

GNSO
Operations Steering Committee Community (OSC) Constituency Operations Work
Team 8 May 2009 at 13:00 UTC

Note: The following is the output of transcribing from an audio recording of the Operations Steering Committee Community (OSC) Constituency Operations Work Team teleconference **8 May** 2009 at 13:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/gnso-ops-20090508.mp3>
<http://gnso.icann.org/calendar/#may>

The action items arising from the call can be found at:

<http://forum.icann.org/lists/gnso-osc-csg/msg00268.html>

These also are posted on the wiki at:

https://st.icann.org/icann-osc/index.cgi?constituency_operations_team.

The next calls will be every two weeks at 13:00 UTC, 22 May, 5 June 2009. Please enter these dates into your calendars. Timely meeting reminders will be sent out for each call.

Participants present:

Michael Young - Work team vice chair - Registry c.
Charles Gomes - Registry c.
Rafik Dammak - NCUC
Claudio Digangi - IPC
Victoria Mcevedy - IPC
SS Kshatriya - Individual

ICANN Staff

Julie Hedlund - Policy Consultant
Glen de Saint G ry - GNSO Secretariat

Absent apologies

Olga Cavalli - Work team chair - NCA
Hector Ariel Manoff - IPC
Zahid Jamil - CBUC

Glen Desaintgery: Thank you.

Michael Young: All right. Well thank you everyone for coming. As you know my name's Michael Young and we're going to start the agenda with the order of the roll call. Julie have you been or Glen, who's been marking when people have come on the call?

Julie Hedlund: Yes. I have the meeting view Michael so I'll go ahead and do the call, roll.

Michael Young: Great. Thank you.

Julie Hedlund: We have Michael Young, Chuck Gomes, (Rafik Domic), SS Kshatriya , (Victoria McKevedy) and Claudio DiGangi.

Glen Desaintgery: We have apologies from of course Olga, (unintelligible) and (Hector).

Julie Hedlund: Right. And from staff we have Glen Desaintgery and Julie Hedlund.

Michael Young: Okay. Thank you everyone. I'm going to add a quick item right at the beginning of this proposed agenda that Olga put out just for agenda bashing. I didn't see any comments on the list but would anyone like to add anything to this agenda or adjust it in any way?

Victoria McEvedy And yes I'd like to add something.

Michael Young: Please go ahead.

Victoria McEvedy Thanks. I think we need to talk about timing given that the board deadline on some of the related issues looking at (Roberts) stuff is the June meeting.

Michael Young: Okay. So we'll add that Julie as a six item or a fifth item we'll move any other business to six items for scheduling.

Julie Hedlund: Right. Or that may, I'll go ahead and include in next steps and that might encompass that as well, but we can (unintelligible) timing I'll make sure to include it.

Michael Young: Anyone else with anything else they'd like to address? Okay. We'll move ahead then. So let me open the floor with, we've had some comments from Chuck and others about the document that Julie's been working on with the comparison of the elements that are, the analysis and the elements that are currently posted on the various constituency sites and their available materials and charters.

Any further comments or thoughts on that document on the analysis and the materials that have already been provided around the stakeholder analysis?

Claudio DiGangi: Michael this is Claudio.

Michael Young: Okay.

Claudio DiGangi: Yeah. I just had a comment, there was one additional Julie you had made a change based on something I had sent to the list and there was, regarding term limits, and there was, there's actually the language in the charter is a little, there's some additional language that's in the charter that I don't think is reflected on the documents and maybe I can just send that around to have that updated.

Julie Hedlund: Yes. That would be perfect. I'd be happy to do that.

Michael Young: Sure.

Victoria McEvedy And I had some...

SS Kshatriya This is SS.

Michael Young: And can we keep, we'll queue up (go ahead) did I hear (Victoria) and then SS?

Victoria McEvedy Yes I'm sorry, like I say I'd hoped to do this yesterday but I haven't been able to, but I have comments obviously and I think I'd referred to some of them about the IPC voting structure. So I need to post this to the list and I will do so after the call.

Michael Young: Okay. Thank you (Victoria). SS?

SS Kshatriya Yes. This Julie was (the analysis she has) produced is a very good to make a start, but when I wanted (analysis) I wanted a little more of details. So after this meeting I'll send Michael a mail...

Michael Young: Okay.

SS Kshatriya ...giving a little more, I mean this input that what details if she could do it they'll be still better.

Michael Young: All right. We appreciate obviously any additional effort and material around that document SS that would be fantastic.

Chuck Gomes: Michael can I jump in?

Michael Young: Sure.

Chuck Gomes: I just want to compliment everybody for not only what's happened now on up to now on this but even the promises for additional input because it's really critical that each of us makes sure that the data in there is as accurate as possible so that as we move forward we're basing our work on the best possible information from each constituency and stakeholder group.

So my compliments.

Michael Young: Okay.

Chuck I'd like to add to what you're saying, I was saying this before officially started the meeting and the recording but I definitely would like this to go down for the record and I think the, you know, the comments coming in and the actual work done by Julie on the document initially is just a fantastic effort and I want to thank her for being so diligent on it.

Chuck Gomes: Ditto.

Julie Hedlund: Thank you very much.

Michael Young: Okay. Shall we move into the additional questions that Olga posed in Item 2 about how we use this document going forward now that we see how the document's coming together and SS has already stated he intends to provide some more detail surrounding those documents. Does anyone have thoughts on how we use those this analysis functionally going forward? Please feel free to share it with the group.

Okay. I don't see anyone jumping to the mic.

Let me see if I can get the conversation started a little bit with my own thoughts. I, looking at this document and looking as it's set up with the matrix right now my impression is what we need to do I think is each of us go through the document and start breaking out what we feel are good examples that meet the criteria.

