

**Policy & Implementation Drafting Team Meeting**  
**TRANSCRIPTION**  
**Monday 01 July 2013 at 1900 UTC**

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Monday 01 July 2013 at 1900 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-policy-implementation-20130701-en.mp3>  
On page:<http://gnso.icann.org/calendar#jul>  
(transcripts and recordings are found on the calendar page)

Attendees:

Holly Raiche – ALAC  
Cheryl Langdon-Orr – ALAC  
Mike O'Connor - ISPCP  
Jill Titzer – RrSG  
Kristina Rosette - IPC  
Jordyn Buchanan - RrSG  
Greg Shatan – IPC  
Anne Aikman Scalese - IPC  
Wolf Knoblen - ISPCP  
Chuck Gomes – RySG  
Tim Ruiz - RrSG

Apologies:

Eduardo Diaz – ALAC

ICANN staff:

Marika Konings  
Lars Hoffman  
Berry Cobb  
Mary Wong  
Nathalie Peregrine

Holly Raiche: Thank you and good morning, good evening, good day. Are there any Statements of Interest that need to be updated from anyone?

I'll take the silence as no. Thank you very much. The task we have for today, everyone, is, as far as I'm concerned, to approve the working group charter. If we don't do it today, we have a call scheduled for two days time. Our schedule from here is after, and what I'm hoping is after today, we will have finished with the charter. The things that have to happen is Marika can finalize the charter; I imagine we'll have to circulate it a final time, we then will need a motion to the GNSO Council, which Marika can draft, we need a couple of GNSO Council members to support these going to the GNSO Council for the Durban meeting, and after the meeting at Durban, we have two things scheduled, one is for another meeting of the group at 7:30 on Saturday, and that's a very good reason why in fact we should be finishing

today. We also have just another meeting for sort of a roll call and that would be—no, sorry, it's—Marika, when is our Durban meeting? Seven thirty something? Thursday?

Marika Konings: Yes, I believe it's Thursday.

Holly Raiche: Right, okay. So, there's a little bit of an incentive for people to (audio interference) before then. We are meeting just prior for the roll call on Saturday at 11:30, which is very simple a time. So, that's what we have to do today, and Cheryl and I, since this is at 5:00 on Saturday—sorry, 5:00 on Tuesday morning, I'll be very firm with you that we should finish today. So, what I propose to do just go through and assume that what is on your screen and what has been circulated to everyone will be the final version, and we're going to do an approval by really exception, so I'd like to start off with a signoff on mission and scope. Now everybody received the latest version, and by the way, thank you very much, Mikey. It's also on your screen. Is there anyone who wants to make any further changes to mission and scope, and I'll give you a couple of minutes to think about it or to read it; otherwise I'm going to assume that everyone is happy with it. Sorry, counting to about a hundred (audio interference).

Wolf, are you happy with it?

Wolf-Ulrich Knoben: Yes, thanks, Holly. I have just a question for clarification on the mission and scope, and maybe it's just a little thing. Under point, I think point 5 right now, is that it's (inaudible) in my version here, means further guidance on how GNSO implementation with your teams are expected to function and operate. Is it, to be clear, that it is on how GNSO policy recommendation implementation with your teams are expected? Is that the meaning? So, I understand it in this way. You know...

Holly Raiche: Now, I can see your point, but are you suggesting that number 5 is rather broadly drawn and we could, or as far as I understand it, the intent of number 5, but, look, I will be guided by Marika and anyone else.

Marika Konings: Yes, this is Marika. I can maybe clarify. Because basically, the term GNSO implementation review is defined in the PDP manual, so.

Holly Raiche: Uh-huh.

Marika Konings: Maybe to clarify this, it will be helpful just to add maybe in commas, 'further guidance in how GNSO implementation review teams as defined in the GNSO PDP manual are expected to function and operate'. Maybe that's specified as specifically intelligent (ph) to relate to those folks that already have a definition in the PDP manual, but currently there's not much guidance around how they should operate or what kind of form they should take, so I think that was what was behind this question.

Wolf-Ulrich Knoben: Okay.

Marika Konings: (Inaudible)

Wolf-Ulrich Knoben: That is very much defined in the PDP manual, I understand.

Marika Konings: Yes, that's correct.

Wolf-Ulrich Knoben: Okay, that—I didn't realize that. So then, it's okay for me, thank you.

Holly Raiche: Fine, I'll (cross talking)

Cheryl Langdon-Orr: Well, it's Cheryl here. I still think you've raised an important point for an average reader, and I'd be very supportive of having a reference as defined in the PDP manual as an annotation on that point 5.

Holly Raiche: Anne has her, now Anne agrees, thank you. Is there anyone—I'm assuming that everyone else agrees? Can you just put a little tick, if you agree?

Thank you, Greg. And, I'm taking silence for agreements since I don't see a lot of ticks.

Cheryl Langdon-Orr: Well I'm not going to be bold enough to agree with myself, you know.

Holly Raiche: I think we certainly agree.

Cheryl Langdon-Orr: Chuck never agrees with me, so yes.

Holly Raiche: I think with Chuck and Mikey have problems with you about it.

Okay, going once, going twice.

Cheryl Langdon-Orr: Has Mikey put his hand up?

Holly Raiche: Oh, Mikey, go ahead.

Well, what happened with his hand?

Cheryl Langdon-Orr: Oh well.

Holly Raiche: Everybody, look, that's terrific. Marika, from what I am looking at, everybody agrees with the mission and scope with that final suggestion that you put in which is to add on point 5 'after review teams as defined in the GNSO...' etc. What would you phrase as defined in?

Marika Konings: The PDP manual.

Holly Raiche: The PDP manual, okay. So, with that addition to 5, then I think we're all okay with the mission and scope. Yay! Thank you, everybody.

On to the objectives. Again, are there any comments from anyone that they would like to make about the objectives and goals, and that would be the paragraph that's on the screen followed by—excellent. Are people happy

with the paragraph or people would second and then we can look at the recommendations.

Very short pause, Cheryl. I'm taking the silence and for lack of anyone's hands up...

