

**Policy & Implementation Working Group Meeting  
TRANSCRIPTION  
Wednesday 20 May 2015 at 19:00 UTC**

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Wednesday 20 May 2015 at 19:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-policy-implementation-20may15-en.mp3>

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

Attendees:

Alan Greenberg-ALAC  
Chuck Gomes – RySG  
Greg Shatan – IPC  
Cheryl Langdon-Orr - At-Large  
Michael Graham - IPC  
Tom Barrett – RySG  
J.Scott Evans - BC  
Amr Elsadr – NCUC

Apologies:

Anne Aikman-Scalese – IPC

ICANN staff:

Marika Konings  
Mary Wong  
Amy Bivins  
Karen Lentz  
Steve Chan  
Berry Cobb  
Ozan Sahin  
Terri Agnew

Coordinator: Recordings have started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the Policy and Implementation Working Group call on the 20th of May 2015.

On the call today we have Chuck Gomes, Cheryl Langdon-Orr, Amr Elsadr, Alan Greenberg, Greg Shatan, J. Scott Evans and Tom Barrett. Joining us a little later in the call will be Marika Konings. I show no apologies listed for today's conference.

From staff we have Mary Wong, Amy Bivins, Karen Lentz, Berry Cobb, Ozan Sahin and myself Terri Agnew. I would like to remind all participants to please state your names before speaking for transcription purposes.

Thank you very much and back over to you J. Scott.

J. Scott Evans: Thank you so very much, Terri. This is J. Scott Evans for the record.

I know that we had gotten down to I think it was Annex F where there was some discussion. But since then Amr has looked over some things. He's put in some comments here.

So before we go back to where we left off since some of these are further up in the report I think the first comment has to do with the definitional section.

Why don't we Amr if you lead us through your comments and tell us exactly what page they apply to so that we can have the text of the report scrolled to that page that'd would be great.

Amr Elsadr: Okay thanks J. Scott. This is Amr. Yes, most of my input is actually feedback on the reporting of last week's call. I couldn't attend last week. And when I

provided this input I did it on referencing the later draft of the final report that was circulated just I think a few days ago.

So one of the discussions last week was regarding the definition of GNSO, of GNSO policy. And I think the comment was at the time that it should be made clear that when saying GNSO policy in that definition and this is on Page 10 of the draft final report at the very bottom of the table on that page.

It had previously - it had - implementation of the GNSO policy had previously been defined as the process of carrying out or applying a GNSO policy. And the language that is approved by the ICANN board was added to that in red line.

I think some of the discussion last week was about the fact that GNSO policies actually defined just from the beginning of the next page. And so adding that little phrase that's approved by the action board is somewhat redundant.

And I agree with that but for someone who's reading the final report for the first time they may not come across this definition in time to catch this in the definition of implication of the GNSO policy.

So they're suggesting instead of repeating that definition here, why not move up policy and GNSO policy to perhaps number three in the table for GNSO Implementation Review Team. And that way the definition is clear before anyone gets to see that term being used later on in further definitions.

But that was just a suggestion. It's not really terribly critical.

J. Scott Evans: All right.

Amr Elsadr: Second...

J. Scott Evans: Well let's go through - let's do them one at a time.

So I don't - I certainly don't have a problem with moving that definition up higher in the table because it is then incorporated into additional thing.

Nor do I have a problem personally with removing that redline language showing on Number 4 in the table at the bottom of Page 10. The process of carrying out or approving GNSO policy and the additional language that is approved by the ICANN board given that does in fact appear in a GNSO policy definition.

But I would turn it over to the group and ask that you show me by indication in the Adobe Connect, whether you're - whether that is okay to move that up and take that redline language out or whether you think it should say Chuck agrees, I agree. So I'll do my - Greg. I don't see, Cheryl or Alan. Do you disagree?

If you disagree could you indicate by disagree or Tom? Tom agrees.

Okay it looks like we've got a consensus that we'll just - so Mary if we could make a note to delete that language from the definition implementation of a GNSO policy and then move Number 5 up above that.

So it would be one would be GNSO consensus, two GNSO policy. Three would be policy and GNSO policy. Four would be GNSO Implementation Review Team. Five would be implementation or implementation of a GNSO policy.

I see Chuck has raised his hand. Chuck?

Chuck Gomes: Thanks J. Scott. If my memory is correct I think it was (Ann) that wanted that qualifier in there approved by the ICANN board. Unfortunately, she can't be

with us today so, but she did indicate that Greg and/or (Michael) would be here from the IPC.

