

**ICANN  
Transcription  
Standing Committee on Improvements Implementation meeting  
Wednesday 22 May 2013 at 20:00 UTC**

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<http://audio.icann.org/gnso/gnso-sci-20130522-en.mp3>

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

Attendees:

James Bladel – Registrar Stakeholder Group – Primary  
Jennifer Standiford - Registrar Stakeholder Group – Alternate  
Ray Fassett – Registry Stakeholder Group - Primary  
Ronald Andruff – Commercial and Business Users Constituency – Primary – Chair  
Angie Graves - Commercial and Business Users Constituency – Alternate  
Wolf-Ulrich Knoben – ISPCP – Primary  
Mikey O’Connor – ISPCP – Alternate  
Avri Doria – Non Commercial SG – Primary – Vice-Chair  
Mary Wong – NCUC – Primary  
Jennifer Wolfe – NCA primary  
Ken Bour – guest speaker

Apologies :

Anne Aikman-Scalese – IPC Primary

ICANN Staff:

Julie Hedlund  
Julia Charvolen

Coordinator: Excuse me, everyone, I just need to inform you that today's conference call is being recorded, if you have any objections you may disconnect your line at this time. And you may begin.

Julia Charvolen: Thank you. Good morning, good afternoon, good evening. Welcome to the SCI meeting on Wednesday, 22nd of May. On the call today we have James

Bladel, Ray Fassett, Ron Andruff, Angie Graves, Wolf-Ulrich Knoblen, Mikey O'Connor, Mary Wong, Jennifer Wolfe and Ken Bour.

We have apologies from Avri Doria and Anne Aikman-Scalese. And from staff we have Julie Hedlund and myself, Julie Charvolen.

May I remind all participants to please state their name before speaking for transcription purposes? Thank you very much and over to you.

Ron Andruff: Thank you very much, Julia. This is Ron Andruff speaking for the record. This is - I'd like to start out by saying, before we move into the Statements of Interest and other activities on the agenda today I just wanted to thank everyone for responding to the note that we put out recently regarding getting more participation on the phone calls from all of the constituencies.

I apologize if, in fact, I was a little heavy handed with you; if you felt that the messages were a little too strong. But I did want to impress upon everyone the importance of the work that we do here at the SCI and that we do need to have either the primary or the alternates in attendance.

We're going to talk, at the end of this meeting, about scheduling perhaps more infrequently and finding a date and time that works for everyone in a better fashion than we have now. But I just did want to make comment right from the top of this discussion that I'm grateful for the responses that I received from you as members of the team and I thank you for that.

So having said that I'd like to go with Statements of Interest. Has anyone - have a change in their SOIs that they would like to state for the record? Hearing none we will then note that there were no changes on the Statements of Interest from any of the committee members and so everything that is on the record is current.

Moving to Agenda Item Number 3, approval of today's agenda. You'll see it, for those in the Adobe room, on the right hand side under the Notes column. Is there any other - anyone have anything that they would like to okay with regard to approval of the agenda?

Seeing and hearing none we'll note that the agenda for today's meeting has been approved and we'll move directly to one of the most pressing issues that we've been looking at for the last period and that we, unfortunately, did not get the time in Beijing to talk about it but I am hopeful that we will have a couple of substantial discussions going into Durban and that we might actually get this other revision done by that time.

So that's my hope. And with that I would like to open this up by first explaining a little bit of the rationale as to where this came from and what was the logic behind it.

As many of you know, the SCI has been around for some time. And we were, after having a couple of years with Wolf-Ulrich Knochen as our chair, I rotated into that position. And when I was reviewing the charter I saw that there was a lot of outdated language and like all things within ICANN it needed a review.

And so what we did is organize a small team, a sub group, to take a shot at doing some revisions and that's what you're seeing, in fact, on your screen now. Julie sent that around just about an hour or so ago and - over the last days, as we've been preparing for this meeting, last week as well, I understand she sent that around.

So I'm hopeful that most of you have had a chance to review it at least have a look at it. And we're going to start to get into the meat of it shortly. But there were a couple of other elements that I wanted to bring everyone's attention to. And the - one of those was as circulated by, if I'm not mistaken it was Julie but it could well have been Marika.

She circulated the transcript of the conversation that happened when the original charter was drafted. And there were a couple of points within that charter that were quite important inasmuch as - in that charter development - inasmuch as what happened as I saw it.

And anyone who was party to that, Wolf-Ulrich, you were, as I understand, and correct me, but there was language in there that just effectively said, okay, here's some language being used in other working groups so let's just apply that to this one as well. So there wasn't a tremendous amount of discussion about that.

And that's why I would like to get more into the meat of it with this committee now. The big question apart from the cleanup elements are really the discussion around whether we should be going for full or unanimous consensus or rough or near consensus.

As everyone here is aware there are five levels of consensus within ICANN. And it seems that everyone - and all the working groups - want to line up with the highest level of consensus which is full or unanimous.

In my view the rough or near consensus aspect, which is the second of the five - second from the top, as it were - is something that is of great value to our group in particular because it would provide an opportunity for anyone who stands outside of the full consensus to write a full response as to why they feel that way.

And I think as our job is really to look at things that GNSO sends us that - where they feel that the policy that was developed in the working group is not functioning as smoothly as they would hope they send it for us to have a good look at it, see if, in fact, we need to just monitor it for another year and see where it goes or to actually make changes.