Because what we're ultimately asked to do is make recommendations and some of these groups have already developed good practices that would really potentially become a gold standard for other groups, not every constituency is you know, providing a gold standard across every element or channel, but certainly some of them have got some very good ideas.

And there's no point in reinventing the wheel I think if somebody's already developed a very good method for say, you know, being transparent in a certain area or being well structured and declarative in another. So what do people think about that, about creating a, every individual of the group starting by creating a short list of what they feel are excellent examples of the analysis of good practices.

Victoria McEvedy I mean, can I comment on that?

Michael Young: Absolutely.

Victoria McEvedy I mean I think that, my only concern is that, I mean I think we're obviously going to come to timing later, but the way I see things we have now really, well probably three or four weeks to complete our work. So I'm just concerned that that might be an interim state, I mean I can absolutely see the value of the exercise.

But I'm wondering you know, at the end of the day you know, ultimately our task is to focus on you know, staffing with the work plan referencing the board report. I agree with you picking up best practice where we see it and go, you know, as you say good practices from this. But I'm just wondering whether or not that might just be an exercise that might take, you know, it's (unintelligible) kind of have to do in the bigger exercise in any event.

And whether or not it's really is so helpful to focus on this and deadline it like a separate exercise. But I just put that out there; I mean I just question that.

Chuck Gomes: Michael can I comment on that?

Michael Young: Absolutely Chuck.

Chuck Gomes: (Victoria) your concern's really important and that's why it's really important that I clarify some things. First of all it was never intended that the work teams in both the PPSC and the OSC finish their work by the time the GNSO council is seated. It was recognized that that was unrealistic and would probably not produce good results because it would be too rushed.

So that's first thing, so we should not be looking at a June deadline but also it's, although the board has not taken action on this and won't until later in May it is virtually impossible to seat the GNSO bicameral council in June.

We had a fairly lengthy discussion on this in the GNSO council call yesterday and you know, the bottom line is, is before the GNSO council call, excuse me, before the GNSO bicameral council can be seated there have to be some changes, certain changes in the bylaws, not all changes related to GNSO improvements have to be in there by before then but there's some, and there's a restructure group that has, is working on that and we've got quite a ways to go.

Once, and sorry for going on so long, but just to give you a good feel for what's going to happen, once that restructure group finishes its work and the council agrees on what we think that we want to recommend in terms bylaws changes then it's, those are going to have to go to the board and there's going to have to be a comment period and then the board's ultimately going to have to approve those before the GNSO council can be, the new GNSO council can be seated.

Now, you can figure it out the arithmetic as well as I can, you know, it's not going to happen in June, the prediction is probably there will be a change to seat the GNSO, new GNSO council in this the sole meeting. Now, that also doesn't mean that we have to have all our work done by October, although I think that gives us a lot more realistic dates to shoot for.

The important thing again is that the essential bylaws changes that are needed just to seat the new structure of the council have to be done before then and there's certain elements of work teams that really need to be done before then. One of which, for example, is some of the GNSO operations stuff that another work team is working on is really critical for the functioning of the new council when it starts, but

not all elements of the work teams need to be done once that action actually happens.

Now sorry to go on so long but I wanted to make sure everybody had the right setting in terms of timing and that probably is going to cover something later in our agenda, but that, we still need to work on our own timing but we have more time than may have been perceived.

Michael Young: Okay. Chuck to your points you know, I think it's important for the, and this is both a personal view and I think a pragmatic view, I think it's important for us to declare what we think is the right scope of work, complete our detailed work plan and our intentions rather than and then look at schedules and time demands rather than constrain our intended scope of work or work even in anticipation of a schedule that we're not sure of as of yet. Because I'd hate for us...

Chuck Gomes: And Michael that's consistent with what the GNSO Improvements Planning Team intended, that's why it's fallen out the way it has is that, and consistent with what I just shared is that it was realized that some tasks were going to be quite significant and take quite awhile and so it, and the idea was to make sure we got them right not to rush them.

So that's why there's a de-linking of the seating of the new GNSO council and a lot of the other GNSO improvement work that is going on.

Now, with the move back to, assuming that the target date for seating the new council is October, no all of a sudden the gap between the two events, so all of the improvements being implemented or at least implementation process starting and the seating of that new council

may not be as big as it would have been if we did it in June, but again there should, you're absolutely right, we should make sure we do the best job possible and if that takes a little bit longer, within certain limits, that's not only accepted but was expected.

Michael Young: Okay. Chuck I'd like to, you know, we're basically talking about the agenda item for schedules at this point and you know, maybe we should just continue and complete that point, if no one has an objection we'll jump to that item and just complete it.

Victoria McEvedy Well I actual think we should just move this point up, I think this is crucial to everything that follows and so I think we do probably need to bottom this out and...

Michael Young: Right.

Victoria McEvedy ...I myself would just like to ask Chuck, it's not really, (I wasn't just) follow very closely what you were saying in terms of the details, I got confused Chuck about (charter) constituency recertification dates as opposed to GNSO seating dates? I mean my reading, from my reading and I (think) if I can put my finger on it, it was very, very clear that recertification had to be done by June by the board, the board was going to recertify constituencies in June, is that right?

Chuck Gomes: Yes. And by the way, I didn't say this in my long-winded sharing there but we also talked about that yesterday in the council meeting. And that's another kind of prerequisite before the new GNSO council can be seated. So and it's not looking like that's going to happen nearly as quickly as the board thought either.

Unfortunately in the board meeting that just occurred a few weeks ago they reviewed all this, they discussed the fact that the GNSO had sent a message to the board saying hey, you know, we're not going to, the June timeline isn't going to work. But they didn't specifically make any changes in their recommendations, that's targeted for their next board meeting later this month.

So, you're absolutely right, the constituency charters and the stakeholder group charters need to be approved before the seating of the new council can occur, but again, most of that doesn't have to stop us from moving forward. There may be certain details that we're dependent on but there's plenty of us to do in the meantime while all that happens.

