

**ICANN
Transcription
Standing Committee on Improvements Implementation meeting
Wednesday 09 January 2013 at 21:00 UTC**

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<http://audio.icann.org/gnso/gnso-sci-20130109-en.mp3>

On page: <http://gnso.icann.org/en/calendar/#jan>

Attendees:

Ronald Andruff – Commercial and Business Users Constituency – Primary - chair
Wolf-Ulrich Knoblen – ISPCP – Primary
Angie Graves – Commercial and Business Users Constituency – Alternate
Anne Aikman-Scalese – IPC Primary
J. Scott Evans – IPC - Alternate
Avri Doria – Non Commercial SG – Primary – vice chair
Alain Berranger – NPOC – Primary
Thomas Rickert – NCA - Alternate
Jeff Neuman - RYSG – alternate

Apologies :

Mary Wong –NCUC - Alternate
Jen Wolfe – NCA - Primary

ICANN Staff:

Julie Hedlund
Glen de Saint Géry

Coordinator: ...to remind all participants, this conference is being recorded. If you have any objections, you may disconnect at this time. You may begin.

Glen DeSaintGery: Thank you.

Man: Thank you.

Glen DeSaintGery: Good morning. Good afternoon.

Man: Thank you very much.

Glen DeSaintGery: Good evening everyone. This is the (SCI) call on the 9th of January 2013. And on the line we have Anne.

Anne Aikman-Scalese: Yes. Here.

Glen DeSaintGery: J. Scott Evans, Ron Andruff, Wolf-Ulrich Knoblen, Avri Doria, Thomas Rickert. And we have apologies from Mary Wong and Jennifer Wolfe.

Julie Hedlund: And did you mention - this is Julie. Did you mention Alain Berranger.

((Crosstalk))

Julie Hedlund: ...Adobe Connect.

Glen DeSaintGery: I haven't. Is Alain in the Adobe Connect, Julie?

Julie Hedlund: Yes, he is.

Glen DeSaintGery: Okay. Then we have Alain Berranger on the call too. And from staff we have Julie Hedlund and myself, Glen De Saint Gery. And I don't think we have anybody else in the Adobe Connect that is not on the call. Thank you, Ron, and I think I'll give it over to you now.

But may I just remind people to say their name before speaking for transcript purposes. Thank you so much.

Ron Andruff: Thank you, Glen. Ron Andruff for the record. I note that James Bladel had noted in the chat that he was sorry he was going to have to drop the call because he was losing power. So James may very well still be with us. In fact, I'm going to...

Julie Hedlund: Actually, Ron, this is Julie. Those were notes from the previous call. I'm sorry if it wasn't.

((Crosstalk))

Ron Andruff: That's very helpful, Julie.

Julie Hedlund: And I would hope that he hasn't been hanging on since the (unintelligible).

Ron Andruff: Exactly. That's a lot of battery power. All right then. Very good. So then we've got the roll call clear. And I would also just like to wish everyone the happy wishes for 2013, and we look forward to a full year ahead of us with the (SCI) activities. Thanks everyone for joining today.

Julie Hedlund: Ron, sorry to interrupt. This is Julie Hedlund. I just want to note that Jeff Neuman just joined the Adobe Connect room.

Ron Andruff: Very good. Thank you, Julie. So now we'll move to statements of interest. I'd like to ask if anyone has a change in their SOI in the last period that they would like to bring to our attention, please.

J. Scott Evans: The only change - Ron, this is J. Scott Evans - would be that Anne Aikman-Scalese is now going to be the main representative from the Intellectual Properties Constituency, and I will be the alternate.

Ron Andruff: Thank you, J. Scott. We appreciate that. And so.

((Crosstalk))

Ron Andruff: And so thank you. (Unintelligible) moment. So we just note for the record then of that change, that Anne is now primary and J. Scott will be secondary.

Woman: Oh. Okay.

Ron Andruff: And then we have Wolf Ulrich-Knoben. Please, Wolf.

Wolf Ulrich-Knoben: Yes. Just a short (note) to my statement of interest. I've just finished my (unintelligible) telecom and moved over to another engagement with (unintelligible) which is an interexchange in Germany. So that's a change.

Ron Andruff: Very good, Wolf. Thank you very much for that information. (Unintelligible) Telecom will be sad to lose you, but I'm sure it's going to be a nice adventure within your company. Good luck to you.

Wolf Ulrich-Knoben: Thanks.

Ron Andruff: So if there are no other SOI changes, we'll move on to Agenda Item Number 3. Agenda Item Number 3 is the approval of the agenda. And does any things they would like to add to AOB or comments with regard to the agenda itself, please.

Angie Graves: This is Angie. I just wanted to apologize for being late. I had a meeting run long. Thank you guys.

Ron Andruff: You're quite welcome, (Angie). Nice to see you on the call. And no penalties for getting in within the first 10 minutes.

Angie Graves: Thank you.

Ron Andruff: All good. Thank you very much. All right then. I hear no calls for any other business or approval of any changes to the agenda, so we'll mark it as approved. And we'll move to Agenda Item Number 4.

This is item - as you all are quite well aware - but just for the record - was with regard to the fact that within the charter of the (Standing) Committee on improvement implementation, as given to us by the GNSO Council, there was no recommendation with the regard to the chair or vice chair elections and terms.