Are both of you guys okay with that? I mean, is it an IPC issue or was it just something for (Ann)? I mean, Greg, you agreed. So I guess we can assume it's okay.

I just didn't want to - since she can't be on the call I at least wanted to raise that point. As you've seen I'm fine with it. But I didn't want to slide the point the suggestions she made last week.

So if Greg and Michael are okay on it I think it's okay. But if they have anything to say they can.

Greg Shatan: Well this is Greg. I'd just say it's a IPC issue per se.

Chuck Gomes: Okay.

J. Scott Evans: Okay.

((Crosstalk))

J. Scott Evans: Okay so we're going to do that then. And I think Mary would have taken note of that hopefully. So I am or I'm going to turn it back - hello?

Mary Wong: That was just me J. Scott. This is Mary saying yes, we've taken note of that.

J. Scott Evans: Great. Now I'm going to turn it back to Amr for the second point raised in his email today that is now number two on the right-hand side of the screen.

Amr Elsadr: Thanks J. Scott. This is Amr again. This is just a text issue in the latest draft of the report. The (unintelligible) agreement on last week's call, yes there was an agreement on last week's call a description of GIP and GGP to include the

nonbinding, the input into the description of GIP and sort of remove any sort of adjective describing the guidance in the GNSO guidance, the GGP.

So we need the GGP to be used in those instances where the GNSO council and tends to provide guidance that is required to be considered and taking up anything that sort of suggests either obligatory or binding or nonbinding there.

And I agree with that. I just wanted to note that this change was reflected in Page 5 of the report. But later on this same language is repeated on Page 19. And as far as I can tell the change was not reflected there. So I just wanted to flag that.

J. Scott Evans: Thank you. Chuck is that a new hand?

Chuck Gomes: It is J. Scott.

J. Scott Evans: All right.

Chuck Gomes: I just wanted to point out that in the call before this call Marika acknowledged that those things needed to be carried forward not only in this one but I think in Number 3. So she appreciates those catches Amr and we'll get those as I understand it. Mary please correct me if I'm wrong and that.

Mary Wong: No Chuck, that's absolutely correct for both this point in the next one as well. So...

Amr Elsadr: Okay great. This is Amr again. So I don't need to go over Number 3 again. Thanks for that Chuck.

J. Scott Evans: Okay, Amr then do you want to explain your Number 4? I think this has to do with the timelines that were discussed for most of the majority of last week's call.

Amr Elsadr: Yes, that is correct J. Scott. Last week's call. I think there was quite some discussion on sort of what the statistical sort of presentation of the timelines and how they would be presented.

There was agreement that the median of each one of the - the timelines for each one of the processes be included, as well as the minimum possibility for each one.

And as far as I can tell they were calculated accurately.

I was also going to suggest that I think Marika had suggested this as well is that only indicating the minimum may be a bit misleading in terms of someone who's reading the final report. There may be some possibly unrealistic expectations on how long some of these possibilities could or would actually take when being used.

And I thought a range would be a better value to put in instead of the minimum estimations and perhaps may explain under what circumstances the minimum estimation would take place under what circumstances the maximum explanation would take place.

And I thought that would provide a more realistic or a more thorough guide to the timeline of each one of the processes. Thanks.

J. Scott Evans: Okay. All right, Chuck?

Chuck Gomes: Sorry about that, on mute. Amr, my reaction was the same when I first looked this. And I kind like the range too.

But the more I thought about it the more I was concerned about showing the maximum because first of all, it's not really a maximum. It's the longest one took and they can always take longer.

But also the maximums gets to such extremes that, you know, there's a - just a few examples where they took a terribly long period of time.

And I'm not sure - I think that can be even more misleading than the minimum and the median.

But I'm not opposed to changing that. I just think I want to throw that out first and think about it because maximums can be even more misleading I think.

J. Scott Evans: Okay, Amr, your hand is up.

Amr Elsadr: Thanks J. Scott. Thanks Chuck. I think that's a pretty rational concern. And yes. So maybe if not including the range and only including the minimum estimation maybe just some clarification to sort of hint to readers of the final report that these are indeed the minimum estimations and they could possibly take longer.

But I'm just worried about building expectations around these estimations too much.

In retrospect after the processes are used I'm concerned there may be some sort of disillusionment of what people might have expected versus what might actually happen.