Cheryl Langdon-Orr: Wolf again?

Holly Raiche: Is say, I think people are happy with the first paragraph.

Wolf-Ulrich Knoben: Yes, thanks. Again, a question maybe because I was not attending the last meeting...

Holly Raiche: Okay, sorry.

Wolf-Ulrich Knoben: It is about point 5—4 in your objectives (inaudible) to understand.

Holly Raiche: (Cross talking)..

Wolf-Ulrich Knoben: Are 'those written provided framework for implementation work that is predictable, repeatable', and I'm asking what does it mean repeatable? Is it the same as or is it in that context to be meant as reusable or is that different? So, I would understand that it's, if it is reusable, then I would understand it. Repeatable, maybe a little bit different. Can you explain or somebody explain that please?

Holly Raiche: Thank you, Jordyn. Thank you, Wolf. Jordyn has his hand up. Jordyn, go ahead.

Jordyn Buchanan: Yes, so (inaudible) drafted these adjectives so, and I'm not super beholden to them, but the intent of repeatable is that today we get sort of random implementation efforts that are custom, that are tailored to each individual implementation effort. So, you know, we will get one process is used for the DW Deadwood and a different process was used to resolve the strongman and a different process is used to deal with the current RPM negotiations, and so the idea behind repeatable is that you would have a consistent process that you use same process over and over again instead of, so reasonable may be another defined term, but the idea is that it's consistent, at least, as opposed to making up a new thing every time.

Holly Raiche: Jordyn, could I pick up a point that Mikey has put in chat, which is 'replacing repeatable with consistent' and Wolf would it...

Jordyn Buchanan: Yes.

Holly Raiche: Okay, Wolf, would, if it, if repeatable is replaced by the word 'consistent'.

Wolf-Ulrich Knoben: Yes, very good.

Holly Raiche: Okay. Marika, could you make a note of under the recommendation point 4, you will replace 'repeatable' with 'consistent'?

Marika Konings: Yes, I've noted that.

Holly Raiche: Excellent. Does anyone else have any further comment about the recommendations? Brilliant. Absolutely brilliant. Okay, we're starting, we're just about finished this. We've had less discussion on this so I expect the next line may require some more (audio interference)

Anne: I don't know whether it's germane to this section or my view is (inaudible).

Holly Raiche: I agree to consistent but check mark (inaudible)

Thank you, Anne. 'Consistent' is just fine. Away we go. Okay. The recommended working group tasks, numbers 1 to 6, are there any comments on 1 to 6?

So, we've not had any remark. I don't see any hands. I don't see anything in the chat. Marika, could you just make a note that we have all agreed on the recommended working group tasks.

Cheryl Langdon-Orr: Sorry, Holly, it might just be me but I can barely hear you. Can you (cross talking).

Holly Raiche: Sorry, no, it's my lecturing voice still. Sorry.

Cheryl Langdon-Orr: I could be yelled at, that's fine. Just yell louder so we can hear you.

Holly Raiche: Fine, I'll be yelling. Now, the next we have not spent much time at all and we may be spending a bit more time on this. Could we start with the 'working group may find the following question helpful for completing the work'. This is a relatively new section, so I'm happy to wait a couple of minutes to see if people want to comment on any of the questions 1 to 7, plus all the little subpoints.

Wait a minute, Anne has a question about objectives. Okay, Anne, do you want to talk to your suggestion, which is in the objectives, the suggestion that we'd say 'existing and possible alternatives to PDP'. And, where would that fit? So, 'end states and possible'. Mikey, go ahead.

Mikey O'Connor: I'm going to put words in Anne's mouth, I feel her pain. I think what she's trying to say is add the word 'existing'...

Holly Raiche: Yes.

Mikey O'Connor: To the sentence. So, she's just typing it, a drop in replacing it. I think the new wording would be '(inaudible) a clearer understanding of both potential goals, end states...'

Holly Raiche: 'Existing and possible'.

Mikey O'Connor: Existing, 'and for existing and possible alternatives to the (audio interference)'.  
Holly Raiche: I'm going to say 'a clearer understanding of...'—well we've got to get rid of the word 'both' because now we've got three, don't we? Both with potential goal—no, actually, both the potential goal. Actually that's...  
Mikey O'Connor: Yes, it's still both. So, I think it would read 'for existing and possible alternatives to the PDP.' So just insert the word 'for'...  
Tim: It's Tim, can I ask a question?  
Mikey O'Connor: Yes, go ahead, Tim.  
Holly Raiche: Yes, Tim, go ahead.  
Tim: And, I'm not sure I agree with that. I don't understand what the existing alternatives would be, and if there aren't any, wouldn't that still be encompassed in the possible alternatives? So, I'm not sure where we get to if I say an existing other than to confuse the situation by bringing up the question then, 'what existing alternatives are there?'  
Holly Raiche: And, as (cross talking)  
Mikey O'Connor: This is Mikey again. I love Jordyn to comment in chat too.  
Holly Raiche: Yes, it's not grammatical, I agree. And Marika has pointed out that in fact, there are no defined alternatives, so saying 'existing' is a bit misleading. Do we make this grammatical while we're at it? Jordyn, do you have a suggestion on how we can make number 1 grammatic...  
Jordyn Buchanan: To make it grammatical by making it unwieldy. I'm trying to (audio interference).  
Holly Raiche: That's the sort of the Winston Churchill (inaudible) which I will not put.  
Jordyn Buchanan: (Inaudible) the drafting text in the background so give me a second to see if I can (audio interference)  
Holly Raiche: Okay. Tim has his hand up too. Go ahead.  
Tim: Yes, I just want to just to read what I think it says just to make sure because it says 'provide a clearer understanding of both the potential goals, end states and possible alternatives to the PDP'.  
Holly Raiche: That's three things, not two, so both (cross talking)  
Tim: It sounds like three things but you know.  
Holly Raiche: Yes.

Tim: Okay.

Holly Raiche: Jordyn is drafting something that is in his mind grammatical.