And we took it upon ourselves -- after the excellent leadership of Wolf Ulrich-Knoben as chair and Avri Dora as vice chair for the last two years - to hold an election. Glen DeSaintgery was the election officer. And the return on that was the fact that I am now the chair, Ron Andruff, and Avri Doria is vice chair. This would need to be codified in our charter in some form.

Avri brought up a point in our last call - if I'm not mistaken - that this is probably something the council needs to make in terms of the change rather than the (SCI). But having said that to throw the floor open for a conversation on this particular topic. So please, anyone would like to kick this ball off. Avri, your comments about the change. Avri, have we got you lost on mute?

Avri Doria: Oh hi. Sorry. This is Avri. No. I'm here.

Ron Andruff: Okay.

Avri Doria: Yes. I actually don't remember where the point was. But in terms of if we're going to do something like that and if we're going to change our charter, then I think any charter change requires a clearing with the council. I think, you know, setting milestones, setting our work plan -- that's something that we merely need to notify the council of from time to time.

But I think if we're going to make a change to the charter -- then if we're just going to operate on an understanding and just leave it informal -- then we don't need too.

But if we want it in a charter, then I think the formality of process - and I think, if anything, this group needs to be really strict about process since it's an all about process group. Thanks.

Ron Andruff: Thank you, Avri. Anyone else have some thoughts regarding the charter and our vice chair and chair elections and terms? I see no other comments. I would suggest then that we ask staff to draft some language to that effect that we can present to the GNSO Council to let them know that this was omitted and that we would suggest that we include specific language in the charter that addresses the chair and vice chair elections and terms.

One of the things that we have not discussed in great detail. Thank you for that agreement, Anne. I appreciate it. One of the things we haven't discussed in any real detail was the term. And the original recommendation was that it would be year with a one-year option.

I was the one that had proposed that. And in fact, the way I had seen that in my minds eyes is that the chair would have one full year of activity and then should his or her schedule and calendar provide for them -- allow for them, better said -- to take on a second year, then their option could stay on for a second year but no more than two years. And then it would be time for election.

But I really hadn't given much more thought to it than that. Anyone have some thoughts in that regard regarding the terms specifically? Avri, please go ahead.

Avri Doria: I think it makes sense in terms of the chair to have a two year, you know, a one plus one arrangement. I think that's a good idea. Where I become curious of it - and let me preface this saying, I've already told the NCSG that this is my last year on the (SCI). I think it's time that someone else from NCSG took it over. So let me preface what I'm saying by that.

I think in terms of the vice chair - you know, the way we've got the election going, a person is a vice chair, as I was for two years. Then that chair is leaving. He left through his own volition but also leaving under this new term limit.

If the vice chair has been a good and faithful vice chair - or even a pain in the ass vice chair - for two years, are they not then entitled to run for chair, assuming they're remaining in the (SCI)? And that's why I prefaced it by saying, I'm not bringing this up on my behalf because this is my last year.

So that becomes the question for me on making a rule. Does that only pertain to the chair and if it pertains to the vice chair, do we really want to say that a vice chair that has served two years under the same chair is now disqualified for running from chair even though, if they lose, they'll end up vice chair again. Thank you.

Ron Andruff: Thanks, Avri. Anyone have some thoughts, comments with regard to what Avri's just brought to the table? Thomas, please go ahead.

Thomas Rickert: Thanks, Ron. I think that continuity is also key and making sure that work is carried out and lead by experienced people. So I'm very much in favor of Avri's implicit suggestion that a vice chair can run for the chair position.

Ron Andruff: Thank you, Thomas. And actually the thought that came to my mind just now is, I wonder how that would work in reverse. If someone were the chair and then to become the vice chair thereafter. But I'm always in favor, for my part, new blood coming in and reinvigorating an organization at any level.

No matter how good the leadership was prior to that, I think it's really important that we always try to look to new people to assume those responsibilities. And I would hope that others coming up through the (SCI) process would then want to put their hat into the ring for those particular positions.

So unless anyone has any other thoughts, what I would suggest we might do is let's have Julie prepare a draft and then once that draft is prepared then we can come back to this topic and deal with it a little more closely.

It appears that there's no (unintelligible) within the (SCI) to what Avri's proposed. And so I think that gives Julie enough material to work with. So if I have no disagreement to that, then I will ask Julie to prepare that for our next call.

All right. There's an action item for you, Julie. Thank you very much. So now, we'll move on to Agenda Item Number 5. And that is the action on the working group survey.

This working group survey, as you know, is really a response mechanism to find out just how well the working groups are informed of the activity that they need to undertake -- informed of the operating procedures around it -- the rules and regulations, if you will, for each particular working group.

So it's a very important document in terms of developing that feedback and making sure that (unintelligible) are operating as an organization in a way that is serving the greater good. I'd ask that everyone within the (SCI) take the initiative and go through that process themselves. And it's about a ten-minute activity.

And I'm not sure exactly how far we got on that. I would like to look to Julie just to give us the numbers on that and then I see Anne is in the queue. So anyone else that would like to get in the queue, please do so.

And Julie, if you would just kind of give us an update as to where we are with regard to the working group survey and our committee having tested it.

Julie Hedlund: Yes. This is Julie Hedlund. And I checked 15 minutes before this call and we have seven respondents. We have eight regular - I'm sorry, nine regular members of, I mean - I'm sorry - primary members of the (SCI). We have eight alternates. So we have a ways to go if we want everyone to take this survey or say 90% or so.