So I think it would be a good idea to just indicate that although these are the minimum estimations, there's no guarantee that they will actually be applied every time one of these processes is used. Thanks.

J. Scott Evans: Alan?

Alan Greenberg: Thank you very much.



I don't know what words Marika's planning to put in on the minimums or maybe already has because I didn't look at any revisions.

But the minimums are clearly -- and I'm sure that there will be words that go along with this -- the absolute minimum. They are completely unrealistic. They will never likely be achieved. But they set the expectation that it cannot be less than that. And that was the purpose for putting the minimum in.

If your target is to do it in two months, and the absolute minimum that is completely unrealistic because it allows for no real deliberation time, no debate, no substantive time for drafting is six months then there's no point in using that process if you need a result in two months. And that was the reason for the minimum, not to set expectations as to how long it will take, but to set expectations as to how long it cannot take.

Because the minimum cannot go - you can't go below the minimum. Thank you.

J. Scott Evans: Okay. All right, okay. I think that it's clear that what we need to make sure we do is in this is that we put some sort of explanatory text that explains this. And I think that's something that can be done fairly easily that we explained.

Because I do agree with all points considered. I do agree with Alan to say that you don't - and it's all about managing expectation.

And so we just need to clarify these, you know, estimates are just that, and explain why we put this in there and put that at the beginning of the table so that the information, the purpose of the information is clearly defined and it doesn't set any false expectations that leads to disappointment or disillusionment with the processes.

I think that's what I hear from Amr. And I think that Cheryl agrees. And we just need to make sure you know, we're providing information. And we want it

to have a message. Tell them the message we want it we're trying to give them.

And Amr agrees as well. So I think that's our action plan is to put in some sort, concise explanatory material that sort of sets that out.

All right. Now, moving on, we ended the call in Annex F. And in that there had been an addition by Marika about sort of the purpose of the ED - I'm not going to get it right, EDDPE and that it couldn't be used for certain purposes.

And Chuck had raised the question because he's a bit confused about that question.

So Marika explained and Chuck understood. And then I think Chuck asked the question well shouldn't we also have similar language in some of the other annexes because we don't want the abuse to happen with either of those processes either?

So the first that I see that's been added to is Annex D. But someone tell me if I - if it's earlier than that. But I see in Annex D paragraph 1, the GGP manual introduction.

There's a highlighted - you have the power to scroll yourself. So it's on Page 51 of 91.

And I see that this has been added and that Chuck has requested. It's been slightly massaged to make it fit with the paragraph it's been inserted into which is here it replies to the GDP.

And the language is the GDP should not be used as a tool to reopen a previously explored policy issue only because the constituency or stakeholder group did not like the outcome of a previously held process on the same

policy issue unless the circumstances have changed and/or new information is available.

So does anyone have any comment about this? Are we comfortable with adding it here?

I certainly think if you're going to put it in one section if it's applicable to the others. We need to make this stuff as (simplitized) or formulized as possible so that things begin to look the same and you sort of get people to understand what's expected.

But I see we have some hands some I'm going to go to Alan first and then Amr at this point. Alan?

Alan Greenberg: My comment is a very small editorial one. I would change to not like to what's not satisfied.

J. Scott Evans: Okay.

Alan Greenberg: Was not satisfied with.

J. Scott Evans: Okay.

Alan Greenberg: Just has a more professional sound and I don't like it.

J. Scott Evans: I'm fine with that. Amr?

Amr Elsadr: Thanks J. Scott. This is Amr. Yes, I agree with Alan. I think that's a good editorial change.

This was actually the third point that I had raised in my email. And as far as I could see the changes were made in the annexes for both the GDP and the

EP DP, but they were not made in the description of the EPDP earlier in the report I think on Page 19.

So, but my understanding is that this is something that was discussed earlier and that would be changed. Yes, the description of the GGP is on Pages 19 and 20. So that I think that's where this little bit is missing over there. But I'm guessing that that change is actually going to be made. Thanks.

J. Scott Evans: Sure. This is J. Scott again for the record. I would suggest that this is important enough that this somehow needs to be highlighted and maybe even called out in colored box in our summary, our executive summary.

I really believe this is an important point. I just think it's essential that this is clear to everyone.

There are a lot of bruised feelings about the gTLD process. That's why we find ourselves here. And I just think it needs to be very clear that that's what we're doing.