Jordyn Buchanan: (Inaudible). The only problem is that the word 'two' is being implied to goals and end states and it should be 'of', so.

Holly Raiche: Yes. Yes, I think you're right. Anne is saying, "Marika, can you respond to Anne in the chat?" Anne's saying "I have just the impression that there are other mechanisms being used as it is although not well defined."

Marika Konings: This is Marika and I think there are ad hoc mechanisms but I think that's exactly the purpose or one of the purposes of this working group will be to define possible alternative mechanisms, but I agree with what Tim said that putting existing alternatives gives an impression that there is already something defined. So, I would be concerned. I mean, it's misleading where people believe that there's already something in place that they want to look at, so I don't really have a suggestion on how to clarify that but I think we have to be careful not to give the impression that there is already something that currently is not well defined or formulated somewhere.

Holly Raiche: And Mikey, you put your hand up.

Mikey O'Connor: Yes, I think that where things Sam (ph) went off the rails is the inserting of the 'alternatives' and so, you know, the original text is fine 'provide a clearer understanding of both potential goals and end states of the PDP.' Then we 'inserted possible alternatives' so that dumbed up the sentence pretty good. One way to do it would be to say, 'provide a clearer understanding of semi colon or colon or whatever the potential goals, comma end states, comma, and possible alternatives to comma the PDP.' There'd be a way to (inaudible) on that sentence but I think the key thing is we're really just talking about three things, we inserted one of them, we didn't change the front part of the sentence to match the back.

Holly Raiche: I know. Look at what Jordyn has suggested in the chat. It says "Provide a clearer understanding of both the potential goals and end states of policy development mechanisms including possible alternatives to the PDP." And Cheryl, I think I don't, I'm going to meet the Chair to say, I don't think we need the additional words. I think including 'possible alternatives to the PDP' picks up the point that they aren't there. I'm taking silence and the lack of (cross talking)

Cheryl Langdon-Orr: No, Jordyn...

Holly Raiche: Yes.

Cheryl Langdon-Orr: Cheryl, it's me, Holly.

Holly Raiche: Yes.

Cheryl Langdon-Orr: I'm not as comfortable with including 'possible alternatives to the PDP' being linked with both the potential goals and end state goals. Taking it back to sort of Mikey's point, I'd be happy if both that's referred to the potential goals and end states or policy development mechanisms, and then taking what little scribbles you put where we are breaking it into two, as Jordyn was saying, but if you do want to just sort of link it with a semi colon, it could be something more along the lines of 'as well as' because that's a additional point as opposed to an inclusive point.

Holly Raiche: Okay, let me list (ph), Chuck is next. Chuck, do you want to add sort of...

Chuck Gomes: Well, I'm struggling with the whole idea 'this working group considering alternatives to the PDP'. I'm not—I'm okay with them making some suggestions that maybe should be done, but I'm not sure it's this working group's task to provide an understanding of possible alternatives to the PDP.

Holly Raiche: Well, that just got Mikey and Tim—oh, we've got about three there. Okay, Mikey. Next, Mikey, then Tim and then Jordyn.

Mikey O'Connor: I tend to agree with Chuck a bit. I certainly think loading the possible alternatives into this first sentence may have overloaded that point; that at a minimum we'd want to break them. The footnote is helpful. I think that what's trying to be provided there is a landing pad for some sort of, in Marika's working paper, there was some policy, I think, called a policy guidance working group as opposed to a full PDP, and so this was...

Holly Raiche: Mm-hmm.

Mikey O'Connor: Laying the groundwork for maybe taking a look at an alternate process like that, but it certainly overloads this first bullet to throw it in there. At a minimum, I'd be a lot more comfortable pulling it out into its own (inaudible).

Holly Raiche: Okay, thank you. We've got Tim, then Jordyn, then Greg. Tim, go ahead. And Marika as well. Marika go ahead.

Marika Konings: Yes, maybe I can make a clarification. This is Marika. Within the footnote, actually, here specifies what this means with the possible alternatives because they're directly linked to item 2 above that says "a process for providing GNSO policy guidance, and the footnote expands as well. I think the alternatives we're looking here at will be those items where you don't need consensus policy or you're not aiming to develop consensus policies. So, it's looking at alternative mechanisms to provide policy recommendations that are not intended to result in consensus policy. So, if it is confusing here, you know, I don't see any issues with deleting it here because I think we are stating clearly above in the set of recommendations that we are looking for a process for providing GNSO policy guidance. So, but I just wanted to specify or make sure that people see the footnote as well that actually clarifies what these alternatives may be.

Holly Raiche: Thank you, Marika. We've got, okay, Tim next. Thank you.

Tim: Yes, actually that was my point was that, you know, taking into account footnote 1, I think—I would hope that might satisfy some of the concerns that Chuck and Mikey might have; and in addition, you know, what we're saying here is provide a clearer understanding. So, I don't think we're, this is something well-intended that working group would pick up and go off and start trying to define new processes but provide a clearer understanding of the lay of the land, so to speak, and what possibilities are; that might result in needing to go off and doing more and additional work and some of those things. So at least that's my understanding of what we're looking at here.

Holly Raiche: Thank you, Tim. Jordyn?

Jordyn Buchanan: Yes, so I mean, I think it's important to have the sentiment captured because it's sort of independent of whether or not we think that it's the job of the working group to develop some alternatives to the PDP. I think it's absolutely clear to me that there is at least some members of the GNSO community who think that the GNSO and/or the Council engage in policy development that it's not encompassed within the four corners of the PDP, and today I think that that policy development work is, the output of that is captured entirely and consistently, if at all, and if we want policy development outside of the PDP to be meaningful in any way, we have to, the working group has to at least sort of think about what the, you know, what that means to have a policy that's created not through the PDP. And, I think if we don't explicitly charter the working group to consider non-PDP policy development work, then we're missing a big part of what I think a number of people think of as policy today. I just want to make sure that we, you know, my goal in sort of an end state that's good for the working group is that we sort of know at the end of any process like 'Oh this is a—this is what the policy is. It can be documented, it can be acted upon by future generations of ICANN implementers and/or volunteers can, you know, lest we encompass both what it comes out of the PDP, which I think we're already pretty good at as well as these other mechanisms that are, to Marika's point earlier, not very well defined or described, I don't think this working group's going to have as much of an input—impact as it could because we'd only be solving the problem that's already well, relatively well solved today.