Ron Andruff: Thank you, Julie. Anne, your hand was up, now it's down. I'm assuming that's.

Anne Aikman-Scalese: Yes. Hi. It was very brief comments. This is Anne with the IPC. And the comment was that it actually took me, you know, quite a bit longer than ten minutes to take the survey because I wasn't as, you know - previously I was not familiar with the working group guidelines and so. And I took some time to study them.

And I just wanted to recommend that to anybody else on the call who, you know, hasn't reviewed all of those lately. I'm sure for the rest of you it may be a much faster survey, but I found it to be very worthwhile to take the time to take the survey.

Ron Andruff: Thank you, Anne. Thank you very much. In fact, I felt exactly the same way. I had, you know, I'm a long timer and I attend 40-odd meetings, and it was very refreshing for me to go back and read through those guidelines and just to understand exactly what the tasks are and what's the framework within which those tasks are to be fulfilled. So your comments are very well taken.

So we've had -- seven participants that have taken it. We are a group of, I think, about 17 individuals. So the question we have before us - I'm sorry. Is someone coming in?

Wolf Ulrich-Knoben: Yes.

Ron Andruff: Please, Wolf, I'll finish my sentence and then Wolf, please go ahead. The question before is whether we want to take some discussion up with this topic with just seven of us having tested it. Or can we implore all the rest of this group to please take this working group survey so that we can actually take it up and finalize it and get it off our agenda and back to the GNSO Council and staff.

So before I ask that question, please, Wolf Ulrich go ahead.

Wolf Ulrich-Knoben: Yes. Thank you, Ron. I would also choose to repeat what Anne was saying it's worthwhile to look to that survey and to go through. And my question to Julie is, the seven who have responded, are they the primaries or is it a mix?

Because I would like to say well everybody - each primary who is normally attending these meetings should take a contact to the alternate and encouraging him or her to take a few minutes to go through the survey.

I personally would like to do that with my alternate Tony Holmes whom I know is much busy in other things. But I would like to do that. Thank you.

Julie Hedlund: And this is Julie Hedlund. Wolf Ulrich, I did not actually go to the level of detail to see who the respondents were. I can do that. But I think that your point is well taken.

Ron Andruff: Thank you, Julie. And thank you Wolf Ulrich. Alain Berranger, please.

Alain Berranger: Yes. This is Alain Berranger. Can you hear me?

Ron Andruff: Yes. We can.

Alain Berranger: All right. I was wondering - as you know Amdocs has not been around for a long time. I'm still trying to break the arm of a colleague so that I have an alternate here on the (SCI). Second of all, I've never completed a working group cycle. And so I have been a chicken about filling out the survey.

So my question is, did you school to participate in the survey if you have not completed a full working group cycle?

Ron Andruff: Thank you for bringing that up, Alain. I think that may be well the problem for the guys - for the individuals who've not yet filled this out. We, as the (SCI), are actually going through and doing it as a test case just for our own edification and to see how the questions reflect back off of us when we think about it so that we can then give our approval to it. So it's a very useful tool to test. Absolutely.

Because - just as Anne said - it forces the individual taking the survey to actually go and review some documentation and in doing so, it educates us. So, yes, absolutely I would encourage you to go ahead and do it and take the time as Anne noted to read through those documents.

Alain Berranger: Okay. Thank you very much. Will do.

Ron Andruff: Thank you. So Wolf was making the recommendation, as I understand, is that as long as the nine primaries go through and do the working survey, then that would be enough for us to then take some decisions.

And I'm of the mind that that would be fine as well. I would encourage all of us in the (SCI) primaries and alternates to do it. Because I think it's really

important for us to do our work properly that we would actually have a review of the working group guidelines.

Anne, I see your hand. Please go ahead.

Anne Aikman-Scalese I'm sorry. I did not intend to raise my hand. I apologize.

Ron Andruff: Okay. No problem. All right then. So in regard to this working group survey, I'm going to put it off to the next call. But with a very strong admonition to all of our members that have not yet taken it, to please take the time to review it. It's very important that we do.

It's an action item for the (SCI) that does need to be returned with our comments and thoughts, and we can't really do that until everyone has had a chance to have the experience of it. So with that then I will close this topic unless anyone has another comment they'd like to add.

(Unintelligible). We'll move on to Agenda Item Number 6. And that is termination and suspension of a PDP. We have 15 minutes of discussion time for this. And I hope that when this discussion time is finished we will, in fact, have come to an agreement and have consensus that we can send this back to council.

Just as a reminder for everyone, we started talking about this quite some time ago. And we were speaking to the issue of suspension alone. And we became aware or made aware by staff that, in fact, termination has also had no guidelines around the element of termination with regard to presenting a report as to why the termination had happened.

So we expanded our activities and thanks to the good graces of J. Scott Evans and Anne Aikman-Scalese, we have some draft language in front of us right now. This just came out very shortly before the meeting, but I think that it

really captures exactly what we're trying to get at. But having said that, I would like to ask anyone to bring their comments to the table at this point.

Wolf Ulrich-Knoben: May I get in the queue. Wolf Ulrich-Knoben.

Ron Andruff: Please go ahead Wolf Ulrich. You're the first.

