

Adobe Chat transcript GNSO Council Meeting 13 June 2013

Marika Konings:Welcome to the GNSO Council Meeting of 13 June 2013

Jonathan Robinson:Hello everyone

Maria Farrell:Dialing in via London the line is really distorted. I am dropping off and trying again.

Joy Liddicoat:@Glen: I understand that David Cake is on the call now.

Maria Farrell:ugh, back on now and I can still barely make out a word.

Marika Konings:@Maria - do you want to try with a dial-out to see if it is better?

Maria Farrell:hi marika, yes please. it's +44 1202 766 953. that's a landline - not sure why the quality is so bad when I dial in. thanks!

Marika Konings:We are dialing out to you now

wolfgang:sorry for being late. I was connected but I am disconnected again. Will try to re-phone.

Maria Farrell:Hi Marika, sorry, quality still really bad (though good enough for me to vote just now!). can you pls arrange another dial out to +44 7920 809 500? Will stay on the landline till that comes thru.

Magaly Pazello:Sorry for being late too. I hac problems with my connection.

wolfgang:I am now in. Thanks wolfgang

Jonathan Robinson:I see your hand petter. will come to you now.

Marika Konings:@Maria - we are dialing out to you on the other line now

Maria Farrell:THanks so much, Marika. I'm on - via mobile dial out - and the line is much clearer.

Alan Greenberg:Without trying to link tthis to the substantive issue, I point out that the STI, which was deemed by all to be implementation, was given by the Board to the GNSO for resolution, and then largely adopted the GNSO recommendation.

Alan Greenberg:Policy vs Implementation is a moot issue. The problem is the claim that if it is implementation, staff may work unilaterally.

Joy Liddicoat:No Brian- it is a completely different point

Maria Farrell:I think what we're asking, Zahid, is that the *Board* review its own decision, espec. as it's clearly written by outside counsel and so much of Bd is conflicted out of being substantively involved in this issue.

Alan Greenberg:As Jeff said, we have pushed hard to ensure that the PDP is not the only method that the GNSO can use to adopt policy (outside of formal Consensus Policies) and this says the Board can completely ignore such policy recommendations without even any discussion or community involvement (not only GNSO).

Thomas Rickert:@Zahid - hearing the community has a value as such as it will inform whatever decision may ultimately be taken.

Alan Greenberg:We don't have to have the authority to say something. Authority has to do with ability to enforce our comment.

Jeff Neuman:The basic problem here is that the BGC through this decision exceeded its authority by stating its view of the role of the GNSO. They are commenting on our role and we have the right to tell them that they are wrong

Alan Greenberg:If the Board follows Jeff's advice, they are in a real bind, since they have agreed to NOT take actions without providing a rationale.

Jeff Neuman:Even if you believe that the Board did not ignore the GNSO in the issue of TM+50, they are saying in the future they are able to ignore us

Jeff Neuman:@Alan, they can go back and rewrite a new rationale

Jeff Neuman:I could write it for them :)

Jeff Neuman:in a way that does not set this precedent with irrelevant dicta

Alan Greenberg:Yup. In my mind, that would be required.

Jonathan Robinson:The test for the reconsideration is very simple. A complex rationale may not be rqd

Jeff Neuman:@jonathan - completely agree

Jeff Neuman:all they needed to say was "the action did not violate an existing policy"

Jeff Neuman:That's it

Jeff Neuman:there was no need to write a litigation brief on the role of the GNSO

Alan Greenberg:This may set a new record high on agreement within Council!

Jeff Neuman:Normally opposing parties have their cases heard by an independent party that could weedthrough the irrelevant arguments

Jeff Neuman:here the BGC is both the defendant and the judge

Jeff Neuman:and there is no appeal

Osvaldo Novoa:Hi all, sorry I'm late, got stuck in traffic

Alan Greenberg:Saying that community input is not necessary for implementation. That may be the case on a particular detail because of implentability, but cannot be the case for a substantive issue.

Alan Greenberg:I would suggest that outputs not just focus on the GNSO but on the community and MSM.

Brian Winterfeldt:This is the first time we have heard these specific recommendations and rationale. Unlike others, I did not have private conversations with Jeff on this issue. So I am not in a position as IPC representative to support or oppose these recommendations. However, I do want to draw attention to the fact that both Zahid and I understandably had questions about these recommendations. It seems unfair that we were both interrupted, as somehow roaming outside the permittissable ambit of the conversation - when we are just trying to understand the issue being discussed.

Alan Greenberg:Jeff did present a lot of this via the Council e-mail list.

Maria Farrell:Brian, I think the chair did a good job in ensuring the discussion doesn't re-open who likes TM50 but rather what the implications are of the reconsideration request response for the GNSO. I thought Zahid's questions were very useful and threw light on important issues.

Jeff Neuman:All - I was not clear....i dont care if the Board adopts the outcome...I just dont want them to rubber stamp the rationale

Joy Liddicoat:@Jeff: you were quite clear :-)

Wolf Knobens:would a meeting with the BGC rather than with the board on this topic be helpful?

Jeff Neuman:I think it should be with both. The BGC just makes recommendations to the bd. It is the board that adopts it

Thomas Rickert:It is the chair's role to keep us focused.

Joy Liddicoat:@colleagues: i do not believe Jonathan has chaired improperly at all

Jeff Neuman:I just sent my OUTLINE to the council

Jeff Neuman:it is drafted in notes form as opposed to a written narrative, so please forgive typos, bad grammar, etc.

Alan Greenberg>Note that in this case, since it is new gTLD issue, it is the New gTLD Committee that approves (although curiosly the BGC has several "conflicted" people on it.

Jeff Neuman:I didnt see that note

Jeff Neuman:@Jonathan - I must have missed that note from the SIC.....can you tell us when it was sent/

RobH:i am happy to read the note, Jonathan

Ching Chiao (DotAsia):may I suggest that we combine IRD T & T PDP (14:30) with IDN updates (15:50)

Ching Chiao (DotAsia):+1 wolfgang

Ching Chiao (DotAsia):i have not seen the engagement center starting to play a role in our region

wolfgang:Is the Beijing office silent so far? There were a lot of celebrations and expectations in April

Maria Farrell:Is there a process for requesting that that office prioritise this issue?

Ching Chiao (DotAsia):at least from my end i did not hear / see anything

Maria Farrell:Or, say, a GNSO motion or letter encouraging it?

Maria Farrell:ok will take that question offline.