Holly Raiche: Thank you, Jordyn, for that. We've got Greg and then Chuck.

Gregory Shatan: Hi, it's Greg. I think that one thing that may be helpful to clarify is kind of the scope around this point of alternatives to the PDP. I think that we would be creating a working group to be too narrow in scope of it could not discuss the alternatives, you know, anything other than what happens within the parameters of the current PDP and the current atmosphere, but I think we may be going too far if it makes it seem as if this group is being chartered to actually come up with details, alternatives I think that the middle ground would be to, and this should be explicit in the charter, would be to make recommendations which could then be the work of other working groups or maybe some form of subgroup, but probably other working groups that would look at alternatives to the PDP. My only hesitation as I hear myself

saying this is, whether I live long enough to see that second PDP if you (inaudible) recommendations. So, you know, I could be convinced that maybe this working group should be the omnibus working group for all such things, but I struggle with that because that seems I think to be a big stretch based on kind of the, of how we got to where we got so far. Thanks.

Holly Raiche: Yes. Greg, could I, just a question. Given that we're not actually defining the process, any alternative process, the recommendation says, 'provide a clearer understanding of both potential goals...' and let me if I find Jordyn's wording (audio interference) 'provide a clearer understanding of both the potential goals and end states of policy development mechanisms as well as possible alternatives,' and Cheryl had a comment there. Does that capture the middle ground that you're talking about, which is, we at least want to document the fact that there may be some possible alternatives to PDP but they're not consistent, documented or whatever, and what we are doing, what we are asking the working group to do is to provide a clearer understanding of that. Does that hit your middle ground?

Gregory Shatan: Well, I think what I would look for the working group to do, while it should survey what, you know, ad hoc attempts at alternatives to the PDP already exists, I think that the thrust should be making recommendations for some sort of consistent and non-ad-hoc alternatives to PDP but without sitting down and—but not going so far as to create those new alternatives completely.

Holly Raiche: Okay. Okay, then does the, does Jordyn's suggested words as suggested in the chat plus some modifications, does that get you to where you want to go? Just trying to solve this now so (cross talking)

Gregory Shatan: Right.

Holly Raiche: And after that, Chuck.

Gregory Shatan: I think it's getting there. I'm not sure if it's clear or it needs to be more clear, but I'll—I'd like to hear what Chuck has to say.

Holly Raiche: Okay, Chuck, go ahead.

Chuck Gomes: Okay. This is Chuck. And, I think Greg expressed pretty well why I was concerned about this particular addition, but let me propose an alternative and see if this works. So, what if we change number 1 to say 'provide a clearer understanding of the potential goals and end states of the PDP and in the alternatives to the PDP'. So, what I'm doing is to say, we're looking at potential goals and end states certainly of the PDP but also any alternatives of the PDP.

Holly Raiche: And, Jordyn says that's fine. Now Tim said "I'm okay with Jordyn's alternative." What about, Tim, what about Chuck's alternative that he's just articulated? Greg, go ahead, your hands up.

Gregory Shatan: I think it's a little bit different. I think we're kind of mutating a bit. I think what we had before was kind of a two-pronged statement which was to understand the potential goals and end states of the PDP, and also to understand possible alternatives to the PDP. I think that we shouldn't limit ourselves to only understanding potential goals and end states of possible alternatives to the PDP, but more broadly the working group should be considering possible alternatives to the PDP including but not limited to their goals and end states, but you know, more particularly should be looking at the potential processes and parameters for those alternatives to the PDP.

Holly Raiche: Thank you. Marika, you've got your hand up.

Marika Konings: This is Marika. To Greg's point, I think that's already covered in item 2 above. I think there it's clearly stated that the working group is expected to provide recommendations on a process for providing GNSO policy guidance, and I think in looking at objectives and goals is basically looking at what are those recommendations expected to include, and I think that Chuck's rewording basically addresses that point because it's basically back to looking at the process of the working group will develop for providing GNSO policy guidance and providing a clear understanding of what the potential goals and end states of that alternative process would be. So, I think it's already encapsulated in those parts of the charter looking at them together. At least that's my interpretation of it as it currently stands.

Holly Raiche: Thank you, Marika. Cheryl and then I just want to go back after that...

Cheryl Langdon-Orr: Thanks.

Holly Raiche: Chuck, to see if Marika has captured what Chuck intended by his rewording. Cheryl, go ahead.

Cheryl Langdon-Orr: Thanks, Holly. Cheryl here. I was busy typing and realized that what was happening was my text wasn't going anywhere but my hand has accidentally gone up. What I was typing was actually to Chuck to see whether he felt that Anne's words or a variation on them with the same intent would be a friendly amendment to his text because I think the specificity of it being the consensus policy is really important on this text.

Holly Raiche: Okay. Chuck, (cross talking)

Cheryl Langdon-Orr: I know it's in the footnote, but you know.

Chuck Gomes: Okay.

Holly Raiche: Okay.

Chuck Gomes: Do you want me to go ahead? This is Chuck.

Holly Raiche: Yes, Chuck and then Marika's got a comment after that and then Tim. So Chuck, go ahead.

Chuck Gomes: Okay. And Tim's welcome to go first if he'd like.

Holly Raiche: Okay.

Chuck Gomes: No, anyway, I have a concern about Anne's...

Holly Raiche: Yes.

Chuck Gomes: Comment on the text. Alternatives may not necessarily generate consensus policy. Consensus policy needs to follow a very formal process making sure that all stakeholders are involved and have adequate opportunity for input and so forth, and I believe that some of the alternatives we're thinking of don't require the same rigor. And, if as soon as we tie in, make the connection to consensus policy that there's a problem because consensus policy does need to have that rigor.