Wolf Ulrich-Knoben: Thanks, Ron. And thanks, Anne, for providing this draft. Thank you very much. I think it reflects really what we have discussed and what is now the target of it. That means to put suspension in and let me say on a kind of equal level to a termination of the PDP. So just for the first question I have, Ron, to what are you suggesting right now and to understand correctly.

So I would like to see that and then also the headline should be called termination or suspension of PDP prior to final report. I think that that should be headline of that. And in the last paragraph - so where you're outlining the different cases of termination and suspension - for my understanding, I would like to understand how do you see that.

When it's written in the case of termination without publication blah, blah, blah or in the case of suspension. The working group chair shall promptly prepare and submit to the council a written termination of the report (unintelligible) suspension report specifics the reason.

Just to understand, does this mean that prior to a termination and prior to a suspension? Or in case a termination or suspension has been decided? So as it is written right now, it could be read - as my understanding - that the termination and suspension has already been decided upon. And then after that a report should be prepared for that. Is my understanding correct in that a way or how is that to be read? Thank you.

Ron Andruff: Thank you, Wolf Ulrich. Can I turn to Anne or J. Scott to respond? Anne, please go ahead.

Unfortunately, Anne, we can't hear you. Are you maybe on mute?

Anne Aikman-Scalese: Oh. I'm sorry. I was on mute because I have a crackly line so.

Ron Andruff: There you go.

Anne Aikman-Scalese: This is Anne.

Ron Andruff: You're with us now. We hear you now.

Anne Aikman-Scalese: Yes. Okay. Thank you, Wolf Ulrich. This is Anne with the IPC. And in drafting this position, I thought about the issue that you raised. The intent, as this is drafted, is that the written report by the chair would not have to be prepared until after a vote was taken.

And the reason I ended up on that side of it was if the vote is unsuccessful, then the chair is put to unnecessary work in connection with the vote. But I mean I'm open to suggestion with respect to that. But my thought was, you know, why put the chair of the working group to all that work if the vote is unsuccessful.

Wolf Ulrich-Knoben: May I just respond or ask a question again.

Ron Andruff: Please go ahead.

Wolf Ulrich-Knoben: I understand that that is okay. And thank you. However, so the reasons for the action to be taken so must be clear in advance. Isn't that the case (unintelligible)? And, you know, before the council takes a decision, the council is going to take a decision about suspension and/or termination, not the working group I understand.

Woman: Yes.

Wolf Ulrich-Knoben: And for the council, it must be clear the reason. So somebody must, anyway, provide something in advance to prepare the council for the decision.

Anne Aikman-Scalese: Yes. This is Anne again. And I do think that's true that, of course, before the vote the council would have to be provided with the reasons. But I personally was not thinking that should be formalized in written report form as part of this process.

Maybe that's something that you separately or in connection with this that you prefer to address a requirement for a written report prior to the vote. I'm not sure.

Wolf Ulrich-Knoben: No. That's not the way I'm preferring it. I just would like to understand that. So if that is accepted that's okay. In an informal way the council could be informed in advance so then it's okay to me. Thank you.

Anne Aikman-Scalese: Okay.

Ron Andruff: I see Julie Hedlund's hand is up. I think she can probably shed some light on this as well. Julie.

Julie Hedlund: Thank you, Ron. This is Julie Hedlund. Actually, not so much on this particular discussion. But just to note that it is possible, for instance, under the category of changing circumstances, that a PDP could be terminated or suspended prior to the creation of a working group in which case there wouldn't be, of course, a working group chair and so on to do, you know, a termination report or suspension report.

I'm just pointing that out. I don't have a suggestion on how to address that. But it is a possibility.

Wolf Ulrich-Knoben: Okay.

Ron Andruff: Thank you, Julie. One of the questions - just not to shift the focus here too much - but one of the questions that comes up for me is that public comment part of the statement. It says, "If there's no recommendation from the PDP team for its termination, the council is required to conduct a public comment forum first prior to conducting a vote on the termination."

So it seems to me that if there's going to be a public comment period, there would have to be a document that would be written explaining what that was about. So that would kind of put the (unintelligible) having a draft document that could go out for public comment. Am I reading that correctly or incorrectly?

J. Scott Evans: First of all -- this is J. Scott Evans. I'm a little confused as why we're saying PDP team. Is it a working group or is it a PDP team? And secondly, it seems to me that, Ron, that sentence that you're talking about is in response to a situation in which Julie says that a PDP could be terminated - right? - prior to there ever being a working group established? So there's no one to write a report.

So I think what they're saying is, when you have an established working group and you're going to terminate a PDP, you got to have a public comment period. It looks like when the recommendation is coming from the working group that it be terminated or suspended that's where Anne's report comes in.

Ron Andruff: Okay. So speaking to your first point. I'm inclined to agree that the PDP team is, in fact, language that's inconsistent with the way we've developed the whole process of PDP. So unless there were a definition of PDP team, it does make it a little bit tricky because I saw that as working group too. I just read right through it. But that's a very good point you've flagged.

And the second point really is that if it's suspended prior to the working group being established no one would be there to write it, but then someone would (unintelligible) suspended, then I would expect that the GNSO Council would then have someone draft the rationale for it. So that's the issue that we really need to make sure that something is covered in one way or another. Having said that, I'll pass the board to Avri, please.