Victoria McEvedy Can I ask you a question about that Chuck?

Chuck Gomes: Sure.

Victoria McEvedy How is it, so you're saying that the GNSO operations team sent in a formal message to the board basically telling them that they needed further time, is that what happened?

Chuck Gomes: The GNSO council, we just had a meeting this, yesterday, but the previous meeting three weeks ago we had recognized at that there was no way we were going to get the bylaws changes work done in time to seat a council, a new council in June. So we flagged that issue, staff took that to the board and discussed that, but they didn't take any action on their recommendations on their, on their request to have it happen in June, that's going to happen in the next meeting.

Victoria McEvedy: Okay. So we could've, I mean I'm just curious about that because given what we were talking about last week, so we could've sent a message to, in the same way given our concerns?

Chuck Gomes: Oh sure. And the channel that we would use is we would go up through the OSC, which is real simple because I'm the chair of the OSC, and right on to the council. In fact, every council meeting I give an update on the council, in the council meeting regarding the status of all three of the work teams in the OSC and we don't have to wait for that either, we can send a message, Olga could send a message to me and right on to (Aubrey) if she wanted as chair of the GNSO council, and so yeah, we can certainly do that. We're all in this together.

Michael Young: Okay. Can we mark that down as an action item then to formally send that message; does everyone agree to do that?

Chuck Gomes: To send what message Michael?

Michael Young: A concern, now let me paraphrase what I'm hearing Chuck and see if everyone agrees, a concern that the timing of the certification for the charters for the constituencies and the stakeholders group needs an adjustment in consideration of the delays of both the GNSO council work in terms of seating and bylaws as well as our concern about the influence of the recommendations that we're making as a fact of timing towards the creation of those charters.

Chuck Gomes: Well we can do that but it's essentially already happened at the council level to the board. So what are we trying to accomplish?

Michael Young: Well, if you feel it's already well expressed, but I'm a little...

Chuck Gomes: It is.

Michael Young: ...confused. Okay.

Chuck Gomes: And the facts are on the table that...

Victoria McEvedy Now I think we should do it, this is what we talked about, you know, we're looking at the (unintelligible) and I think we should do it.

Chuck Gomes: And what would that accomplish?

Victoria McEvedy You know it's a footnote, it's basically to say hey don't forget about this exercise that we're all you know, that we've been hearing, this extremely detailed advisory exercise that should be informing those groups as the best practice, and you know, there should be time for them to make amendments before recertification, so.

Michael Young: Well, and (Victoria) let me be clear to both you and Chuck, I mean I'm recommending that we follow the path, the formal path that Chuck just stated, where we actually you know, I'd be happy to send a letter to the OSC on behalf of this group, Olga and I could work on that and get approval from everyone and send it to formally to Chuck in this case, but so that it's a matter of record.

But I noted that your original suggestion was that we send it directly to the board ourselves and to the GNSO council. And I don't see what, you know, jumping channels what that accomplishes.

Victoria McEvedy Look, I'm happy with the modified suggestion, I mean I wasn't, sorry if I wasn't very clear Michael, but I was, I'm quite happy with that proposal that it goes through Chuck.

Michael Young: Okay.

Victoria McEvedy That, there'll be, you know, there'll be a document trail with it I guess.

Michael Young: Sure. Chuck do you have any objections to that?

Chuck Gomes: No. I personally think we'd be better off working on our tasks at hand rather than doing that but if there's wishes to do that then that's fine.

Michael Young: You know I will, and I hear your point Chuck, I will volunteer to draft the comments just so that we can get past that and move onto the work.

Okay. So I have a task item then to draft up a letter and send it to the group for any additional comments. (Victoria) are you happy with that option? Does that work for you?

Victoria McEvedy Very much so.

Michael Young: Okay. All right. So let's move on past that onto, I'd like to go back to scheduling again and suggest that quite frankly at this point I haven't seen enough information back from the task leaders to really get a sense of how long some of this work might take, and I'd like to suggest to the group that our next steps be that the task leaders, leader of each task at this point that we've agreed to and we've assigned, put together a project plan or a project timeline for how long they expect their

volunteer group to require to complete their task items as well as start providing regular progress reports, brief but to the point at each of our calls. That make sense?

SS Kshatriya Michael I'll talk, SS.

Michael Young: Yes.

SS Kshatriya Before this (stop) task worked I have some command on (charters) and all that (unintelligible) what I understand that our work team can continue work independent of what is happening in council and board, one. Second is I think that the new GNSO council can take place in June and without, I mean approving these charters and bylaws.

Michael Young: Right.

SS Kshatriya I just think, but this, I mean this just suggestion to Chuck whether that can work. But bylaws and charters are approved later but as a new (unintelligible) taking place.

Chuck Gomes: There are two parts of it SS.

SS Kshatriya Yes.

Chuck Gomes: Part of what you're saying is true, not all the changes that will eventually occur in the bylaws need to be made before the new...

SS Kshatriya Yeah I understand, yeah.

Chuck Gomes: Okay. But there are certain ones that ICANN council has identified need to be changed before the bicameral structure can be put into place, and those have to be not only finalized but then public comment and then board approval. That process itself takes probably two or three months, even if we had all the final changes right now because you have a 30-day public comment period and then you got to wait to the next board meeting and they need to approve them and then we can seat the new council. So that's why I was saying practically it's literally impossible right now...

SS Kshatriya Yeah.

Chuck Gomes: ...for the June target.

SS Kshatriya But something (unintelligible) to be take up first, maybe it (unintelligible) out to the work team? What are the changes, what's desired?

Chuck Gomes: Well, from the point of view of our work?

SS Kshatriya Yeah.