Holly Raiche: And, while Jordyn has said, "The only way to develop consensus policy is through the PDP." so I think that point needs to be made.

Chuck Gomes: Yes.

Holly Raiche: Okay. Now Tim is next then Jordyn. And Marika, is your hand still up? Is that a new hand?

Marika Konings: It's a new hand.

Holly Raiche: Okay, go ahead.

Marika Konings: This is Marika. I just want to actually confirm what Chuck and what Jordyn's saying as well in the chat that the bylaws are specific that if you, as the outcome, our consensus policies you need to go through a PDP and I don't think it's the objective of this working group to look at alternatives for developing consensus policies. I think (inaudible) are clear. So, I just wanted to emphasize that.

Holly Raiche: I think that's clear. Jordyn, your hand is up.

Jordyn Buchanan: Yes, exactly. And, I think what we need is the opposite of that, right. Well we don't need other ways to make consensus policy; what we need is a way to formalize or at least to capture. I mean really (audio interference) the starting point to capture all the work that the Council does and/or the community does that is not—so basically today, if we don't pass a consensus policy as the result of policy development process, of a formal PDP, then a year from now, your work has gone into a black hole because there's no formal operationalization or even record other than sifting back through old council resolutions or old work group, work rules and so. There's a list of the consensus policies and they don't even get added to the list of the consensus policies until the implementation work is done, which is a separate problem. But, there's absolutely no sustained record of any policy output of the GNSO other than consensus policy, and I guess the whole goal of this bullet point is at the very least we should capture, and

possibly we should think about formalizing a little bit a process that doesn't result in consensus policy because I think there is policy work that goes on that doesn't result in consensus policy and there should be some way to document before that.

Holly Raiche: Okay. Now, we've got at least three or four versions floating around of—on number 1. Could I suggest, I think it was Jordyn, could you go back to what you suggested to address that? And then we can just, Jordyn, between Jordyn and Cheryl, we might actually make sure that that's what we captured. And Anne, you have just, there's little ticks that I'm not sure who you're agreeing with at this stage. Did you want to say something?

Okay. What she's saying in the chat "Only so it should be clear that any alternatives the working group is looking at should be not be directed at a consensus policy and that's why some are existing unless we want to say 'the working group should examine possible bylaw amendment.'" Ooh, I don't think we're doing that. Are we doing 'examining possible bylaw amendments for different ways of developing consensus policy?'

Marika Konings: Nope.

Holly Raiche: I don't think so. Mikey's saying "How about Chuck? Chuck, do you want to repeat what you said?" Actually, Mikey, go ahead.

Mikey O'Connor: This is Mikey. I think that there is two candidates. Well, there's three, there's Jordyn's...

Holly Raiche: Yes.

Mikey O'Connor: Rework and then there's Chuck's one and then Christina typed one into the chat.

Holly Raiche: Yes. Yes.

Mikey O'Connor: And, I'm quite comfortable with Chuck's approach and Christina's. I've forgotten what Jordyn's was but I think we are mashing this one to a pulp and we should...

Holly Raiche: Yes, I know. (Inaudible) signoff on something. Chuck, could you repeat what your recommendation was and see if it just ticks the boxes, and then I want to find out if people are happy with Chuck's including whether Jordyn's there.

Chuck Gomes: Yes.

Holly Raiche: And after that Tim.

Chuck Gomes: Sure. This is Chuck. I'll repeat it here: 'provide a clearer understanding of the potential goals and end states of the PDP and in the alternatives to the PDP'.

Holly Raiche: Now, can I take a vote on that please?

Actually, Tim, do you want to go first and then we can have a vote?

Tim: Well, if we're going to go with that, I'm good with that. There was a couple of other suggestions in the chat and I was just concerned about some of those.

Holly Raiche: I know, and Jordyn's going "Grrr."

Now, Anne, would you explain why you don't like that?

Every—people are typing. And Jordyn, could you explain why you've got 'grrr' on there?

Jordyn Buchanan: So, because I didn't actually transcribe Chuck's proposal correctly.

Holly Raiche: (Cross talking)

Jordyn Buchanan: (Inaudible)

Holly Raiche: And, I need to understand why you're not happy with Chuck's.

Jordyn Buchanan: I'm totally happy with Chuck's. I was just, I'm happy with my (inaudible) anything about Chuck's suggestion.

Holly Raiche: Okay, Anne is saying "It does not make it clear that the working group is not supposed to develop alternatives that require consensus policy development."

Marika Konings: This is Marika. My understanding is that the footnote would say, and that basically clarifies it as dealing with situations in which the output of the policy development effort is not a consensus policy. I think the footnote should clarify that because my assumption was that that would say...

Holly Raiche: Okay, and...

Marika Konings: (Inaudible)

Holly Raiche: And Anne has removed her objection, so I think we'll go to Chuck's wording, and I'm, if I don't see anything in the next or anything in the chat in the next 60 seconds (audio interference). Marika, your hand is still up?

Marika Konings: Sorry, taking it down.

Holly Raiche: Talk amongst ourselves and wait for anybody to put their hand up or. I think we have consensus—or I shouldn't say that word, sorry.

Hands up, yay! Thank you. Moving right along, since we all agree on number 1. Okay. Now, the recommended working group tasks, these have

had very little changes, so I'm assuming most people are comfortable with that text. Oh, going fast. (Inaudible) speak now or forever hold your peace.

Right. I shall be clear, there is agreement. I won't use the word 'consensus', agreement on the recommended working group tasks. We have a relatively new section here 'the working group may find the following questions helpful for completing the work'. I'm giving everybody reasonable, a couple of minutes just to read through these and see if we can agree on these. And, if you'll remember, people, this is, these were, came largely from Mikey's suggestion. (Inaudible)?

Cheryl Langdon-Orr: Sorry, sorry, my voice faded again. Cheryl, I apologize.

Holly Raiche: Oh Greg, I'm sorry. Mike and Greg's, my apologies, you had your hand up? Yes, Tim?

Tim: Yes, I'm okay with the question. I was just that first, the lead-in sentence doesn't, it says "For the working group may find the following questions helpful for work." Is that...