So that then brings us to the debate and dialogue on the various issues. What I'd like to get away from within the SCI is that any one individual could actually block this decision by the committee that would be sent back to GNSO Council for their decision - determination as to whether they would accept that or not accept that particular recommendation.

And that's the most important point. There's nothing that we do that is done in a vacuum. What we do is we consider these things, we send them back to GNSO Council and then in fact they go to public comment before any of these ideas that we suggest might be taken up.

So in that light I was feeling quite strongly that we should be sending back information to the GNSO Council that is really - has as much meat on it as possible and therefore the rough or near consensus measurement would be more effective for our work. That's really how this whole discussion came to the table.

So having said that, that there is a record that is - has been created as a result of the initial team which was Wolf-Ulrich, Avri Doria, Philip Sheppard and I'm missing someone else who were on that group to develop our charter. There's not much meat there and now we're at a point where we can have this discussion in more detail.

If Avri, of course, has mentioned my - our vice chair has mentioned on numerous occasions she's not in agreement with this idea but I think it's something that we need as a committee to take up and think about more clearly. So those are the two documents that I would kind of point us to to kick off this conversation.

So having said all that I'd like to now open the floor to some conversation just in general about the idea that I'm socializing with you and to see where the committee members feel this should go.

The floor is open. James, I see your hand. Please lead off.

James Bladel: Hi. Thanks, Ron. James Bladel speaking for the transcript. And, you know, I may be a bit behind on this particular issue so I have a couple of clarifying questions. Oh I probably shouldn't use that, that's a formal term in ICANN. I have a couple of questions that I would appreciate just to help my thinking before I can weigh in.

Now when we're talking about making recommendations for, you know, the different types of consensus, I'm trying to figure out where exactly that is. And I think is that the comment that's currently highlighted?

Ron Andruff: I'm sorry, are you speaking about what's on the screen?

James Bladel: Yes, I'm sorry in the Adobe Connect room...

Ron Andruff: Right.

James Bladel: ...there's a green comment highlighted, looks like the top of a very short page, is that what we're - is that what's on the table now?

Ron Andruff: Yes, actually what's on the table what we're looking at is the team that we had - sub team and perhaps I should have let Mary and Angie talk about that because they were both on the team.

This is - what we're looking at on our screen is the document that the sub group developed on behalf of the larger committee so that we might kind of address the - what I'll call the smaller amendments and get those out of the way removing things like OSC and PPSC and those types of things that those elements are no longer a part of ICANN; they were temporary and then to look at some of the larger things.

What we're looking at specifically here is Avri's comment in that green box with regard to the change that was made by the subcommittee where they suggested using standard methodology for making decisions described in GNSO working group guidelines as opposed to what was deleted from there was full consensus.

James Bladel: Okay. So let me - thank you, by the way. This is James speaking again. Thank you, Ron, for clarifying that we are now just looking specifically at Avri's comment.

And, you know, I'd like to say I have the standard methodology for making decisions memorized but, I mean, I think I'm just going to have to go with my understanding as a participant and chair of several ICANN working groups.

I think that my concern is that the standard methodology, if I recall, has the five layers of consensus. Is that - am I correct in that thinking, Ron?

Ron Andruff: That's my understanding as well, James. And perhaps Julie, if she has any other - or Julie or perhaps even Ken Bour if they have a different take on it they're welcome to bring their thoughts to the table but that's my understanding. Correct.

James Bladel: Okay and so Avri...

Julie Hedlund: This is Julie. I can set aside - I can pull up that section from the Guidelines. But, yes, there are several layers of - levels of consensus in that.

James Bladel: Okay. And then - and I apologize for the baby steps. And then Avri's concern appears to be - and she is not here - oh she is on the call - fantastic, I may have to put her on the spot here in a moment - is that we're not - as a specific or as a special organ we're not necessarily bound by those particular consensus and that we should continue to work on issues until we reach consensus.

I think that that, I'm understanding her concern and suggestion. And I would certainly welcome her to smack me under the table, the virtual table, if I'm getting that wrong. But I think, you know, my only concern here is that with the included text it may be slightly different from what Avri was driving at but it is that the standard methodology for making decisions, in my opinion, is very cumbersome.

Why have five levels when three certainly suffices for just about every scenario. You either have unanimous, you have rough consensus or you have no consensus. And the rough consensus would be where, you know, there's maybe one or two, you know, minority positions that are free to submit a position statement. Unanimous and no consensus I think being self evident.

So that's my only take on this from a substance point of view is that we should always be looking, you know, if there's five but we could make do with three we should always be looking to streamline that. And I'm concerned that the inclusion of a reference to the Working Group Guidelines takes us in the opposite direction and actually adds complexity and layers to the decision making process.

So I'll drop my hand now and just kind of - but I wanted to weigh in on that. And it looks like Avri is going to clarify that I'm completely off track so thanks.

Ron Andruff: Thanks very much, James, I appreciate that. And, Avri, I'm so happy to see that you're able to join the call after all. I wanted to know, before Avri speaks, if in fact - and I know, Avri, you were part of that committee. Mary was on it; Wolf-Ulrich was on it...

Avri Doria: Okay.