Avri Doria: Thanks. This is Avri. I agree with those points. I have another question of something I'm not quite understanding in terms of sequence. In the case of termination without publication of a final report - now this has the notion of a working group chair writing a report and submitting it to council specifying the reasons for the action taken.

But it's the council that takes the action, not the working group. The working group may request it. And I would think that any report should be written before the action is taken and submitted to the council before it does its action taking. Or I'm totally misunderstanding.

Wolf Ulrich-Knoben: That was my question, Avri.

Avri Doria: That was yours. I didn't quite understand the question when you brought it up so. Okay. Thanks.

Wolf Ulrich-Knoben: Sorry.

Ron Andruff: I think that is the point. This is Ron for the record. That is the point, Avri. What is the timing on this? I think we're all - I mean tell me if there is anyone who's disagreeing with this - but it seems to me we're all on the same page.

There needs to be a report published that enables a public comment or a council to take a decision. So then the question then comes down to who drafts which report if, in fact -- as J. Scott brought up -- if a working group has

not yet come to do their work and the PDP is then terminated or suspended, someone will need to draft that.

I see Anne. Go ahead. J. Scott, I'll let you go first. And then I have Anne and then Avri.

J. Scott Evans: If no recommendation for the PDP (unintelligible) is determined, council is required to conduct a public comment forum seeking comment on its rationale first prior to conducting a vote. I mean, we can just put language in there that says that that's what the subject of their public comment forum needs to be on.

Ron Andruff: Could you write that in the chat, J., please.

J. Scott Evans: I can't.

Ron Andruff: Just to (unintelligible).

J. Scott Evans: Yes.

Ron Andruff: My point is, if we can make sure that staff captures that language and then I'll turn to Anne and then Avri. Anne.

Anne Aikman-Scalese: Yes. Thank you, Ron. This is Anne with IPC. Regarding the comment that there are cases in which working group has not been constituted, we might be able to modify this language rather easily to say if a working group has been constituted.

With respect to the second issue as to the timing of the preparation of the report and both Wolf Ulrich and Avri's comments, I personally - and I don't know how J. Scott feels - but I would not be opposed to having the requirement before the vote.

But it was just the thought of not wanting to make work. But again, it make help inform GNSO councilors and help their voting process to require prior to the vote.

I'm not sure exactly how that - it works well I think in a situation where the working group itself is urging the suspension because they would ask that a motion be put on GNSO Council and then say, here's our report in support of that suspension or termination motion. Then that would, I think, be different from the existing provision that requires public comment that J. Scott has just pointed out.

Ron Andruff: Thank you. I have Avri and then Thomas.

Avri Doria: Okay. Thanks. This is Avri again. In thinking about this, there may be a solution to both of the problems. Whenever a working group, a PDP working group, whatever is created, a liaison - something we're going to talk about elsewhere - but a liaison is normally assigned to that group.

One can make the liaison responsible for conveying the request. Whether the liaison writes it him or herself, or the liaison is passing on something from the chair of the group to say the liaison is responsible for bringing a written request explaining the reasons. And so whether the group has ever met or not, you know, there will be a liaison and a liaison could do it. Thanks.

Ron Andruff: Thank you. Thomas.

Thomas Rickert: Thanks, Ron. I was thinking around the same lines. I would use the liaison as the responsible person for presenting the decision or the request to the council. But to me, having just joined this group at a very late stage - so please bear with me should I mention anything that you've already discussed.

But I think the sequence of happenings should be that the liaison presents the request whether it has written it itself or just conveys it from the working

group to the council. Then the council would publish an announcement -- including reasons why they would like to terminate or suspend the PDP -- that would be put out for public comment.

And after the public comment period, a report would need to be written, analyzing public comment. On the basis of that, the council makes a decision. And that decision can either be following the recommendation to suspend or terminated, or maybe advice arising from public comment is otherwise and rather to proceed with the work.

Ron Andruff: Thank you, Thomas. So if I understand you and Avri correctly, what you're saying is that when a working group is established by the GNSO Council a liaison is immediately assigned to that working group that's a council liaison person that's assigned to that working group. Am I correct on that?

Avri Doria: I believe that's the case, and I believe that person is often the acting working group chair until such time as the working group has gotten its stuff together.

Ron Andruff: Okay. So all right. The time is up for this discussion on this topic. So what I'm going to ask if we can bounce this ball back to Anne one more time and J. Scott, and if they might come back with some fresh language. I see, Anne. Your hand came up right away. So please go ahead.

Anne Aikman-Scalese: I had to un-mute. Thanks. This is Anne again with IPC. Ron, I would actually invite either Avri or Thomas to perhaps work with this language and make a suggestion. I'm not sure that I understand that process with the liaison and the acting chair as well as they do. I'm a little concerned that I don't know how I would change the language to (unintelligible).

Ron Andruff: Oh no. That's excellent, Anne. In fact, that's kind of where I was going. I was going to actually suggest that if we could have a couple people work on this language and have Avri and Thomas perhaps maybe work with you in developing something.

And then what I'd like to do is bring this to the list and have all of the members of the committee work together on refining that language so that on our next call we can put this one to bed. Because we've been working on it for some time and I think now we're really getting to the brass tacks.