Holly Raiche: What is, what's been added is for completing the work.

Tim: Okay, I—oh okay, I didn't see that because it was in the same color as what was crossed out. Never mind.

Holly Raiche: I think on the chat is remarkably fast. This is brilliant. Is this consensus by exhaustion?

Cheryl Langdon-Orr: Hardly.

Holly Raiche: Okay. Greg, go ahead.

Gregory Shatan: Just to nitpick, but I think that in—if we're already down to 4d, I would probably make that an 'e.g.' rather than an 'i.e.'

Holly Raiche: Wait a minutes, are we—we're at the 'working group may find the following questions', you're at 4d?

Gregory Shatan: Four d.

Holly Raiche: Oh, you're saying 'i.e.'...

Gregory Shatan: I think should be 'e.g.'

Holly Raiche: Is there anyone who would like to speak against changing the 'i.e.' to 'e.g.'?

Jordyn Buchanan: Could be either. This is Jordyn. I mean, I think it's not (inaudible), I think that is actually the problem with that question was trying to address not just an example of it.

Gregory Shatan: I'm happy either way, frankly, so in the interest of consensus or whatever we might want to call it, I'll withdraw that thought.

Jordyn Buchanan: Yes, I don't care (audio interference)

Holly Raiche: You've got Mikey's nitpick award of the day, I think.

Gregory Shatan: Honored.

Holly Raiche: Greg?

Chuck Gomes: Actually (inaudible).

Holly Raiche: Greg, your hand is up. Do you want to say anything further?

Gregory Shatan: A phantom limb.

Holly Raiche: Right, okay. Moving right along. Hey, we're even going to have a short call here. I'm assuming since I haven't seen anything in the chat, other than Mikey, that everybody's happy with the questions that are going to assist us.

Anne: Hi, it's Anne. I think my microphone finally kicked in. Can you hear me?

Holly Raiche: Yes.

Anne: I'm sorry, I forgot to raise my hand but I was noticing in 5, question 5 'what options are available for policy and implementation efforts, and what are the criterias for determining which should be used'. So here, going back to the point of whether or not we're talking about consensus policy or something else. So 'what options are available for policy efforts' will mean other than consensus policy efforts?

Holly Raiche: Mikey and Chuck. Mikey, go ahead.

Mikey O'Connor: This is Mikey. I wrote that one and I wrote it basically looking at Marika's chart in the working paper and really meant it in the broader sense, not just consensus, you know, so it's (inaudible) intended to align with the sentiment that we came out of the last long conversation with Anne.

Anne: Right, that there weren't, that means (inaudible) is not supposed to be looking at alternatives to development of consensus policy then.

Mikey O'Connor: No, what Marika laid out is that there are several channels through this process, and all I was trying to get at in this question was, what are the criteria by which appropriate channels should be chosen? I wasn't in any way thinking about coming up with alternative ways to (inaudible).

Anne: Yes, just a comment that as a newcomer, it's not clear to me that 5 does not involve other ways to do consensus policy. But, then again, I'm a newcomer.

Holly Raiche: May I suggest here that what—the words are not consensus policy but something more broadly drawn, so I tend to, I don't see that number 5 is asking all the 'are there alternatives to consensus policy'. I think it's a more broadly drawn question, and the answers are reflecting of what's been gone, what the text before which is the need to understand and perhaps have some consistency in other forms of policy other than the PDP because the PDP and consensus policy already has its very own structures that are formal and have to be followed. So, the fact that in 5 we don't have the word 'consensus policy' to me means we're not talking about changing it, which we wouldn't do anyway.

Cheryl Langdon-Orr: (Inaudible) policy, as Tim would say.

Holly Raiche: Well, yes, 5b talks about quite the flavors. I think that's what we're trying to get at there. So, with that explanation, Annie, happy to proceed?

Anne: And, I guess it just doesn't in plain language mean the same thing to me as those to the rest of you because to me, it just it seems to encompass the fact (audio interference)...

Holly Raiche: What (cross talking)...

Anne: The quality of alternatives to...

Holly Raiche: What...

Anne: And, what options are available...

Holly Raiche: Anne, what I'm asking you is, what would you change to make yourself comfortable with this sentence? And this (inaudible) with this question.

Anne: I'd probably put 'to risk other than consensus policy' after the word 'policy'. In other words, what options are available...'

Holly Raiche: Well (cross talking)...

Anne: Policy paren (ph) other than consensus policy pause (ph) paren and implementation effort. And, I would like to make it clear, I would make it clear that...

Holly Raiche: We've got Mikey (cross talking)

Anne: The door's not open to...

Holly Raiche: We've got three hands up. Mikey, go ahead.

Mikey O'Connor: I want to clarify, you know, I keep dragging us back to this...

Holly Raiche: Yes.

Mikey O'Connor: What I think is a very good working paper that Marika and others prepared. Consensus policy is an option that needs to be (inaudible). There are times when the choice that needs to be made is yes, we need to do consensus policy, and thus we should do a PDP. There are other times when there are policy decisions that aren't consensus policy and there may be the opportunity to come up with some sort of expedited policy advice process that's also laid out in the working paper. So, I don't want to exclude consensus policy; I want to make it clear that consensus policy is part of this deal but that we're not remaking it. It's just how to choose when to use that particular channel (ph).

Holly Raiche: Thank you, Mikey. Chuck?

Anne: Okay, this is Anne again. I didn't really quite understand that, Mikey. I thought that you would—that this is another question that related to the alternative to consensus policy, but what you're saying is this question's really about when you use which style of policy making.

Mikey O'Connor: Exactly.

Holly Raiche: Okay, we (cross talking)

Anne: So, the word 'options' (audio interference)

Holly Raiche: Could we hear from three people and then we can get back to Anne. Chuck, go ahead?

Chuck Gomes: Thanks, Holly. Chuck speaking. I was okay with the wording as it is because I didn't think it necessarily implied consensus policy, and I was going to say what Mikey just said. So, I won't repeat it other than to say, yes, this has got to include the consensus policy, we can't exclude that, but it doesn't have to be restricted to that. So, how about this as an alternative. What options are available for policy, and then in parenthesis put 'Consensus or not'.