Ron Andruff: ...and Angie - if we could have someone just speak to the logic of how that arrived there before you respond if that's okay? So, could I look to perhaps Mary or...

Avri Doria: Do whatever you want. If I fall off again I'll fall off again.

Ron Andruff: Okay well I didn't know you had fallen off. I just saw you...

Avri Doria: It's your call; do what you wish.

Ron Andruff: So...

Avri Doria: No, I was on the call and I'm back now. But whatever you want, it's up to you.

Ron Andruff: Very good. Okay so Mary wasn't on that committee I see on the list. I beg your pardon. And so - and you were, Avri, so please, go ahead. Why don't you just - if you could just answer that question how that arrived there before you respond to James...

Avri Doria: Okay.

Ron Andruff: ...that would be helpful.

Avri Doria: How what arrived where?

Ron Andruff: James was just asking - now I see Julie...

((Crosstalk))

Avri Doria: How did we get to full consensus on this?

Ron Andruff: Yeah, to that language was...

Avri Doria: Okay.

Ron Andruff: ...where we were going.

Avri Doria: Right. Okay, this group had nothing to do with the working group methodology. The point about this group having been defined with full consensus is because this group could change the rules quickly if something wasn't going right in the Council for some group or other.

So in other words, since this group can manipulate the rules if you don't have full consensus here what you're doing is you're setting up this group to be a power play mechanism by which somebody who can't get what they want in the Council can come to this group, can get partial consensus on changing the rules and then change the rules to effect an ongoing process and decision.

That's why, I believe, way back at the beginning, you know, simultaneously with coming up with working group guidelines, this isn't a working group; this is a rules committee. And as you know, in any place that has a rules committee they tend to work on different sets of procedures than a working group or a working committee.

So in this case because of the danger of changing the rules out from people while something was ongoing it was felt that only in the case of a full consensus - and it doesn't have to be an active full consensus - the whole notion of a passive full consensus is fine.

Though Wolf-Ulrich (unintelligible) did all for an active consensus; that isn't required in the rules. What's required is that nobody is saying no. And I think that that is a critical thing.

And in a different situation we already saw once where we - all of us but one - were ready to go with something but because we had a full consensus and

we had one person who stuck to her point through a couple weeks of us saying, yeah, yeah, yeah, but it's okay and you're only one but because we needed her to have full consensus we eventually understood her issue and fixed it.

So I'm pretty much as strong as I have ever been on any position I've taken within the (unintelligible) this full consensus rule for this particular committee is a really bad idea.

Ron Andruff: Thank you, Avri. A couple of clarifying points - and I appreciate your passion on this. But a couple clarifying points. The SCI cannot manipulate any rules. Let's be absolutely crystal clear. What we're tasked with is to look at something and then give recommendation back.

We cannot - we don't have the power to manipulate or to change anything; we just have the ability to make a recommendation. So it's important that that distinction is not lost.

Avri Doria: Yeah, but...

Ron Andruff: Excuse me.

Avri Doria: ...we make a recommendation...

Ron Andruff: If I may finish, Avri?

Avri Doria: ...that the Council can then accept without unanimity.

Ron Andruff: Avri, I'm going to just ask that we have proper decorum here. I just want to finish my sentence and I'm happy to...

Avri Doria: Yes, sir.

((Crosstalk))

Avri Doria: Yes, sir.

Ron Andruff: So as I was saying that we cannot manipulate the rules and moreover, there's no such thing as partial consent. It's - there's consensus or full consensus. And I'm agreement with - very much in agreement with what James said earlier that we needn't bog this thing with down with five levels and we can be very specific in our charter as to how we would like to see this go forward.

The case in point that you brought up, Avri, with regard to the longer discussion, that was because of a collegial effort; there was a desire for us to learn more from the individual and as she brought more information forward and as we all thought more about it we came to a better decision. It wasn't because we needed that person or we were swaying that person to come one way or another.

So I just wanted to clarify a couple points because they are very important points to keep in mind. James, I see your hand up. Please, go ahead.

James Bladel: Yes, thank you, Ron. James speaking for the transcript. And thanks, Avri, for clarifying. I actually find myself now - I think we're all violently agreeing with each other or else the nuances are lost on me.

But it sounds like if we are saying - and if Avri is saying - we should set the bar high and use full consensus as defined by the standard methodology for working groups, whatever the text is, I think that kind of captures her concerns while also addressing my concerns that we don't introduce five layers when we really need just a binary test; we either have full consensus or we don't.

So, I guess, you know, my understanding is that if the language could be modified slightly - the highlighted language could be modified as full consensus process as - or maybe that's the part that was deleted. I don't know, I'm kind of getting lost in the edits here.

But I think I am agreeing with Avri that it should be full consensus referencing that definition from the Working Group Guidelines but not introducing all of the other mish-mash that's in the Working Group Guidelines. And I'll be done with this issue then. I don't know who I'm agreeing with anymore. Thank you.

Ron Andruff: Actually, James, the issue here is - if you look at the very bottom of that green text you'll see that full consensus was deleted. And the point was whether or not we should be having full consensus or just consensus. That's what the discussion stands.

I saw Wolf-Ulrich's hand was up.

Wolf-Ulrich Knoben: Yeah, thanks, Ron. So, yeah, to start, well, I think full consensus is - full consensus is - well, is the best thing, yes, I would say though because I like it as well. But the only question for me is here when I remember what we did the last years so and what is expected from us, so as we are chartered by the Council.