Chuck Gomes: Well actually there isn't any of the tasks that we have in my opinion that are super priority, like for example I mentioned the GNSO ops work team, there's some things there like the rules and procedures for the council, that's a critical one that needs to happen before the new council is seated.

Now as I said before, there probably will be elements in some of the tasks that we're doing that may be dependent on the finalization SG

charters and constituency charters, and my recommendation there is, is when we run across those flag them and we may have to, you know, hold off a little bit until we see exactly what the final charters are, and go on to other items until we have that detail.

Michael Young: Okay. Chuck to your point, I mean I think the reason I'm driving, trying to drive here that the task leaders, the sub-task leaders put, prioritize putting together a project plan and feeding that back to the group is if we have some projected timelines independent of what's happening in the council, and the charter certification, we can take a look and see what the, you know, unbiased timeline would look like that people are projecting and then we can walk through those projected, those project plans and look at the individual work items and see if there's anything we feel that we need to try and tighten the dates up on.

Chuck Gomes: Yeah. I totally agree Michael, in fact, this, I don't know if this jumps ahead or not but let me share that Julie heads up sub-task four, which I'm participating on. She kicked that off and she and I are working in that direction already I suspect you know, in a week or so we'll probably begin to get a feel for where enough direction where we can probably start estimating timeframes. Do you agree with that Julie?

Julie Hedlund: Yes that's true.

Chuck Gomes: Yeah. So I'm totally in agreement with you there.

Michael Young: Okay. How does everyone, how do all the sub-task leaders feel, is it feasible to have a preliminary project plan by the time we meet in two weeks?

SS Kshatriya Yeah, SS, now what I'm doing this just today, I'm sending (unintelligible) to other participants in the group and seeking their opinion what I have done already, I've done some work on this and maybe by this weekend I'll have some idea about the timeframe.

Michael Young: Okay. Any comments from the other sub-task leaders?

Victoria McEvedy Okay. I, look I think that time frame's perfectly feasible for (unintelligible) too.

Michael Young: Okay. And so then it sounds like we have some consensus here. We're going to ask the sub-task leaders then to work for a preliminary project plan with preliminary dates, timing for us to review for the next call. And how do people feel, I mean we can leave this to the next call but in general how do people feel once we've situated those project plans about creating a format probably so that the sub-task leaders can put this out prior to the meetings but put out a, an update format or a template that they can report in on their progress prior to each meeting, does that make sense to people?

Man: Yep.

Michael Young: Okay. All right. So that's the items I have in my head around scheduling. (Victoria) did you have anything else you want to cover on that topic for scheduling?

Victoria McEvedy (Unintelligible) mind if I just pick up on something that, now maybe, I just want to clarify a point that Chuck made in that exchange. Chuck are we expecting to see, forgive me if I'm going off on a tangent here, but I, you were delivering a lot of new information for us, for those of us

aren't up to play with what's going on in other parts of the structure in a sense. Are there new, are you suggesting that there are yet further or new charters that we're likely to be seeing shortly, could I gather that from your?

Chuck Gomes: Oh yeah, a very good question, and by the way the information that's new that you're getting today a lot of it just happened yesterday, so it's new to everybody except those that may have been in the council meeting or listened to the MP3.

So this is really new information that just is current as of yesterday. So the, what's happening, and staff gave an update on this in the council meeting yesterday as well, what's happening is that the staff, ICANN staff has first of all discussed the proposed charters for SGs and for constituencies with the board, gave them an overview of that in the last board meeting, staff is working and Julie correct me, please add anything here that's helpful, especially in (Rob's) absence here.

But the, what I envision happening next is that staff in working with the board and in particular the board's structural improvements committee is going, will likely come back to the constituencies and the future stakeholder groups and say hey, you know, we reviewed your charter, here's some things that we would suggest you consider changing or including or whatever in your charter to comply with the recommendations of the board.

And so then the constituencies and the stakeholder groups then will probably have to come back with a, with modifications to their charters. Now if there's a charter that they think just fine they may approve it as is. But I suspect that most of us, and you can tell by our own little the

table Julie did, that most of us, including the registries are going to have some areas where they want us to work on a little bit more.

Victoria McEvedy Okay. I have a bunch of further questions arising out of that if you don't mind Chuck, while we have you. I think, because I think this really, really goes to the crux of our work obviously, and first of all you know, I think I raised an issue on the last call, and I think it really is an issue, I mean I'm astonished myself, absolutely astonished at this whole process.

But in any event, the discussions between the staff and the board except for today's are they open and transparent and a matter of public record?

Chuck Gomes: Well, no.

Victoria McEvedy Right.

Chuck Gomes: They're, I mean, they're as open as the board minutes that'll be, are published after each discussion but they don't have MP3s, they you know, and...

Victoria McEvedy Having formal, and there are no formal reports from the staff to the board, i.e., by web written reports.

Chuck Gomes: I don't know whether they provide written reports to the board. I suspect they probably do. Unfortunately (Rob's) not able to be with us today and he's kind of the lead policy staff person in all of the GNSO improvements work. So he could speak to that a lot more authoritatively than I can.

Michael Young: Yeah. (Victoria) I don't mean to interject but if you could just, you know, give us an idea of where you're going with this and relevancy to the agenda that we have on the table today, because we do have a limited time frame.

Victoria McEvedy I'd be very happy to tell you. Where I'm going is when are the board making its recommendations? What you know, I'm really following up on my question to (Rob) last week also that work product to avoid duplication and to understand basically this parallel process, this parallel process that seems to be going on that duplicates our work.

So the board's making now its own recommendations without waiting for our input, which was supposed to inform its recommendations and I'm just curious about the timing of that and also the timing of the submission of these modified charters given that we've having a conversation about timing.

Michael Young: Okay. Well I think that's an interesting point, you know.