Holly Raiche: Consensus or other. What about 'consensus or other'?

Chuck Gomes: That's fine. Yes, same thing. That's it for me, that's fine. And 'implementation efforts and what are the...' and so on. So, we just put that parenthetical in there to make it clear that it's not restricted to consensus policy nor does it exclude consensus policy.

Holly Raiche: Okay, let's listen to Jordyn and Greg and then we'll get back to Anne, okay. But just keep that thought in mind. Jordyn, go ahead.

Jordyn Buchanan: Yes. So, this is Jordyn. I'm totally fine with Chuck's recommendation. I don't think it's necessary. I mean, I think the point of this question is simply to survey the set of options that are available that will include the PDP which is intended to create consensus policy, or at least have the capability of creating consensus policy, as well as potentially other mechanisms, which may not be capable of creating consensus policy. I mean, this isn't directed

one way or the other, I don't think. It's an inventory of options that are available for policy making so which will be consensus policy or not. So, Chuck's clarification is fine. I don't think it's necessary but I don't have a problem with it.

Holly Raiche: Thank you, Jordyn. Greg?

Gregory Shatan: I think that Chuck's question kind of brings out that there's an implicit question that's not being asked here and I think that may, on which they would not necessarily be agreeing with, which is, whether policy should be set in a manner other than one that involves consensus. I think if we're using the term 'consensus policy' to mean that which results from a PDP, that's kind of a narrow definition of consensus policy. I think that I would, and I don't think that's clear from the way it's being used here if that is the intention of how that term is being used. I think that even an expedited process ultimately could, and in the view of some, should, still involve consensus policy making. So, I guess the alternative to consensus policy making is majority rule policy making, which I have a problem with as a concept as I think that, you know, radically changes, is a, radically changes kind of the whole consensus-driven multi-stakeholder model. And so, I think that maybe we should put it in as a separate question. Should policy by whatever process be set by a method that it does not involve consensus.

Marika Konings: Holly, can I maybe add a clarification here...

Holly Raiche: Yes, (cross talking)...

Marika Konings: Marika here (cross talking)

Holly Raiche: Because you're next.

Marika Konings: Greg, consensus here doesn't mean recommendations that are developed by a consensus of the community. Consensus policy, that maybe we should indeed put it between, you know, two brackets to really make clear. Consensus policy is a defined term in the bylaws; that it has specific meaning, so maybe putting that between parenthesis may clarify that this is a defined term, and we're not suggesting here that there's some policy that are developed by consensus and others that are, you know, where everyone disagrees. So hopefully, that will address your concern if we do it that way.

Gregory Shatan: Yes, I think it needs to be clarified in the footnotes 'as defined in the bylaws' or something like that. So, I don't want it to be implied that we're kind of talking about some other form of policy that could be, that could come out of a non-consensus methodology.

Holly Raiche: Okay, I think with a capital 'C' and a capital 'P' and...

Gregory Shatan: Yes.

Holly Raiche: And, in brackets then which is what Jordyn is suggesting, that makes it clear it is, it has a very specific meaning.

Gregory Shatan: Yes, I agree with that.

Holly Raiche: Okay, Jordyn...

Gregory Shatan: (Cross talking)

Holly Raiche: Jordyn, your suggestion is fine. Okay, we've got, and we've got some agreement with that between Anne and Cheryl. Tim, your hand is up?

Tim: Yes, I'm just wondering if—and I don't know if there's an appropriate place for it or not is, if whether it's here or anything else that we're doing that, you know, we should precede some of this work with certain things like the fact that when we talk about consensus capital 'C', policy capital 'P' that we mean consensus policy as defined in the GNSO bylaw or in the bylaws, and just as a blanket statement somewhere somehow so that it's clear so we can use that without having to—it's going to be difficult trying to clarify that every time we use it so we need to just make that clarification once and then use it consistently, appropriately throughout whatever document we're doing. Capitalizing when it means that definition and not when we're not talking about something else.

Holly Raiche: I think that's fair enough. Marika, if we can have Tim's suggestion, another footnote: consensus policy with capital 'C' capital 'P' means consensus policy as defined in the bylaws, and that makes it very clear. Now, Marika, you've got your hand up.

Marika Konings: I'm sorry, no that's my old hand but I'll say that I'll make that change.

Holly Raiche: Okay. Now, can we go back to Chuck's wording of 5 and make sure people are comfortable with it. Chuck, do you want to just (cross talking)

Chuck Gomes: Sure. Sorry, I didn't know you were asking me to (inaudible) again. So I've just...

Holly Raiche: Yes.

Chuck Gomes: Been adding a parenthetical after the word 'policy'...

Holly Raiche: Yes.

Chuck Gomes: That says 'consensus'. I guess we want capital 'P'.

Holly Raiche: I think we want capital...

Chuck Gomes: 'C' I mean, C.

Holly Raiche: Yes. Well no, we want consensus...

Chuck Gomes: Or as I think you suggested, Holly, or 'other'.

Holly Raiche: Yes. So, I would say consensus policy with capital 'C' capital 'P' so we know that that's a defined term and that has a specific meaning, consensus policy or other. So, if we add that phrase to 5. Anybody else have any other changes they want to make to the following questions? Anne thinks and got her green tick on, that's fine. And, Jordyn's got a caption "What options are available for policy, brackets, consensus policy in capital 'C' capital 'P' or other and implementation efforts. Excellent.

I am not seeing any hands. I'm waiting for Tim to type in 'times up'.

Cheryl Langdon-Orr: (Inaudible).

Holly Raiche: Oh. Okay, we've got the deliverables and the timeframe, and this is largely I think administrative. Marika, do you want to just go through this to make sure this is right? I'm sure it is, 'develop a work plan.' Does any—this is the text that was originally suggested, so.