So it is expected (unintelligible) come back with recommendations to the Council. And I think I recall one case we could not come to a recommendation because we were split in our thinking. There was one case I think so. And just we reported back. So and then left it up to the Council, well, to operate with that. So that was - not a good feeling for myself that time.

So I'm wondering how we should cover those cases because, well, I'm really strongly thinking that in any case we should find to come to a conclusion, to come to a recommendation, back to the Council. So one thing could be what I heard, well, to set the level of consensus as high as possible but not too high;

not to that level that we must find, in any case, in every case, a full consensus.

So this is what I am thinking about. I do not have a - I was just thinking about that in that way. Since the SCI is just dealing with processes, with rules, with processes and rules and nothing else. So why shouldn't we look at how the - because, Avri, so I would like to say it's not the SCI who is setting and who is amending and who is setting the rules; it's, at the end, it will be the Council.

So the SCI could recommend on the basis of the - of consensus or what else those rules. So why shouldn't the SCI then look at how the Council is dealing specifically with procedural rules, with thinking about the rules in terms of consensus or voting or whatever, and then from this level, the Council do it in a different way set the level of consensus to a higher - to a higher range that the Council is doing. So just an idea. Thanks.

Ron Andruff: Thank you, Wolf. Avri, I see that your hand is up and I'm going to give you the floor in a moment. But I would like to hear from perhaps Ray Fassett, Mike O'Connor, Mary Wong and others to get a broader discussion and then, Avri, I will bring you to rebut or comment as you wish.

So could I hear from Ray, your thoughts, and followed by Mikey, Mary and our two Jennifers. I'd just like to get a broad range of thoughts. And just - you can even say I agree one way or the other or please, bring your thoughts to the table.

Ray Fassett: Thank you, Ron. Ray Fassett here.

((Crosstalk))

Ron Andruff: Thanks, Ray.

Ray Fassett: And I'm looking through also the Adobe Chat and I'm seeing, you know, really - sort of what like James said is a lot of violent agreement going on, it appears to me, anyway. But what I see in the Chat is consistent to my thinking what full consensus refers to and how it does follow the GAC approach, if you will. So I'm not seeing anything here that is controversial to me if that helps.

Ron Andruff: Thank you very much. I appreciate it. Just want to bring more voices to the table. And I see that there's a desire to follow the queue. Avri, please go right ahead.

Avri Doria: Thank you, sir. First of all I wanted to disagree with full due respect for the point you were making. If there is a vote in the Council that needs a 3/4 vote but this committee, by a less than full consensus, recommends a change that would change that to a 1/2 vote and to a (full) majority vote and the approval of rules only requires a majority vote then the rules can be changed underneath a decision.

To not have this group work at absolute full agreement - and that means no disagreement - allows this group to become a manipulation tool of someone that wants to try and force something through on the Council.

You get to - since the Council does not work on full consensus, it works on all sorts of complicated formulas it basically creates large holes that someone that wants to manipulate the rules to make something happen that couldn't happen otherwise have a mechanism they can use.

That's why it is absolutely critical that this group remain as rules committee that, you're right, makes recommendations, but its recommendations don't necessarily need a full or even a rough consensus to pass. So it leaves way too many things open.

And I also disagree that the reason that - that the reason we were able to change hand to do with collegiality. It had to do with the fact - and in fact if you go back and check the transcripts you will see the question was asked, "Do we require a full consensus to send this forward?" Yes we do require a full consensus to send this forward. And therefore we had to pause and we had to let it happen.

Changing rules is something that should be hard to do. Changing rules is something that everyone in this committee should have to agree to before it is sent on to the Council where, yes, they get to approve or disapprove but they don't need full consensus to do that. Thank you.

Ron Andruff: Thank you, Avri. And, of course, you've just said it right; it would have to be approved by the Council if you wanted to do this and it would also have to go for public comment, so there's no doubt about that. But now you've said the same thing twice; I would like to hear now from Mike O'Connor and Mary and the two Jennifers if I could, just a very - just a statement because our time is running low and I would like to get more voices to this table. Please, Mikey.

Wolf-Ulrich Knoben: Mr. O'Connor?

Ron Andruff: Are you stuck on mute, Mikey? Or have we lost you? Perhaps I can ask Mary to go ahead.

Mary Wong: Sure, Ron. Thanks. So I'm in favor of keeping the full consensus rule for a number of reasons. I think, one, I'm struck by one of Avri's comments, which is that this is very different from a working group; our role is different; what we do is different. And, you know, changing rule should have a high bar, I agree with that.

I'm also struck by what James said that we shouldn't make it too complicated. And, finally, even in the existing charter language we have existing language that says, "Unless otherwise determined."

So there is some flexibility for the SCI going forward that in any particular circumstance or (unintelligible) of an issue the SCI as a whole could decide to use a different methodology. So I think with all that as (lead-in) and with that flexibility built in I would support full consensus remaining the case.

Ron Andruff: Thank you, Mary. Jennifer Wolfe.

Jennifer Wolfe: Yes, can you hear me?

Ron Andruff: Yes we can.