J. Scott, I see your hand is up. Go ahead please.

J. Scott Evans: I'm just saying that I'm putting something that I'll send around.

Ron Andruff: Very good. Excellent. That is very helpful. So if I can ask Avri and Thomas and Anne to take this one offline and come back to the list with some language that we can all comment on and then hopefully get this signed off on for our next call.

And with that I'm going to bring this element to a close because we have a couple of other important discussion items on the agenda. So we now move to point Number 7. Is GNSO Council liaison. We have five minutes for this particular topic. And the logic here is, do we need a liaison to council or do we not need a liaison to council?

There's been some different discussions that have been happening between Avri and myself and perhaps others within the committee, and I'm not sure. For my part, I'm not sure that we need a liaison because I'd kind of like to keep the channels formal between the (SCI) and the GNSO Council.

But I've had the understanding brought to my attention that it's good to have someone within the council and both within the (SCI) so they can ferry information back and forth.

I was more of the opinion to try to keep these lines a little sharper between the two so that we are an independent body, and we report back on the appropriate schedule but not necessarily that we are a fast reaction team.

So I open the floor for the next four minutes to thoughts and comments, please. J. Scott, I see your hand was up. Was that from the last discussion?

J. Scott Evans: No. (Unintelligible) last. Sorry. I'll take it down.

Ron Andruff: Thank you. Avri, I see your hand is up. And welcome Wolf Ulrich to come into the queue.

Avri Doria: Okay. Thank you.

Man: (Unintelligible).

Avri Doria: Excuse me.

Ron Andruff: So Avri will go first and the Wolf Ulrich will follow.

Avri Doria: Okay. Thanks. I believe that we'd be well advised to have a liaison. It isn't absolutely necessary because we aren't a working group even though it was recommended that we work under the standard working group arrangements. During the first couple of years, it wasn't really necessary because our chair was a member of council.

Although that only really addresses one of the issues, which is the immediacy -- not of perhaps reaction -- but the immediacy of making sure that there's someone in the council meeting when an issue comes up -- whether it comes up in the agenda or in the discussions -- who can actually express what's going on in the (SCI) in an issue and also can relate back to the (SCI) what went on in the council that brought something forward.

I think that the other reasons for having liaisons is the buffer. If the (SCI) were to get into an internet (unintelligible) warfare between the rest of us or the rest

of you and the chair/vice chair combo that we became sort of stuck, which is the reason that role exists in all working groups.

If people in the group decided that the chair/vice chair weren't behaving in a proper neutral, etcetera, manner and we became impacted by that, the role of the liaison is to be the one that sees that and is able to -- working with the council, working with the group - to try and address that.

The whole working group document that everybody read - because that's the one that we're doing the questionnaire on - so everybody's obviously read that - you know, basically has a very strong recommendation for the roles of the liaison. So for those two purposes I think that (SCI) needs a liaison in the council and that - I mean, needs for there to be a council liaison both that's watching the group and that can work between the two.

I don't think that changes the independence of the group in any way. Thanks.

Ron Andruff: Thanks, Avri. Anne, please go ahead.

Anne Aikman-Scalèse: Yes. This is Anne with IPC. And my question is about the relationship on (SCI) between the observer that's mentioned in the (SCI) charter where the charter that was approved by the GNSO states that when a question is posed to us that there may be an observer appointed by GNSO in relation to that question. That role as it's described in our charter in relation to the proposed liaison role.

I'm not sure if maybe the GNSO Council's intent might have been to use an observer rather than a liaison per se. And so I don't have a strong opinion on, you know, the liaison. But I'm wondering how that relates to the observer in the charter.

Woman: I have.

Ron Andruff: Thank you, Anne. Julie, could you bring up the charter (unintelligible) that's on the screen so that others can see it and be aware of it?

((Crosstalk))

Ron Andruff: And Avri, go ahead. I think Wolf would like to be in the queue as well.

Avri Doria: Okay. My comment on the observer role. The observer role was specifically on a working group or someone else that brings up a problem for the duration of the discussion of that problem. They would have an observer in the group to try and keep that one on track. It wasn't really mentioned as a replacement for the liaison.

Of course, the liaison could fill that kind of role, but otherwise an observer - if an observer came from the GNSO Council just on one particular question, as soon as that question was finished they would leave. As opposed to a liaison who's there all the time, could possibly take on that role of observer or another observer could come in from the council.

But the observer role was really specifically - when we first talked about it - intended for those working groups who brought problems to the (SCI). Not that we've had one of those yet. Thanks.

Ron Andruff: Thanks, Avri. Wolf (unintelligible).

Wolf Ulrich-Knoben: Yes. Thank you, Ron. I understand that way Avri described. So that's what we are doing with Jeff at the time being regarding some specific question we are dealing with. And so regarding the question of the liaison to the council, I tend to agree to agree to what Avri was saying.

So it could be helpful to have somebody in order to quickly clarify - let me say - a procedural question in case a conflict comes up or something and asking, okay, this is something that they think about the (SCI) could do. But there

may be (unintelligible). Or it's under the (unintelligible) of the (SCI) or not. So it could be helpful.

On the other hand, I understand it shouldn't be a liaison if you have one not that formalized that it comes to that level that the liaison should be the one, you know, reporting to the council. So this would be never the case. So a report to the council should be done by the chair himself. So this issue (unintelligible), you know, issue is to be dealt with and decisions to be taken should be discussed between the chair and the council. So that's my understanding.