Marika Konings: Yes, this is Marika. I think it's the original text with some additions from Chuck and Jordyn and I think then we reorganized the order a little bit. So, I think items 1 and 2 are basically requirements under the GNSO working group guidelines so that the working group develops a work plan, reaching out in the beginning to the different units or stakeholder groups and constituencies as well as other items, supporting organization and an advisory committee, (inaudible) detail on which input should be sought on and is basically in the charter questions asking for input on the lessons learned from previous efforts, asking how I think core values relate to policy implementation efforts, (inaudible) over previous approaches and possible recommended principles'. So, it's basically I think asking them on the same questions of the working group we'll be looking at to see if groups have input and basically noting then that there should be an initial recommendations report and a final recommendations report; those are the expected minimal deliverables of the working group as I think with any effort of course if a working group sees there's a need for additional drafts that need to be circulated for community input or additional mechanisms that need to be solved (inaudible) flexibilities. And then, it specifically outlines the deliverables which I think tracks with all the points we've discussed above or at least as far as should do (ph).

Holly Raiche: I'm going to now say, does anybody have any suggestions, explanations or changing or whatever or is this can we just go with this? And I'm giving people one minute.

Okay. (Audio interference). In light of Cheryl's 'go with it' and with the silence of everybody else, I think we're all comfortable with the final section. Now, the next—now let's see. The rest of this is just standard issues, and so nobody's made any changes at all, so I'm suggesting that that's fine. Well, I think we're there and I think we've got some time left over this morning, which is really nice. Could I suggest from here.

Cheryl Langdon-Orr: Chuck's hand's up.

Holly Raiche: Chuck, go ahead.

Chuck Gomes: If you want to do your suggestion first, that's okay, Holly.

Holly Raiche: No, no, no, I am guided by this working group—no, sorry, the Drafting team.

Chuck Gomes: Yes, you may have been suggesting the same thing, I don't know, but I suggest that we do a last call...

Holly Raiche: Yes.

Chuck Gomes: On the list which is probably what you were going to say, and that we leave the meeting, the second meeting scheduled there but we only have it if the discussion shows a need for it on the list. And, I would just make this general observation, that we don't—I mean, I think we've got a really good document here. It's probably not perfect because we're not perfect, but we're all going to have an opportunity if we catch anything additional through our stakeholder groups and constituencies and the council process to provide some input through our councilors or other means before the GNSO acts on this, the GNSO Council acts on this. So, I'll stop there.

Holly Raiche: That is pretty much what I was going to say. I think the next steps are, Marika, if you can circulate this document, can you circulate two version? One would be a final mark-up version with today's changes, but then a clean version so people can have a read through and see what the final document looks like, that would be great. We need a motion crafted so that this can go to the GNSO Council, and we need the support of a couple of GNSO Council members to support this. I think we've got them. We, I think, Chuck's right. First of all, I don't think we need the Wednesday morning call, this is delightful. I'd rather tell you guys Tuesday—sorry, the Thursday was for me, Wednesday's for you. I think we are not going to need a meeting in Durban but leave that open. So, Marika, can you just leave that possibility open in case we need it. Annie, did you put your hand up? Marika, (cross talking)

Marika Konings: Yes, this is Marika. I can circulate all those documents on the list. My question will be, what would be the cutoff time or gauge for deciding whether we have a quorum or not because we do need to give people some advanced warning whether that call's still on or not. So, can we give people, if I can get the documents out, you know, tomorrow morning my time in Europe...

Holly Raiche: I'll give, give everybody 24 hours.

Marika Konings: Okay.

Holly Raiche: Twenty four hours. And, if we don't hear—and just would people make a particular effort to have a look so that if we need another call we can do it, because I don't think we need another meeting, another teleconference.

And, I think if we don't need another teleconference, then we can on the list up until Durban, and give people a day or two up until, day before Durban to figure out do we need a final meeting. I would be surprised if we need a meeting in Durban on (cross talking)...

Marika Konings: This is Marika. On that one, because basically the meeting is after the Council (inaudible).

Holly Raiche: Yes.

Marika Konings: So, from that (audio interference) point may not make much sense if we manage to submit it on time. I'm basically going to ask another question because I see Wolf is still on the call as a Council member and maybe see if he would be comfortable once this is all finalized to submit it. You don't need to answer now but so he knows that we may be asking him.

Holly Raiche: Yes. Okay, Chuck, you've got your hand up.

Chuck Gomes: Yes, first off, Marika covered part of what I was going to say and that it would be great if Wolf can make the motion, because remember, there's a deadline for the motion to be submitted not...

Holly Raiche: Yes.

Chuck Gomes: Just the document. And, since he's on the call, I thought that I would put him on the spot. But secondly, should the Council want to come back to the working group on anything, hopefully that will not be the case, but that would be a reason for leaving that meeting after the Council meeting on the calendar.

Holly Raiche: Okay. Well, Marika, can we do that? Can we just leave that time there in case it's needed?

Marika Konings: Yes, I don't think that's a problem.

Holly Raiche: Fine. Okay. So, really all we've got is just an update on the Saturday, 11 to 11:30 would be the only thing that we know is going to go ahead for Durban?

Marika Konings: That's correct.

Holly Raiche: Okay. Well, look, we have 15 minutes spare; I'm absolutely delighted. I want to thank everybody on this call. We've done what we said we were going to do. We've met our timeframe, which is terrific. You, Marika, is going to get out a final version of this; two versions, one with the changes, one with not, without. Please immediately have a read. If you have any problems, let the list know as soon as possible; otherwise we will not be having our scheduled, the meeting that has been scheduled for Wednesday, your time, Thursday morning, our time. So, look, giving you the 15 minute break and thank you, everybody, for your time and I will see some of you in Durban. Way to go, yay! Thank you, everybody, and...

Marika Konings: Thank you, everyone.

Holly Raiche: Just please watch your lists and get back to us if we think we need it.  
Thanks, everyone.

Mikey O'Connor: Thanks.

Marika Konings: Bye.

Cheryl Langdon-Orr: Bye.

Lars Hoffmann: Bye-bye.

Speaker: Thank you.

Holly Raiche: Thank you, (inaudible).

**END**