I see that Amr and Cheryl and Chuck agree. I see Alan has his hand up. But I just think it really needs to be emphasized because some people are only going to read the executive summary. And that just needs - I think that's a very salient point. That's my personal point of view. Alan?

Alan Greenberg: I - thank you. I just wanted to point out before we were talking about setting expectations. Let's be honest, circumstances have changed or - and/or new information available is a various subjective thing.

So if we think that no one's ever going to try to use this because they didn't like - and I'll use that expression, didn't like the outcome and claimed something has changed or new information has come to light that's life.

So let's not set the bar - let's not set our expectations too high that by adding this phrase, we fixed the problem. But I don't think there's anything we can do about that.

J. Scott Evans: Okay, I agree. But I mean we're legislating for the future which is the most difficult of all jobs so understanding that that weakness exists in all tests - text that we might put together.

I see a bunch of hands raised Mary. Did you take that action item to put that in our executive summary and make that clear?

I even think it should be called out in like a colored box so it's very clear.

Mary Wong: J. Scott this is Mary. Yes, we did take note of that and we have no problem doing the colored text box. I guess the question that I would have is whether there are other salient points, not necessarily just this one that we might need to do that for as well.

So I guess if we can ask as folks go through their final read to keep an eye out for that as well. That would be helpful.

Yes. I would agree. If we could have something that was sort of a, you know, encapsulates sort of the most important points we're trying to convey into like an outline for a two-minute elevator speech that's where we want to go in that executive summary for the lazy reader.

So if they're only taking away five things here are the five things they take away.

All right? So that is finished. And I believe that was Annex F. And we had gotten Annex F. So I'm pulling down there. And that was get me down to like E, Annex F.

So at this point I ask if anyone has any comments regarding the document after Page 64 of 91, which is the first page of Annex F as in Frank?

So then are we in good shape at this point to have this finalized and sent around for a final read in the hopes that by next week we can sign off on this and let it be circulated to the constituencies?

Mary Wong is that your hand - new hand?

Mary Wong: Yes it is J. Scott. And while we have folks on the call today there were some comments that Marika inserted in this draft that I'm not sure if everyone's had a chance to go through it. But it might be worthwhile going through them because they...

J. Scott Evans: Absolutely.

Mary Wong: ...concern, you know, for example, bringing the process back to the council, which, as we recall was kind of a major point for the group earlier on.

J. Scott Evans: Well, why don't you lead us through those because I have to tell you I was - didn't find this version until about ten minutes before the call I was working on the one. I was listening to last week's conversation. I was looking at last week's draft. I didn't find the new draft till after I finish that call. So if you'd lead us through that be great.

Mary Wong: Sure. Sure, I'd be happy to. And I totally understand. I think everybody's pretty overwhelmed and this is a pretty long and detailed report. There's quite a lot of changes from the last version that was circulated.

So Chuck I know that you will stop me if I'm going beyond something that I skipped over. But I believe that the issue that I mentioned would be in what would be flagged in this version as comments two through five pretty much in the sense that we want to make sure that what we have an Annex I for

example which is the consensus policy implementation framework ensure that it aligns with the proposed process for taking issues back to the GNSO Council.

And so if I could just point folks first two Annex I which I will scroll down so you have scrolling validity as well.

And I don't know if you can see it on the page. It might be helpful if you have it on your screen.

And it would be in Section Roman III under Roles and Responsibilities alphabetized is B under the Implementation Review Team.

So this is about the IRT being - expected to serve as a resource to...

Alan Greenberg: Mary it's Alan. What page are we on?

Mary Wong: Let me see.

J. Scott Evans: I have 76 of 91.

Alan Greenberg: Thank you very much.

Mary Wong: Yes, thank you. J. Scott. Apologies, Alan. IN the PDF version you have up here that would be the page number.

J. Scott Evans: And it's D as in dog, correct?

Mary Wong: That's correct. And so the sentence here says that the IRT is expected to serve as a resource to staff on the background and rationale of the policy recommendations.

And our comment here is about the next part which says and return to the GNSO council for additional guidance as required.

J. Scott Evans: Well isn't that the whole purpose of the other processes is that when you go back they use one of those processes?

Mary Wong: Yes and that's why the next few comments are pretty much along the same lines for example, in terms of the role of the liaison and the escalation. So this is not so much specific about the language but is whether all of these fit together with what the working group had in mind.

Thank you J. Scott. If there's no one else who has any concerns about either the phrasing or anything like that I guess we can move to the next comment. Alan?