Chuck Gomes: Unfortunately Michael we asked the same question in the council meeting yesterday and (Rob), because (Rob), the board didn't give specifics (Rob) couldn't answer it specifically for us either. But the question has been raised, it's been flagged and the indication was is that in their board meeting later this month we will get those answers.

Michael Young: Okay. Can I suggest (Victoria) that, as Chuck said, since it's raised and we're expecting an answer at the next board meeting to this issue that we wait for those results and see how the answer comes back and

then determine that because that's, once we see what their explanation is?

Victoria McEvedy Well I have to say I'm not, I mean, you know, I like I say I mean I really think we should be making some sort of formal objection to the process that's going on, because I think it's flawed and it's quite wrong and we should certainly be making it a formal request to be entitled to participate in the information flows in that process given that it pertains directly to our work.

Michael Young: Well you know, to that point (Victoria) I think what might be reasonable is to flag, we talked about doing a letter flagging the issue about timing with the charter approvals and the stakeholder charter approvals. I don't think it would hurt in that same letter in a formal way to say, to point out our concerns around this and that it seems like potentially there is redundant work being done here and raise that in the same letter. But I think that's really just, you know...

Chuck Gomes: And that's what I was trying to suggest in one comment I made is that as each of us in the four different tasks if we run into something that has a serious interdependency on something that hasn't happened yet let's flag it, let's hold off on that part and work on other elements.

There are plenty of elements on all of these tasks that don't have strong interdependencies on some of these actions. There are others that will, let's identify those and those we may have to put on our backburner until we have the other work, and therefore we then avoid duplication.

Michael Young: Okay. So I'm adding that to my action item if there's no objections?

Victoria McEvedy Could I, I just, I'm not sure I understood that Chuck. Could I just ask you to repeat that?

Chuck Gomes: So let me rephrase it, I personally believe that in the work before us in the four different paths there are elements of each of our tasks that we could work on right now regardless of whether the charters are finished or not. There are other elements that may in fact have some key dependencies on the final approval of the charters and I'm suggesting that when we identify those that we hold off on those a little bit until we, so that we don't spin our wheels needlessly and then get the final charters and have to go back and redo our work.

Victoria McEvedy But I, how does that work in practice, I mean (unintelligible).

Chuck Gomes: I don't have any problem working that in practice at all.

Victoria McEvedy But you're basically saying, basically where we're going is that we're doing an exercise based on things that we, we're going to be commenting on charters that we haven't yet seen.

Chuck Gomes: No, you're putting too much emphasis on the charters. They are important and they're going to be elements of the charters. Keep in mind, what the board's going to do with regard to the charters is decide whether or not those charters are in compliance with the board recommendations. Our basis for doing our work is primarily the board recommendations not the charters.

We're going back to the charters because they may have some helpful ideas and things that we can use but the ultimate test of the

implementation plan that we develop is the board recommendations not the charters.

((Crosstalk))

Chuck Gomes: Now the charters have to comply with the board recommendations just like our implementation plan does.

Michael Young: So Chuck let, (Victoria) let me jump in here for a second because I think (Victoria), Chuck if I'm understanding what you're saying here is that we would have an opportunity to actually comment on the fact that if a few of the charters were approved and we felt that they did not comply with the board recommendations we would also have the opportunity at that time to point that out...

Chuck Gomes: Sure.

Michael Young: ...and also say that in fact, in point of fact that the charters also do not follow our recommendations, nor which are based also on the board recommendations.

Chuck Gomes: Yes.

Michael Young: Okay. So (Victoria) I think that could be quite powerful and it is a natural check and balance.

Victoria McEvedy Look I mean I'm just astonished the way the ground keeps shifting underneath us and basically our task seems to be being usurped by the board who wants to negotiate it directly and no one seems to want our input.

Chuck Gomes: The board isn't usurping anything. They made some recommendations, we're working on developing a plan to implement those that they will have to approve, and the constituencies and stakeholder groups have been tasked by the board to develop charters and that are compliant with the board recommendations, so if you didn't think that this is in the board's court already that's a mistaken assumption, it is.

Victoria McEvedy Well hang on, but there was the board, board governance committee's report, you know, the GNSO review working group report, right?

Chuck Gomes: Yes.

Victoria McEvedy Okay. And that's the basis that we're all working from isn't it? And we...

Chuck Gomes: And that report was acted on by the board and the recommendations in the report were approved and then the task was to develop implementation plans.

Victoria McEvedy We were supposed to come up with the first proposal for the implementation plans of that review report.

Chuck Gomes: That's correct.

Victoria McEvedy So, but now nobody wants us to do that and the board's done it itself essentially.

Michael Young: Well, wait (Victoria) I mean I'm going to jump in here again. You know our task is to come up with implementation recommendations based on those recommendations. We're not coming up with, we don't have a green field here, the recommendations already exist we're simply recommending how they're implemented.

Victoria McEvedy Yeah.

Michael Young: You know versus coming up with the ideology ourselves.

Victoria McEvedy No I agree with that completely.

Michael Young: You know, so I think what Chuck is saying is that if you look at this serial or parallel tasks the serial task was the original recommendations and then the acceptance and endorsements of those recommendations by the board, which has happened. Now in parallel the charters are being written which much conform to the recommendations and the implementation recommendations also much conform to the original recommendations.

So you know, really they're not comparative to one another. They're both going back to the initial authority of those recommendations.

Julie Hedlund: Michael this is Julie if I could just step in briefly?

Michael Young: Sure.

Julie Hedlund: I wanted to pick up on points that you and Chuck made I think that are very important to highlight here (unintelligible) and that is that the task at hand for this work team is to develop recommendations for

constituency and stakeholder participation rules, operating principles and so on.

And in a way though what we're coming up with as I see is sort of a, what we think is an ideal you know, set of elements that should you know, be you know, recommended to be adopted by constituencies and stakeholder groups. It's not our task as I see it to analyze specific constituency and stakeholder group charters except that we may be looking for best practices.