Jennifer Wolfe: Okay great. Great. Sorry, I'm in my car. I'm in complete agreement with everyone and particularly with what Avri has said. I mean, I think that the purpose of this group is to really define best practices and to find the right answer. And if that takes time, an analysis and discussion to get to full consensus I think that's really what we're charged with doing. And so I'm in complete agreement with the full consensus.

Ron Andruff: Thank you, Jen. And Jennifer Standiford.

Jennifer Standiford: I have to say I'm new to the group so I don't know the history behind it. But I agree with Jennifer's point that I would believe it's our role and responsibility to find best practices and how we define full consensus is part - should be part of the charter.

Ron Andruff: Thank you very much for that. And I realize Angie Graves - I'm sorry, Angie, I missed you earlier, please.

Angie Graves: Yeah, Angie here. I don't have - if we're on this single topic I'm all for full consensus.

Ron Andruff: Very good. So that's helpful and I'm very grateful that you allowed me to call on you, various of the members who hadn't had your hands up. It's really important that we have as many voices around the table as we can to get this discussion out and get it clear. And I think that we have and I'm grateful for that.

So then I think what we'll do going forward with this particular element we've really chewed on the most important part today. And we've had a good turnout in terms of the size of the group. So what then I would suggest is that we will put this agenda now - put this item on our agenda now for the next meeting.

So - and we will ask that any other redline comments that could be done, perhaps, Julie can send this out afterwards with full consensus noted in the last sentence. And if others can bring your thoughts and comments to the draft and hopefully on our next call we can work on that, whittle it down a little bit so, as I said, by Durban, we can have our charter ready to give to the - our revised charter - updated charter ready for the GNSO Council review.

So moving on to the next topic we have termination and suspension of a PDP and the motion was submitted by Wolf-Ulrich and approved by Council. Julie or Wolf, perhaps, Julie, can you tell us where we go from here?

Julie Hedlund: Hi, this is Julie Hedlund. Actually the next item on the agenda is resubmitting a motion. There were a couple of constituencies that I think needed to get the language out to their members...

Ron Andruff: Oh I beg your pardon. Indeed you're right, I jumped over that one so resubmitting a motion so let's come back to that. Unfortunately the ISPs - IP Constituency was one that was putting it out, as I understand it, for their membership. And Mary was putting it out for your membership, Mary. Your hand is up, go ahead, Mary, please.

Mary Wong: Yes and I'm glad to report that we did - I did put the suggestion - both options out to our membership and everybody who spoke and responded to me, and there were quite a few of those, everyone was not in favor of having it in the chair's discretion and prefer the second option, which is the set of criteria and actions that we have up here on the screen.

Ron Andruff: So, Mary, if I understand you correctly then, it was 2b and those four criteria? Is that correct?

Mary Wong: That is correct.

Ron Andruff: And if I understand you correctly all four of those criteria would then have been included in this high level criteria order that all of them would be included or just some of them?

Mary Wong: All of them. I did give the members the option to either suggest changes or to question each one and to jumble them around or remove some but all who spoke in favor of this option favored retaining all of those criteria in that order.

Ron Andruff: Thank you, Mary. James, please, I see your hand.

James Bladel: Thank you, Ron. James speaking, for the transcript. And I want to report that Registrar members did not weigh in on this topic for the primary reason being that I neglected and failed to send it to the list. So, you know, my fault. And mea culpa.

And I can certain craft a message to our membership in the next 90 minutes here and get a response posted to the SCI mailing list as soon as possible primarily by the end of the week.

I will point out, in advance, however, that Registrars being commercial and competitive entities very rarely agree or find even a rough consensus on

things like what should we have for lunch let alone important topics like whether or not the rules should be established for resubmitting a motion.

So it may be a little tricky but I will certainly raise this on our list. And Jennifer and I will synthesize the discussion and - into a response by the end of the week if that's acceptable with this group?

Ron Andruff: Absolutely acceptable. Sorry, absolutely acceptable. Thank you very much for that, James. Julie, can you bring us up to speed on where the other constituencies stood with regard to - I think most went for 2 and most went for 2b if I'm not mistaken but perhaps you can refresh our minds?

Julie Hedlund: I think that most went for 2b but I thought there was one that was remaining and I, frankly, cannot recall which was the other one that we were waiting on. Was it perhaps IPC?

Ron Andruff: IP - it was IPC, exactly, the Intellectual Property Constituency. And, Anne, unfortunately is at her son's - well fortunately for her she's at her son's graduation today so she's not present and J. Scott is no longer with the IPC so we don't have that information.

But I wonder if you might, Julie, just sort of put together a - one paragraph explaining kind of where all the constituencies are weighing in on this so at least for the member's benefit - members of this committee's benefit we can see where everything stands in that regard so we can then, again, try to narrow this one down and get it resolved.

Julie Hedlund: Thanks, Ron. This is Julie Hedlund. Based on the discussions at our meetings I think that only IPC, and as James mentioned now, needed to weigh in and that the others all agreed on 2b.

Ron Andruff: Very good.

Julie Hedlund: My understanding was - and my memory - and I could check the transcript but I'm - unless anyone here who represents those groups disagrees, I think there was agreement on 2b except for those that - from which we had not yet heard.

Ron Andruff: Excellent. Any comments from the committee with regard to what Julie's just mentioned? Seeing none then let's proceed in that manner. And, James, thank you very much for trying to make this go quickly and particularly with Memorial Day weekend coming up. And good luck in getting us a response from your constituency as soon as possible. Thank you.