But a liaison I understand it's a kind of short line and assistance in clarifying points on a fast track. Thank you.

Ron Andruff: Thank you very much, Wolf Ulrich. I'm going to bring this subject to a close with just a last comment. And that is it's a little bit of what you just said. It's key that the chair or vice chair of the (SCI) is speaking to council not the liaison on behalf of the (SCI). So that's a little bit of my concern that if you have someone in that position that takes it upon him or herself to overreach a little bit in the role that could cause problems.

This latest experience we've had with this resubmitting of a motion, which we are going to take up in a moment, that had to do with - or the way that worked was it was brought to our attention. Then the chair of the (SCI) got in touch with the chair of the council, asked for our background documentation, which we received and we circulated.

And our dialogue has begun from there. So there was a very clear line of communication and it was well documented. And I think that (unintelligible) is a very important one.

So I'd like to put this on the agenda for the next call if I may. And I'm sorry, Anne, if you wanted to speak to that. I'd would like to move on because we our time is running on us.

So we'll put it on the next call, and we'll give it ten minutes rather than a shorter (unintelligible) that we've given it today. But I think we've got enough food for thought, and let's see if we can bring other voices to the party next week with some thought - or next call -- I should say - with some thoughts as how we resolve this issue and liaison or no liaison.

With that, we'll move on then Number 8, which again is just a couple of minutes because we really want to get to point Number 9. Whether the (SCI) should solicit work or take on work from the GNSO Council. I think this is more of a kind of a summary of where we stand right now.

And I think that the discussion that we had over the course of the last year was that we would look to take work from council only rather than other bodies or a council designated body such as a working group. But that it would be coming from the GNSO Council where our work come from.

And now, we are at a point where we just are summarizing, as I understand it, where we should be soliciting work or taking on work for the GNSO Council. Originally, when we first started this group we had a good debate about how we should handle ourselves in relation to the council.

And we all agreed that we should take a light approach - a very light-handed approach and when something comes to us, we shouldn't be in a hurry to start re-writing policy but rather try to just knock the rough edges off it and then monitor it for a year or two. And see how it goes and that whether or not it would need to be re-visited a year or two out after that time period had lapsed.

And I would like to just kind of underscore that again that we really would look to the GNSO Council to give us work as opposed to soliciting work. I don't think that we should be out in that arena personally, but I would certainly welcome comments from the committee. And I see that Avri's hand is up. Please Avri.

Avri Doria: Okay. Yes. Thank you. First of all, I guess I wouldn't necessarily (unintelligible) with your characterization. I think perhaps we did decide to be light-handed, but I don't believe that there was a general decision that in all cases, you know, we would kind of look at it, maybe do something, and then watch it for a year or two.

I think we've made that decision several times on several issues that, okay, we think this is something that we should watch for a year or two. But I think in other cases we have decided to take action. I think for the most part I agree that issues should be brought either by the council or a working group or something else.

I do believe that we also have our periodic responsibilities that we haven't necessarily done much about of tackling various issues that look like they should be tackled.

And so while it's not necessarily a case of soliciting work, I think that if we see a disaster in the council - I think that this group can certainly decide that this is something that it needs to review and that that is one of the things that it will review in its ability to periodically review certain of the institutions and their practices. Thank you.

Ron Andruff: Thank you, Avri. So if I understand what you've just said is that we could take it upon ourselves, if we see a potential car crash coming, to step up and stop that crash. Are you suggested we actually insert ourselves before something happens or we go to council and say we've been observing this? Please go ahead.

Avri Doria: Yes. I think it's more of the latter. I think as individuals we should all start screaming before we see a car crash happening, and if there's a way to stop it, we should try to stop it. No. But I think that - perhaps even contradicting myself - if we see a tendency or if this group sees a tendency that is problematic that has various instances of near problem, yes, I do believe it's appropriate for this group to take it up as something to discuss.

Ron Andruff: Thank you. Well, I think the example of what we've just done now vis-à-vis, the termination versus suspension and a report being written. That was, I think, an example of what you've just said.

It's something where we took it upon ourselves to say, you know, while we were looking at that we found this other thing, and therefore, we're addressing it. And, in fact, I've sent a note to the chair of the GNSO Council to inform him that we were looking at just as a courtesy.

And I think that that falls very much, in my view, in the light-handed approach. Something has come to our attention and so we're looking at it. And in any case, what we do is we end up submitting things back to the GNSO Council for their review and their vote.

So I would suggest that if we follow along the same path we've been going and just try to go in that view, which is very different than going out and soliciting, saying we really are looking for work. Where can we do work? What can do here? What can do? Rather we do these things as and when they appear on our table and they make sense.

So my recommendation is that we just continue to go forward in this way that we've been managing it so far and look to the GNSO Council or their working groups as our primary dispenser of work activities. Anyone disagree with that position? Very good. So I think we can check that one off the list then and move on now to Number 9, resubmitting a motion.

I'm very grateful to see all of the exchanges on the list when this topic came up. And I'm particularly grateful for (Jonathon) and Jeff, the chair and vice chair respectively, of the GNSO Council for getting very engaged in that discussion. Jeff was on the chat and then got off and was dialing in. Jeff, are you still with us by chance?

Jeff Neuman: I am here. Can you hear me?