And I think that was something that Chuck raised, that it's helpful only as a starting point to say hey, we think this is something that's good or you know, that we could use as an element in our recommendations, but we're just putting together sort of an ideal set of recommendations that we think best meets the you know, the board's recommendations as you know, they were adopted from the (BBC) report.

So I think I agree with you Michael that we are doing a parallel process but I don't think these, our process needs to wait except for as Chuck mentioned, you know, where there might be some elements that we might want to hold back on, I don't know if that helps clarify at all.

Michael Young: Well right, and we can do that when we walk through the project plans and look at the task in detail we have the opportunity to question the timing. So the sub-task leaders will propose their timing for the projects, and then as a group we'll go through and agree to those, to that timing or we'll adjust it if we think that there's reason to.

(Victoria) I mean I don't mean to be closing down your train of thought but we've got 12 minutes to the end of the scheduled call and we've

got two action items out of this so far, which result in a letter with two major elements in it, one raising concerns about the timing of the charter approvals and two, asking a formal question about how the staff review of the charters compares to the work that we're doing and how it's expected to affect or interact with the work we're doing.

Is there anything else that you see that we can add as an action item now before we move on to the other...?

Victoria McEvedy Well I'd just like to add to that last point...

Michael Young: Yep.

Victoria McEvedy ...in that communication that you referred to. I think we should ask to be, for participation and information flows and cooperation as fair as possible, you know, I can't see why we shouldn't ask for that. And I accept that we probably, I agree that we, I think these are actually more important because the fact that we keep getting lost on these issues mean that we do have to find a way through them, and I think it has been a helpful discussion for me.

I mean I just want, just to make my last final point about it, which is that you know, obviously every element of constituency, certainly from a constituency perspective every element of their operations and structure is governed by their charters. They're the only guiding documents. So everything isn't contained in this. It does, a task go directly to the issue, that's all I wanted to say.

Chuck Gomes: And Michael you know, I appreciate you're trying to move this on, but let me just take one more stab at something. I want to take a look at

task one, sub-task one, element three in our work table. It says develop recommended practices around constituency membership. And I just want to use this one as an example.

I think it's a very good example that we can work on that and come up with some good practices, probably a lot of the things that we're going to come up with there won't even be in charters because the charters aren't always that detailed, okay.

Michael Young: Right.

Chuck Gomes: So for example, a good best practice is probably let's make sure your membership's clear to anybody who wants it on your website. That's a good best practice. That's not dependent on the finalization of any charters. Some constituencies, most probably will have already done it, that's the kind of thing that is, you know, we can go on and come up with ideas like that that were not hindered in any way in doing that kind of work. Like I said, there may be some others where we have to hold off a little bit until we get a little more guidance, but I think there's plenty for us to do.

Michael Young: I think it's a very good point Chuck and I do agree with you in that regard.

Victoria McEvedy Well I think we need to, do we need to, sorry to interrupt but do we need to just carve out the discussion some other time about what the hold off thing is, I mean I didn't, we haven't agreed to hold off anything, I'm not understanding.

Michael Young: Well (Victoria) I'm suggesting that when we go through, that we have our sub-task leaders actually set out their project plans and the details of the work and as we go through the project plan we can discuss whether or not there's, there are other elements going on and other timelines that affect each of those items, and if there is then we can work through those impacts and make plans to accommodate or pull for more feedback and so forth on those items.

I don't think that, I think we actually have to go through it line by line rather than have a general discussion about, you know, what if at this point.

Victoria McEvedy Well okay, so there's not some general area that we need to exclude from our work but that we need to determine at this point.

Michael Young: I don't think it's as broad as a general area, I think in each of the sections that we've already determined there might be one or two elements that you know, that there's external activity going on like the charter approvals that could impact what we, a work item, a specific work item, and you know, there could be five work items under a sub-task and three of them are impacted by activity that's going on at the GNSO council.

And the other two could roll along just without a hindrance, but we have to go through and actually walk through the work that we plan to do so I'm proposing that we stay focused on defining the work that we'd like to do, setting proposed timelines for that and then specifically walking through and critiquing those proposed timelines and having a discussion if we have to line by line and making sure that we've accounted for other elements that are going on.

Because otherwise we won't move ahead I think, I'm being a bit of a project manager here, but.

Victoria McEvedy I don't have any problem with moving on, I mean I just, I mean I'm not sure that we've got anywhere near the bottom of the issue here and it may well be that it isn't one. So if you'd like to move on that's fine. But I'm not saying that, I'm not sure that I understand any of that caveat and I hope there isn't one and I hope it won't be an issue down the track, but.

Chuck Gomes: Keep in mind that we're focusing an awful lot on the charters, we're going to need information and ideas from constituencies and stakeholder groups that go well beyond the charters.

Michael Young: Right.

Chuck Gomes: For example in your area that you're leading task 2B, procedures for developing policy positions are clear and include publicly available information about how many participants from each constituency were involved in the development of any policy positions. That's an area where I doubt that's going to be detailed any anybody's charter, but there are constituencies that are doing, have done some things there that may be good examples and we can examine those and come up with some suggestions that may be a common format across all constituencies that would be useful.

So don't focus too much on just the charters. There are places where the charters will be important but there's lots of stuff beyond that.

Victoria McEvedy Well that's fine, I mean I guess that, you know, that will be one of the issues that will come up in our work isn't it I guess...

Chuck Gomes: Yeah. Good point. That's right on.

Michael Young: Exactly. You know as we develop and we work out on each item we're going to see whether or not as we look at each item individually we're going to see whether or not they're impacted by something like the charter or not. And if they are then we'll address them accordingly.