All right so now we'll move to the Point Number 6 on the agenda and that is the termination and suspension. And as noted Wolf had submitted this and it was approved by Council. So I'm not sure where we go from here. And I would look to Julie to give us some advice on that please.

Julie Hedlund: Thank you, Ron. This is Julie Hedlund. I only included it in the agenda just for completeness and just so that everybody knows that the language that was agreed to by the SCI was - and for which Wolf-Ulrich submitted the motion - was approved - the motion was approved by the Council on their meeting on 16th of May.

And the procedures document has been updated accordingly. Then the PDP manual that falls into the GNSO Council Operating Procedures is updated. And the links to the GNSO Council - the GNSO Operating Procedures and the PDP manual that are on the GNSO Website are up to date as of the 16th of May with that revised language.

So that item is complete. And it's one that I want to thank all of you for doing so much work on.

Ron Andruff: Thank you, Julie. Excellent. Glad to hear that. So it's nice to know that we worked through all of that in full consensus and that's a joke so hopefully no one will get upset with me.

All right so now then moving on to the Working Group Guidelines survey. We have the benefit of staff - Ken Bour is with us today on the call. And Ken was the - one of the architects of the original Guidelines survey as I understand it.

And J. Scott had - J. Scott Evans prior to his departure from our SCI had recommended that we get with Ken and see if we can refine the questions to see if we can sharpen up the answers that we would get.

If there's anything I've missed from that introduction, Ken, please bring it to the table now. And if you wouldn't mind just speaking a little bit to that survey? Thank you.

Ken Bour: Yes, hi. This is Ken. Julie, did you want to say anything before I begin?

Julie Hedlund: I guess - thanks, this is Julie. Just very briefly, J. Scott and I got together before he left and talked about how we could refine the survey. And J. Scott, you know, recommended Ken because of his excellent work on surveys.

And so I got in touch with Ken and he has some very, I think, interesting suggestions for the SCI to consider. And rather than going into them myself I can let Ken explain them and I'm sure he'll do a much better job. Thanks, Ken.

Ken Bour: Okay great. Thanks. If you have trouble hearing me please holler and I'll pick up the handset but I'd like to use my headset if I can. As some of you know - I recognize a lot of the names on this call and we have worked together over many years.

I was one of the original architects and drafters of the original Working Group Guidelines. And for the first year of that group's operation I was the staff support to it and then Marika took it over. So I have some familiarity with the Working Group Guidelines themselves.

Then some time later, about a year ago, Marika was kind enough to send me a copy of the survey that was being proposed to essentially ask questions about the quality and the usability and - of the Guidelines themselves.

I gave her some feedback on that. And then here just recently Julie asked me to take another look at it to see what I thought. So I looked at the survey again. Noticed that some of the original suggestions I made had been incorporated. And I also read the feedback - the extensive feedback, I should say, from Mikey O'Connor and Simonetta.

And indeed I agree with a lot of what was said in those comments about the questions, the way they're worded, the way they're designed, some of the length of the question. And I wrote some ideas to Julie about focusing - about this group focusing clearly on what you want to learn.

And so I guess I wrote four or five questions that were hoping to - once you understand really clearly what you want to know, that you don't know today, it's easier to frame up questions that answer those questions.

All right so then in the meantime I had another thought going back to my original drafting of the Guidelines. I remember distinctly that we included a self-assessment element to the Working Group Guidelines not only in the description of the procedures but also in the charter template.

So in a discussion I was having with Rob Hogarth on this subject today earlier I brought that up and we both went and looked at the Guidelines. And indeed, if you go to Section 5.0 of the Guidelines, where it talks about products and outputs, I'll just read this one very short sentence.

"The products and outputs of a working group may be prescribed by the charter such as a report, recommendations, guidelines, self assessment or defined by the process under which the working group operates."

Then right underneath there are some bullets of various products and outputs. And one of them is self assessment template. And in parens it says, "TBD." I put that there originally and it - it was my original intention to develop a self assessment template for working groups.

The original concept behind this was that working groups, we have these new guidelines, we have all these new procedures, we have consensus policies, and all this stuff, and it would be nice to have the groups, at the end of each time they finish, to look at the procedures, the processes, their collaboration, the interactions, the leadership, the construct of the group, all of that, and assess it on an ongoing basis, which would provide feedback and a continuous opportunity for improvement. That was the original idea.

And then if you look at also at the Working Group Charter Template, Section 6.2.4.4 talks about closure and working group self assessment. And again, very short, I'll read it.

"This section of the charter should describe any instructions for working group final closure including any feedback and/or self assessment that is requested by the chartering organization. This section might also indicate if there's any specific format, template or prescribed manner in which the feedback is to be provided."

Okay so you say well what does all this have to do with the survey? Well, you know, when I start thinking about the purpose of a survey, the questions that you might ask, these are questions the proper audience for whom are working group members, people who have been in working groups and actually know something about how it operates and they've read some of the

procedures, they've tried to work through them and they've maybe struggled or found the procedures to be excellent.

And so I thought well what if we took the survey idea and sort of put it over on the back burner? And instead of using a survey to go out en masse and ask people what they think about the Guidelines, turned it instead into a self assessment template and administered it to each working group that completes.