J. Scott Evans: Alan raised his hand. Alan has raised his hand Mary.

Mary Wong: Go ahead. Alan.

Alan Greenberg: I'm not sure I have a concern. Return to the GNSO Council for guidance as required. I normally like the expression as required because it says use common sense. But I'm not sure it's sufficient here.

The time when the IRT would go back to the GNSO Council I think is when something comes up where clearly the policy was not specific enough to affect the implementation.

And I'm not sure it's captured by as required. I'm willing if everyone else thinks it is I'm willing to drop it. But I'm feeling a little bit of discomfort.

Mary Wong: Alan this is Mary. Not to put you on the spot but do you have any alternative formulation in mind or should we just try to rewrite this?



Alan Greenberg: I think I just said something that I no longer remember that sort of covered that.

And return to the GNSO for additional guidance when and if the original policy lacks specificity or something like that.

Mary Wong: Thanks Alan. We would...

Alan Greenberg: So because I'm - if everyone else is comfortable with it I'm willing to leave it. I'm normally the one who puts in phrases like as required or as appropriate. I'm - I just have a little twitch of unease but I'm not adamant about it if everyone else is comfortable.

J. Scott Evans: I see Marika's hand up.

Mary Wong: And J. Scott at this point I'm going to actually hand it over to Marika...

J. Scott Evans: Okay.

Mary Wong: ...because these are mostly her comments.

J. Scott Evans: Okay.

Mary Wong: And she can probably do a much better job than I.

Marika Konings: Thanks Mary and high Alan. This is Marika and apologies for joining late as I had a last minute emergency I had to attend to.

I just wanted to point out because the main reason why we flagged comment two is actually to make sure that this language is aligned with, you know, the comments we'll get to next on indeed this issue of, you know, what and how if there are certain issue is flagged is this is brought back to the council.

So instead of maybe trying to wordsmith this here it may make sense to first go through the other comments and see how, you know, where we settle on those.

And I think this was more kind of footnote I think for staff as well as the working group to make sure that what we - where we eventually end up of course needs to be aligned with what we've noted here.

J. Scott Evans: Sure. You want to take us to the next comment then Marika?

Marika Konings: Sure. Let me just find where it is. It's further down in the annexes. The next comment is comment 3 on Page 86.

And again, I think maybe it's worth running to through the next two comments because again, I said I think they're all aligned with the same kind of issue or conversation how something, you know, gets to the council and what then the council is expected to do with it.

So basically the comment here or relates to - as I will first read the sentence that the IRT is not a forum for opening or revisiting policy discussions. Where issues emerge that may require possible policy discussion these will be escalated using the designated procedure. And we have there to be defined.

So as that still is the next section should this actually be more specific on how escalation happens in case policy issues are identified or as a reference to Section VE if updated and also referring to this, sufficient.

So maybe I can then straight take you through to that next comment which is on Page 88.

And again, this was a part that we had originally I think left open or as a to be defined item. And we suggested some language here that we're basically asking your input on.

So what we're proposing is that it would reads as follows.

So if the GNSO council liaison makes a determination that there is consensus for consideration and I think in this regard it talks about, you know, disagreement between staff and the IRT the liaison will inform the GNSO council accordingly which will deliberate on the issue and then make a determination on how to proceed which could include, for example, initiation of a GGP, a PDP or further guidance to the IRT and/or GDD staff on how to proceed.

So I think our question is, you know, first of all is the working group comfortable with these steps in relation to where disagreement exists between staff and the IRT?

And then the next question would be and if there is support for proceeding this way if we should also, you know, write it in such a way that the same kind of approach would be applied and if staff and the IRT agree that there actually is a policy question that needs to be considered.

So there's not necessarily disagreements on how to approach implementation, but there's actually a policy question or maybe as well as, you know, a guidance question that, you know, neither the IRT or staff has a clear view on but would like to have guidance on is it indeed the kind of process that then should be used for those kind of situations as well?

J. Scott Evans: Any comment?

Marika Konings: And this is Marika. And I fully understand if people haven't had a time to maybe focus on this. And maybe this is one of the items that we can just, you know, note that people may want to just review in detail and come back to on the list or, you know, just take a minute now to look through this.

I see that Cheryl is fine with it.

J. Scott Evans: I tend to think it - I mean, that's the role that - this is J. Scott Evans for the record. This is the role that the liaison should play, GNSO counselor is - counselor is the manager of the process so I'm fine with it.