Chuck Gomes: And Michael for your benefit don't, and I totally agree with you, we need to move on, I think we need to get down to the tasks and start working on them and that's our priority. But as difficult or as challenging as this discussion may have been for you because you're trying to get us to move on I think there's been a lot of value in it in terms of understanding and hopefully now we can move on to the task, so I'm trying to encourage you not to be too frustrated that we maybe spent a lot of time on this.

Michael Young: I hope everyone understands you know, I'm not frustrated and I hope that people understand that I feel that my role here is to keep pushing the ball forward and by creating some pressure to come to action items that I hope that it focuses the discussions and takes us to action items versus you know, discussions that don't result in viable findings or next steps.

So if anyone feels at any time that I'm cutting the conversation too short please let me know, because that's not my intention, it's simply to focus the discussion into some type of viable action that we can take.

So (Victoria) to that point are you all right with us moving on at this?

Victoria McEvedy Yeah sure. Absolutely.

Michael Young: Okay. Before we, so I think we're done with scheduling and this, and out of that I've got we, I'm going to do the letter out of this discussion so far the, we agreed to project plans in two weeks and then following that we're going to set up regular progress report formats for the sub-task leaders. I had a question before we went down this line of discussion that goes back to two,

I'd like to polish, just try and polish off agenda Item 2, is everyone able to go through the analysis document that Julie's put up so far and pull out a, their short list of best practices that they see presented by the various constituencies now and in their documents. Because I think it'd be very helpful if we could post a, as individuals go through and pull out what we think represents a good best practice or a potential best practice.

Chuck Gomes: And you're asking relative to our specific tasks that we're working on.

Michael Young: Yes Chuck, thank you for clarifying that. So if, is everyone okay with that action item? I think it would be highly useful.

Victoria McEvedy Well can I just say, I mean I think it's, I mean if we're going do that's fine, I'm not sure that this is detailed enough really is it? You know...

Michael Young: Well I don't think it has to end at the analysis document because it refers to the detailed documentation you can pull things out of that (Victoria) as well.

Chuck Gomes: And we can go back to the constituencies and say hey, what other things have you guys done that would be helpful here. We've got constituency reps from most constituencies on our group so.

Michael Young: Yeah. I'd just like to start the collection of you know, what's been done already that could represent a best practice so that we...

Victoria McEvedy Okay. What about if we're going to do something, it seems to me that there's going to be a hell of a lot of work but I'm not, well and maybe it is a necessary step, but certainly based on these documents a lot of extra work involved in doing that and every individual person will have to click through and read the original underlying and understand every single charter.

So that is quite a big exercise and I think that if we're going to do that and (unintelligible) think it's useful then we should also (unintelligible) the evil practices and practices that should not be recommended because I think they can also be just as informative as the good practices, and sometimes you don't realize there's an issue until you see how it shouldn't be done.

Michael Young: I hear you. I worry that that could create a negative perception of the work that we're trying to do by focusing on...

Victoria McEvedy We're looking at good, we're looking at recommended and not recommended, things to adopt and not to adopt aren't we?

Chuck Gomes: Yeah. And Michael you're right that we have to be tactful and make sure that...

Michael Young: Yeah.

Chuck Gomes: ...we don't step on too many toes but (Victoria) is correct too that some of the practices that we identify that don't comply with board recommendations will be a guide to us in terms of the recommendations we make. So as much as we want to be tactful she's right that we also look at the things, need to look at the things that may be problematic and inconsistent with the board recommendations.

Michael Young: Okay. Fair enough guys. Let me make a functional suggestion on how we go about this because (Victoria) I think your point that it is a huge amount of work and a lot of review makes sense. Maybe we should have the sub-task leaders head each effort for their area of concern and possibly break it out with their volunteers so that not everyone has to read every document. Does that make sense?

Victoria McEvedy It probably does.

Michael Young: Okay. So let's then go forward with the sub-task leaders driving representative of their volunteer group driving those two lists, one, best practices, potential best practices, things that we like and we think represent and support the board recommendations and a list of items that we don't feel comply with the board recommendations. And I'm going to...

Chuck Gomes: And just a note then, and Julie correct me if you think I'm wrong on this, but our task in sub-task three is, or four, excuse me, is a little bit different so it's more of a new task than it is something that people

have been doing, the toolkit and so forth. So just, this may not apply as much to us, that doesn't prevent us in any way from moving forward.

Julie Hedlund: Right. I think that our task is somewhat different as it is new, it's something that hasn't existed.

Chuck Gomes: And don't think that you have to read every word of every charter. There's certain elements of the charters that have nothing to do with what we're doing.

Michael Young: Right.

Chuck Gomes: Okay. But pick out the portions that are helpful and relevant and also go beyond that to the practices of constituencies that aren't even listed in the charter.

Michael Young: Right. And Chuck even for your area I think about there are a number of tools in play by the different groups right now, some of them are quite frankly terrible and others seem to work pretty well so.

Chuck Gomes: Yeah. Right.

Michael Young: We can even comment on them in that regard right?

Chuck Gomes: I'm frustrated with one of those tools right now.

Michael Young: Okay.

Chuck Gomes: On this meeting.

Michael Young: I'm going to suggest I think that this would be an awful lot for, just between now and the next meeting, so I'm going to suggest a four-week timeline for this activity, does that seem reasonable?

Man: Yep.

Michael Young: The meeting's out? Okay.

Victoria McEvedy Can I ask a question just about, and forgive me if I'm going, I'm just trying to work out what our other information sources we've got, talking about practices that may not be necessarily contained in the charters, you know, and someone's probably already pointed this out to the group and I'm sure it's somewhere on a Wiki or something.

But where else have we got to supplement the charters then when we look what other sources of information have we gathered about you know, the way things operate in practice and the various constituencies? I know we've got the questionnaires from the constituency leaders.

Michael Young: Well (Victoria) I think your question really leads into agenda Item 3 so maybe we can polish that off and ask that question not just of our own members but of the staff on the call. What other sources and communication passes we have for feedback and ideas for gathering these best practices or not best practices if they may be.