And so some of the things that I wrote to Julie here just recently, some of the advantages that I saw, one is that you get answers that would come from actual and recent participants in a targeted way.

Secondly, the information that's collected would be fresh. One of the criticisms - I shouldn't say criticism, one of the comments Mikey made repeatedly was, I don't remember, you know, you're asking me these difficult questions and I can't recall; it's been too long ago or I haven't done that in a while or whatever. You know, and so one of the things that happens or benefits that you get here is that the information is fresh because the group just finished.

If you want to step further and the chair reviewed the self assessment template with the working group members before the team started its deliberations, in essence, revealing the questions that are going to be asked at the end and then during the process if something happens people kind of know where they're - what questions are going to be asked they could actually note some gap or error in the guidelines and then include it in their self assessment later, right.

Somebody says, oh, hey, we should stop here; we should put that in our self assessment because we know that question is coming up and rather than wait and try to remember it later let's note it now.

The fourth idea here is that unlike a static survey, which is what is currently being contemplated, this self assessment instrument is dynamic. It would be a catalyst for continuous improvement of the processes and the groups.

And it takes the SCI a little bit out of the administration because it becomes something that the group does automatically, the instrument is there, the feedback goes back to the Council. And unless something breaks the SCI wouldn't necessarily have to mess with it.

And then lastly if the chartering organization determines, based on the feedback that they're getting, that the Guidelines have some kind of error or deficiency or need to be beefed up in some area or the other then they can ask staff or another community team to address those issues.

So those were just some thoughts I had that we already have, in the Guidelines, a capability to provide survey-like data about the processes, the Guidelines, the templates and all of these things and all we really need to do is just frame that up. And some of that works already been done in the nature of the questions that you guys have already put forward.

So I'm going to stop there and see if that's been a - if that idea has any traction with you.

Ron Andruff: Thank you, Ken. That's very helpful, very informative to understand how you were shaping that. And I think the general idea in creating this self assessment and letting the working group know right from the get-go that that will be part of the final output is a very provocative idea.

I see Mikey has his hand up and I welcome others to bring some thoughts to the table. We've got another five minutes or so for this so I'd be very grateful if people could be succinct in their comments. Mikey, please go ahead.

Mikey O'Connor: This is Mikey trying to operate his phone correctly this time. Ken, I like all that stuff a lot. I especially like - and because I'm a newbie I really like the question that you led with, which is what we are trying to learn?

Because it seems to me that if the goal of the questionnaire was to determine from a rules committee standpoint how the rules are working that's a different question than from a process improvement standpoint, are we trying to figure out whether the process is working.

And I think that maybe the answer for me, on that, is yes please, I would like both of those. And I also like the idea of implementing something that was proposed long ago that just never got finished, this business of the post-working group assessment or the self assessment cycle. So I'd give that all a pretty big thumb's up. Thanks.

Ron Andruff: Thank you, Mikey. Any other thoughts from other committee members?

Angie Graves: This is Angie.

Ron Andruff: Angie, please go ahead.

Angie Graves: Yeah, Angie Graves. I appreciate Mikey's comment and tend to lean that way as well so thank you for that, Mikey.

Ron Andruff: Thank you, Angie. And I see Avri has got a checkmark, a plus, for that one as well. Then if it's - Mikey, I see your hand is back up?

Mikey O'Connor: Yeah, I want to take another bite at the apple. I think another thing that's been on my mind a lot - and I would imagine been on the mind of many who've been working group chairs - is that another audience for a lot of this information is the people who are currently chairing working groups and also the people who we are trying to develop in the bench for future chair roles.

And I think that this information could also really be helpful for that audience if we were artful in the way we structured this so I just wanted to add that little bit as well. Thanks.

Ron Andruff: Thank you, Mikey. So, pardon me, excuse me. I would recommend then if there's no one in disagreement with this idea we would have Ken circulate a paragraph to the list on noting those - the things he mentioned to us where we can find those footnotes or those placeholders, if you will, probably better said, placeholders, and with a little background as to this idea of creating a self assessment and actually including it as part of the working group activity right from the get-go.

That sounds like a very good way forward and it certainly solves the getting out of the survey business problem that we're dealing with right now. So if there's no one against that idea then we'll go forward in that manner. Seeing no opposition, thank you very much for that.

And this brings us now to the last five minutes of the call and that is our any other business. I heard from a number of members when we were putting out the rallying cry to get more of us around the table for these meetings that we should consider not having them every two weeks.

And I'm agreement with that, that we don't have an overloaded agenda at this stage and should that come to pass we could certainly, you know, start to look at having twice monthly calls.

So the question really comes up - and perhaps a few words of discussion around what is a better day and time. And if anyone has some recommendations they would like to put forward I'd be happy to hear them now.

And just I would say one last thing on that is that we have asked staff to consider all of the other meetings that are going on in the GNSO calendar, all

the other working groups and other meetings that are taking place to see if there was some places that would be particularly open for us to have without creating conflict in your schedules because I know most of you are working on multiple working groups and so forth.

So with that I see Mikey, if your hand is still up you have the first slot and if not then James Bladel can speak.

Mikey O'Connor: This is Mikey. That's a new hand.

Ron Andruff: Thank you.

Mikey O'Connor: In the part of my life where I worked for a living I've chaired a lot of steering committees. And steering committees tend to get really dull when they don't have decisions to make. So I think that what we ought to do is dial it back until we have substantive decisions to make and then be ready to dial it up if we get some.

