...

((Crosstalk))

Marika Konings: ...it still is really good to move this forward and have a consensus call so at least we know from the committee side it's okay to move on. But I think then the other items can hopefully be packaged in the same public comment forum to avoid that we may have, you know, three public comment forums in a row basically.

Greg Shatan: Right. So it would be my suggestion then to take out that one sentence and to at least move it to the next step in the process. I think the language on consensus levels, while I think I did a good job on it, maybe had a burst of creativity, you know, it hasn't had a chance for discussion yet on the footnote. So that may not be quite ripe for moving along but it would at least suggest more comment on the list.

Ron Andruff: Well that's it. So I think you're right on there, Greg. I think that the - the work on the consensus levels, which is our first action item, is pretty well done. And I think we're very close on the waivers exception as well. That's what I was hoping we might be able to cover on this call today.

But, again, not enough people on deck so I think what we'll do then is we'll bring this call to a close now and...

Greg Shatan: Ron, just one more thing.

Ron Andruff: Please, Greg, go ahead. Yes, please.

Greg Shatan: This is kind a more of a point of information or question. When you posted - the members I noticed something kind of odd and the last thing I want to do is remove members when our problem seems to be a lack of activity rather than too much activity.

But the Non Commercial Stakeholder Group has both representatives from the stakeholder group and then from each of the constituencies under it which I had tended to think that kind of thing was sort of either or. And the Commercial Stakeholder Group does not have, you know, any representatives, it's just the representatives of the underlying constituencies. So that seems to be a little peculiar.

Ron Andruff: That is a little peculiar. I'm looking at that list right now as well and I'm a little mystified by that circumstance why their stakeholder group would not have a

representative on the Commercial side if in fact we have it on the Non Commercial side.

Yeah, that's a very good point. I wonder does anyone from staff have a response to that? I see Marika's hand is up; Marika, please.

Marika Konings: Yeah this is Marika. The charter foresees the each stakeholder group slash constituency can have a representative to the SCI. And indeed we have always interpreted that every constituency and every stakeholder group can decide to do so.

I think the difference is that in the NCSG that they have a formal structure in place and have been designating members to the SCI which I think hasn't happened on the CSG side. But I don't think anything is preventing the CSG to also nominate someone in the same way as the NCSG has done.

However, I guess at some point - and, you know, this may be a broader conversation for the group, this of course creates much heavier structure on the Non Contracted Party side versus the Contracted Party side.

However, as we're working on the consensus basis I think it has always been assumed that that shouldn't be a real issue as decisions are taken by full consensus. This may become an issue if indeed that at any point would change and there is a more weighting of voting that you would see that in balance.

So at this stage maybe it's something for you to take back to the CSG and see if indeed there is indeed someone willing as we're already struggling to have enough representatives attending and again should voting change at any point that may be a different discussion that we need to be had. But I'm assuming that in line with full consensus the number of representatives on the group shouldn't necessarily be an issue.

Greg Shatan: I will run that up to the Executive Committee of the CSG and see if they have a desire to do that. You know, I would have read the constituency slash stakeholder group to mean stakeholder groups where there aren't constituencies as in the Contracted Parties House and the individual constituencies where there are constituencies on the Non Contracted Parties House but I think that's generally maybe how it's worked out in other places.

And, you know, for instance it would be very odd if the GNSO Council had representatives, you know, at both levels of the Non Contracted Parties House. Clearly though it's ambiguous, constituency slash stakeholder group could be read in essence almost any way you want to. So, you know, at the moment I'll take that there is in essence two empty seats for the Commercial Stakeholder Group as such unless we want to make a decision to clarify the charter which is its own fun and games.

Ron Andruff: Well and we've just already gone through clarification of our charter; we just renewed it. But that's a good point that you're bringing to the table, you know, Greg. Mary, please go ahead.

Mary Wong: Yeah, thanks Ron. And, you know, I'm trying to sort of wrap my brain for the history of this. And I think the SCI was constituted - or the original SCI constituted some time in 2011 although obviously we didn't really get going until 2012.

And Marika and I were just talking, I think in the early days Avri and I were the primary and alternates for the NCSG and the NCUC so it was, you know, two people essentially.

And I think the reason for that - I'll have to go back and check the transcript - if so was that that was also the early days of NPOC and so the sense was that there should be representation even from a group that's just been formed.

I think the assumption, not just by NCSG members but I think a lot of the folks who are participating in the early days was that, yeah, you know, whichever constituency or stakeholder group wants to have someone on the SCI on the basis that the role of the SCI is different from one of the usual working groups. So if Greg wants to take that back to the CSG I would think that that's probably a good thing to ensure adequacy and balance of representation.

Greg Shatan: I will do so.

Ron Andruff: Thanks, Greg. Very good.

Mary Wong: And, Ron, I had...

Ron Andruff: Mary?

Mary Wong: I had one other point but it has nothing to do with this particular topic so I'll stand down for a bit if you want to keep going on this.

Ron Andruff: No, I'm just going got - just for a point of clarification for Amr. Amr, we actually had gotten to the second item on the agenda. We're talking about the SCI membership. And then we'd - I explained the rationale behind why the emails had gone out and so forth because we have such a light attendance. And as you see today we have a very light attendance.

So what we've been discussing actually is the membership of the SCI in general and Greg pointed out that there is a anomaly where we have the NCSG has two seats and the NCUC has two seats and wondering why the Commercial Stakeholder - the CSG - did not have two seats and whether we - whether or not we would like to have them.

Staff has been talking us through the charter on that. And that there has given us the - this discussion so that's why we're here. We're going to be bringing this call to a close shortly simply because we don't have enough

attendance from all the membership to actually go through and review the consensus levels and waiver exceptions and so forth.

But, Mary, you wanted then to follow on with another comment. Please, go ahead.

Mary Wong: Yes I did. And this was about planning for the next meeting and the meetings leading up to London. I think first off I'll, you know, just looking at the various action items we seem pretty close on the consensus levels certainly and the question of the waiver and exception.

On the voting by email I just wanted to note that the sub team has continued to work on a document but that the sub team call to try to finalize a document for the full SCI is probably not going to happen until the week of 5th of May.

And as such, Ron, if you can do the consensus calls for the other two on the list it may be that having the next meeting in two weeks, which would be the 6th of May, could be a little early for that remaining item.

So that's just one point if you're planning for the next meeting. And I don't know whether at this point you want to take a look at the calendar and look all the way through to June to see when you might want the next meeting and how many more you think would be suitable.

Ron Andruff: Thanks, Mary. Well, looking at the calendar and your suggestion here that it might be a little early why don't we flag the May 13th date for the next call? And let's do the consensus call for those first two items online on the list. And then we will also be able to pick up the voting by email on the 13th.

So I think that's a good way forward. And so we are - I think what we'll do - I noticed Marika said attendance has actually picked up. We're halfway through the call right now. I think this has been a good discussion but I don't think we have enough people to really do anything further at this point.

So with that I think we'll bring the call to a close. What I would like to do is ask if Marika, Mary and Terri could stay on the call once everyone jumps off just so that we can talk through the consensus documents, getting that documentation together.

And also an email that we'll send out to the chairs of the various constituencies because it's just wrong that if their representatives are not showing that they don't at least send a courtesy and statement through to us so we would know in advance if we were going to have a light attendance as opposed to us just finding out when we get on the call. It's not right and it needs to be improved. And that's the work we can do.

So with that then, ladies and gentlemen, Angie, Greg, Jen, Amr, thank you all for getting on the call today. And I will say let's bring the recording to an end and look forward to speaking to you all on the list in terms of getting this stuff completed on the timeline we've discussed.

END