Ron Andruff: Very good. Yes, indeed, I can. We're at the time we should finish this call, but I would like to take five minutes just for you to kind of explain the rationale that you are bringing to the list, particularly along the lines of consensus versus the double weighted vote.

And just to (unintelligible). This is a very short piece, but I do want to put it in everyone's mind so that we can consider this over the course of the next couple of weeks before our next call. So Jeff, if I could turn the floor to you?

Jeff Neuman: Sure. Just one correction, I'm not the current vice chair anymore. That's from the (unintelligible) that's actually (Mason). So I'm former vice chair but.

((Crosstalk))

Ron Andruff: Thank you for that correction.

Jeff Neuman: So I'll just explain the general issue and I'll try to do it in an objective manner. Obviously, I have a strong feeling on this issue as you've seen in the posts. And but really the basic question that the (SCI) group needs to consider - and I'm now a member of the (SCI) - but I'm (unintelligible) registry. We'll send a formal note.

But the issue is basically to what extent can a motion be re-introduced in exactly the same form in a subsequent meeting after that original motion was

voted down. Or more simply stated, to what extent can the same motion be brought up - that was properly voted on - under what circumstances can that be brought up again? Or can it not be brought up again?

And if we do allow that motion to be brought up again under, you know, what restrictions should there be and are there any limits? And so that's the general question. How this arose was two council meetings ago, in November, there was a vote on a particular issue and what that issue is, is not really important. But there was a vote and that vote was - the motion was defeated during that vote - and again, this may be extraneous information.

There were two councilors that abstained during that vote. One was councilor was later on able to change that abstention when the councilor realized what the effect of an abstention was. The second councilor still had abstention vote because that council believed that they may have been conflicted out of voting on that issue. As a result of that abstention, the motion was - well, the motion was defeated.

And it was, in fact, one vote short. So had that last abstention gone - had it gone in the affirmative, the motion would have passed. But I think that's actually extreme as to what we need to consider. But I want to provide that background. Is everyone still there?

Woman: Yes.

Man: Yes.

Jeff Neuman: Oh. Sorry. Okay. I heard a click. So that motion then was defeated at the first meeting in November. The motion was re-introduced in a subsequent meeting because the want-to-be councilor that abstained had found out that the conflict that they thought existed actually did not exist.

That councilor re-brought up the same exact motion to be voted on at the next council meeting. At the next council meeting, the vote was taken and the motion passed. There were some on the council that did not agree with the notion of bringing up that motion again for a second vote.

Sorry. Is everyone still there?

Woman: Yes.

Ron Andruff: We're still with you, Jeff.

Jeff Neuman: Are you guys hearing clicks or is it just me?

Woman: No clicks.

Jeff Neuman: Okay. Sorry. So that motion was brought up again, the motion passed, and some councilors have questioned whether we should allow a motion to be re-brought up at a subsequent meeting after the motion has been defeated. And that's basically the issue. I have a certain feeling, and I've put that on the list. And I know Avri and others have a different feeling. So that's it. That's the issue.

Ron Andruff: Thank you very much, Jeff. So that's all I wanted to do with this. I just wanted someone who was present at the meeting who had proposed this to the (SCI) to vocalize what had happened. I think we're all quite well aware now as to what happened and now we need to deliberate on this.

I would ask that we continue the dialogue on the list as we are. I've seen Mary Wong, who's weighed in, as well as Avri and others. And so I would like everyone to continue that discussion on the list, if we could please, to flush out this as much as possible.

I think that we can find our way through it, but, of course, our group has to have consensus, and we need to see if we can find our way through it. So thank you, Jeff, for that.

And thank you everyone for your participation. It's an important topic, and we seem to be closing off on a couple of others so this should be the one that's going to be taking our attention now in the next couple of calls.

With that, I will come to close out this topic and come to any other business. And under that topic I would like to say that we had asked everyone to go on and do a doodle poll. And thank you everyone that did that. That poll was specific not just for this call but that we would actually enshrine this day and time for our future calls.

So we are now at that point where I think we've got Wednesdays at four o'clock eastern standard time -- UTC nine o'clock, if I'm not mistaken - or 2100 hours. And so for our next call Julie will be sending around information on that, the agenda, and the date and time of the call. But Julie, if I'm not mistaken, we are making calls every two weeks; is that correct?

Julie Hedlund: This is Julie. And yes, the calls are every two weeks. And just so you know that (unintelligible) GNSO secretary (unintelligible) that might be Glen or (Julia). And that should come out, obviously, some time before the next call.

Ron Andruff: Very good. So thank you for that. Anne, I see your hand is up. Do you have a (unintelligible) or question?

Anne Aikman-Scalese: I'm sorry. So the - just I wanted to clarify the next meeting will be - the next call will be two weeks from today. Is that.

Ron Andruff: Exactly. That's what we'll be doing. Every two weeks are our calls, and they will be at this time on Wednesdays.

Anne Aikman-Scalese: Okay. Thank you.

Ron Andruff: Okay. Good. We're six minutes over the time, and I apologize for going a little long. But I think it's been a very fruitful discussion today. And I thank everyone who has collaborated and participated on this call. With that then, I would suggest we bring the recording to a close, and thank everyone for your going off and doing the survey, if you haven't done it. Thank you very much everyone. Two weeks from now we will see each other, and we will see each other on the list. Bye for now.

Group: Thank you, Ron. Bye.

END