I think part of the reason why the current schedule was so disrupted is not because of that but because there is so much else going on with the new gTLD, the RAA, you know, there's this unbelievable crush on people right now. And so I'm not sure that you should take the last several weeks as any indication of anything except tremendous conflicts in people's schedules.

At the same time I am a big fan of not meeting if you don't need to meet. And if there are no decisions to be made then by all means, drop the number of meetings back. Thanks.

Ron Andruff: Thank you, Mikey. Appreciate those comments. I see James.

James Bladel: Hi, thanks, Ron. James speaking. I think I'm mostly in agreement in Mikey in that, you know, we should be more of a demand-driven or agenda-driven calendar. Perhaps we can set up a monthly placeholder but, you know, have

some sort of a cutoff period where we identify if we need to go forward or not and then send out, you know, messages, you know, like the Friday before that week whether or not we have anything on our docket. You know, something along those lines.

And then I think, just as a recommendation once we decide the frequency of the meetings and what determines the frequency the next step might be to then put out a Doodle poll with some alternatives. And I think, you know, you mentioned staff - they have, I think, the perspective that none of us in the volunteer community have over the entire calendar.

I don't think that this time slot - this Wednesday, for me, afternoon time slot, for others it might be evening, I don't think that's necessarily the kiss of death. And I agree with Mikey's point that I think that the last - well really run up from February until Beijing has been particularly brutal, at least in my own calendar, with so many different high priority issues trying to get them put to bed because they're on the critical path for one project or another.

So I don't know that we can necessarily read into recent attendance as something that will be the case going forward. But, you know, I think put this current time slot on the menu for a Doodle poll along with everything else and, you know, see if it comes up - rises to the top again. But those are my thoughts on scheduling and I'll drop off now because I think we're getting real close to the end and I'll let you close us out. Thank you.

Ron Andruff: Thank you, James. I don't think anyone is going to disagree with what you've just said. In general you and Mikey bring very valid points to the table. I'm just thinking now we've covered a lot of ground on the charter today with the biggest pieces kind of behind us; the rest has to be dealt with so I would put it to the committee would you like to meet in two weeks or one month to finalize this?

I'm concerned if we meet in one month we'll kind of forget what we've been doing. If we can bring comments to the list and tighten that up that would be great.

But perhaps I can have a checkmark - checkmarks go up from the group for those that would like to meet in two weeks to finish this and X marks come up where you do your hand raising either a checkmark or a - for agree or a X for disagree with the idea that we would meet in two weeks to try to finish this work on the charter. So please can I see that list?

So Angie agrees...

James Bladel: Sorry, Ron, can I..

Ron Andruff: Yes please.

James Bladel: Can I ask is there some external body or organization or deadline we're trying to hit with this charter? Is there a document cutoff for Durban? What's driving the - I'm just trying to understand how urgent it is. Thanks.

Ron Andruff: Certainly. It's just that we've had this on the agenda now for quite some time and it would be good if we could close it out by Durban otherwise we're going to be having worked on our charter for more than six or eight months effectively at the end of the day.

And so the only reason we're suggesting this now is to just close out those - it's more or less just to - spelling and grammatical issues, as I see it, there may be other, you know, substantive issues others see but for the most part I don't see that. And that's why I'm anxious to try to get this closed.

So I'm seeing Mikey suggest that we can wait a month. At the same time I'm seeing James, Jennifer, Angie and Wolf suggesting we can do this in two weeks - a meeting in two weeks from now.

So let's do this, let's shoot for a meeting in two weeks to see if we can close this out. And at the same time I'll ask staff to send the Doodle out once they gather that information with regard to the other meetings because you're absolutely right, James, they have the inside view. And then we can try to schedule a tentative meeting for the monthly meeting.

And I'll also ask Julie to submit a list of the activities that are on our table because I think, for the most part, we're checking them off. We don't need to get into it now, it's 5:01, but if everyone is in agreement with that let's go forward with that idea that we try to meet in two weeks to finish up the charter revision.

And if we can't appear in person on the call or our alternate can't be here perhaps we could submit that in writing. So I see Avri made a note. I'm not sure, Avri, do you still - do you hear us now? Can you just type into the Chat if you can actually hear what I'm saying at this point?

Avri Doria: Yeah, I can hear.

((Crosstalk))

Ron Andruff: Oh okay very good.

Avri Doria: So basically if I understand correctly we're meeting (unintelligible) in two weeks.

Ron Andruff: We're losing you, Avri. Unfortunately - perhaps, could you type it into the Chat box, Avri, your sound is dropping.

((Crosstalk))

Avri Doria: ...after that we'll go on a monthly schedule?

Ron Andruff: If I parse together what I heard the question is we're going to meet in two weeks to finish up the charter and then go to a monthly schedule. If that was you question the answer is absolutely right, that's what I was suggesting.

All right, any other business that any members of the committee have that would like to bring to the table at this time? Hearing none I would say thank you very much to everyone. As always a spirited and strong debates are the best we can get.

And that brings forward a lot of good decision making so thank you all for participating today. And look forward to speaking with all of you again in two weeks and hopefully we can nail down these last issues on the charter and then from there on we'll see each other in Durban. So thank you very much. Bye for now.

END