Julie Hedlund: Michael this is Julie. I would say probably the most direct source of information beyond the charters is to look at each of the constituency websites as I made my preliminary analysis I found that many of these had a wealth of information as far as for instance one of the items is to

look at whether or not when reaching consensus positions whether or not minority positions are recorded.

If you go in and pull up some of these consensus positions you can find that information on several of the sites. And you know, but I guess I, you know, anything that has been produced with respect to or linked to with respect to this issue, and I'll just send it around again so everybody has it after the meeting, is really all on, linked to the GNSO improvements website.

And the sites that talk about the, you know, constituency renewal process, which has all of the charters and also has links, the GNSO improvement site also has links to the constituency websites as well. So everything that is there is basically up there in those links, so I'll send those around again.

And then, you know, I'm not trying to say that you know, to put this back on constituencies but from a staff point of view I would say that probably the wealth of information is in the constituencies themselves and those of you who are from constituencies have the advantages of knowing whom to speak to and where to go for some of that information that may not be on a website, it may not be linked to the GNSO improvement page.

I'll also check with (Rob) to see if there's anything that I'm missing as far as links, but I will send around on some of those that I found useful as a starting point.

Chuck Gomes: But let's be honest here, all of us as constituencies are working full time jobs and so forth and so for us to assume that all of this

information is documented somewhere is naïve, okay. So how do we deal with that? Use the constituency resources on our team.

Michael Young: Right.

Chuck Gomes: Ask questions of them. Let them do some of the leg work for you because if you try to dig around and get all this information documented somewhere you're going to be disappointed. I can tell you that's true with the registry constituency. But if you ask Michael and I questions, if we don't know the answer we will get the answer and get it to you and that saves you some leg work. That's why we need, you know, representatives from constituencies to help us in this regard.

Michael Young: Okay. So to your point Chuck I think it's really important too that if you're going to post questions we actually try and post them to the main list so that the answers can go back and forth across there. That might save, instead of having three or four conversations that are repetitive with different sub-task leaders, maybe you know, some sub-task leader C can pick up information from a question asked by sub-task leader A.

Chuck Gomes: Sure.

Michael Young: Without having to repeat the same question.

Victoria McEvedy So can I just say, just on topic, I think the recertification reports, the recertification applications tend to have quite a lot of extra information that may not be spelled out in the charters too.

Michael Young: Well that's helpful (Victoria).

Victoria McEvedy But I'm just, the other thing that, on other sources that just I was wondering earlier and some of you old hands may know the answer, but I mean we should probably also you know, at least at some stage in our analysis turn our minds to other, I know you, ICANN is unique being bottom up, etc., but turn our minds to how good practice and other international organizations that have relevant structural issues, but I don't know if there are any or, there's a, you know, that there's a general direction where people sometimes look. I know (wipo) has some similarities in some respects, but.

Michael Young: Well you know, (Victoria) I think that's a very good idea. I think it, the sub-tasks leader certainly shouldn't just be looking within ICANN for ideas. There may be some very good things in implementation and other bodies that actually support the board recommendations quite nicely. So I think it's a very relevant point. We shouldn't just be looking. We shouldn't just be (unintelligible) gazing.

Chuck Gomes: Absolutely.

Michael Young: Yeah. That's excellent. So any other thoughts or issues on Item 3 because I'm going to jump relatively quickly to any other business if there's nothing else?

Hearing nothing I'm going to go to any other business. Okay. So it looks like we've wrapped up. We've gone through the action items a few times throughout this call but Julie do you want to paraphrase them just to make sure that, because I've been the one doing it, I want to make sure that it's just not me and my understanding?

Julie Hedlund: Yes. Absolutely. So action item that you had taken on Michael was to put together a letter with, as sort of a flagging some of the concerns with respect to the timing of our activities and activities of the board with respect to constituency renewal and stakeholder group charters. So that you were going to take on I think right away as an action. Does that sound right to you?

Michael Young: Correct. Yep.

Julie Hedlund: Okay. And then the other action item was that for the leaders of the sub-tasks under task one to look at the, you know, their parts of the work plan to begin to look over the charters but also other sources going back to their constituencies and gathering together both best practices with respect to the board recommendations relating to task one as well as shall we say not best practices or bad practices relating also to those recommendations. And I believe that you had suggested at that should be four weeks for that task and so that would be to be completed the week, the meeting after the next meeting.

Michael Young: Right. That's what I had. Any, everyone agree? Okay. And we had the project plans as well.

Julie Hedlund: Oh yes, I'm sorry, right. So that each, and I think this was more immediate, and correct me if I'm wrong. That each of the task leaders would come up with a timeline for when they, a sort of a preliminary timeline for completing their various project plans for their sub-tasks.

Michael Young: Right. And that's due in two weeks.

Julie Hedlund: In two weeks, right.

Michael Young: Okay.

Julie Hedlund: Thank you that was very helpful actually Michael.

Michael Young: Okay. Any, is everyone satisfied with the action items, we haven't missed anything?

Claudio DiGangi: Michael this is Claudio. Was the second item that Julie just mentioned is that for everyone to do or?

Michael Young: That's for the sub-task leaders to drive, yes, for a preliminary project plan.

Chuck Gomes: So it's not quite everybody, I mean the team, the sub-task leaders can involve everybody to the extent that they want, but...

Michael Young: Right.

Chuck Gomes: ...it's, they have the primary tasks.

Claudio DiGangi: I see. Thank you.

Michael Young: Thank you Chuck. Okay. So with that I'm going to wrap up the meeting.

Chuck Gomes: Thanks Michael.

Michael Young: Thank you everyone.

Chuck Gomes: Thanks everybody.

Victoria McEvedy Thank you everyone.

END