Marika Konings: Now I see Amr has his hand up.

J. Scott Evans: Yes Amr?

Amr Elsadr: Thanks J. Scott. Thanks Marika. It's Amr. Yes I think I'm essentially fine with it. I'm...

Marika Konings: Amr I think we may have lost you.

Amr are you still there?

J. Scott Evans: Well, it shows on my note his microphone is still on, but we're not hearing him. If he can hear us Amr can you put your comments in the text chat?

Amr Elsadr: Just wondering the section...

J. Scott Evans: There he is. He's going to type it. So let's just give him a second to get his message typed in and I will read it to the group.

Sorry this is taking a little bit guys. We want to make sure we get everybody's input. Okay. Okay he's going to dial in he says. But he said but just not sure the sentence in Roman Numeral V letter E is referring to disputes between the IRT members and the GDD staff. This comes later in Roman Numeral 5F, doesn't it? In general, I'm fine with the language the way it is.

So he's just saying the cross-reference is different. Marika?

Marika Konings: Yes, this is Marika. Just to clarify no - he does refer and it's the first sentence talks about in the event of disagreement between ICANN staff.

And but as we said we may need to update it just it may not only be the disagreement because it may as well be an agreement between staff and IRT that something needs to be taken back to the council.

So I think that's something we may want to reflect here that is not only a process that is used when there's disagreement, but also when there's...

J. Scott Evans: Right.

Marika Konings: ...when there's agreement actually go back to the council.

J. Scott Evans: That works whenever there's need for...

((Crosstalk))

J. Scott Evans: ...additional action.

Marika Konings: Exactly. And then Section F actually deals with - and this is in response to one of the comments. And I think it was actually Amr that pointed that out that this is the kind of similar provision that exists in the working group guidelines where someone in the IRT if they believe that they've been ignored or have been - staff is not recognizing their contributions and they have a way to escalate that issue to the GNSO - through the GNSO liaison to the leadership or chairs of the council to discuss.

So this is basically, you know, the exact language, as it also applies to GNSO working groups and...

J. Scott Evans: That's right.

Marika Konings: ...one comment we had made here is whether it will be appropriate to include a reference to the option to involve the ombudsman.

And again, it's one of those where, you know, that is, of course, always available. Is it necessary or worth to call that out here specifically or, you know, is that overkill? And that's something that anyone always has that - as it available to them.

J. Scott Evans: Given that we have special proliferation of documentation -- this is J. Scott Evans for the record -- I am inclined to say include it because, well someone is very familiar might be aware of the ombudsman, if this is one of your first time - if this is the only document you have reference to that you can find and so that it tells you that if additional information is valuable. So I would err on the side of including it.

I see that Cheryl agrees with me because we've all dealt with people. This is the only document they have. They don't know the labyrinth of documents that are exposed. I see Amr agrees. So I think we should add it Marika.

Marika Konings: Okay. I've made a note of that.

J. Scott Evans: All right.

Marika Konings: And I think that's actually all of the staff comments. Because the other comment in here just to know that, you know, we've added here the same kind of language as, you know, previously on noting that it's not to reopen previous issues or...

J. Scott Evans: Yes.

Marika Konings: ...issues that were already belabored in the group feel strongly about them so...

J. Scott Evans: Yes, okay. So at this point does anyone have any additional comments? Have we covered everyone's comments? I see. Chuck your hand is up. I'm sorry.

Chuck Gomes: Yes I - thanks J. Scott, Chuck speaking. I think we need to jump back up to comment three because staff asked a question there whether it was - we should just refer to the section below or make a comment there.

I just think we need to close that. And then I think we are probably close to finished.

Marika Konings: Yes, and this is Marika. I actually had already assumed that, you know, on our conclusion on the other section that we would just refer here to the other to the Section VE as updated to reflect as well that it could be as well and issues that may require possible policy discussion.

Chuck Gomes: That - this is Chuck. That works for me.

J. Scott Evans: Great. So with that I think we're at a point where staff can go through, make these additional changes, turn this around with the hope that we can give final blessing to this in our call next week which I would hope would not be a full 90 minutes if we could do that in about 30 minutes.

Is everyone in agreement? Chuck is that on old hand or a new hand?

Chuck Gomes: That's a new hand. Thanks.

J. Scott Evans: Yes.

Chuck Gomes: Just wanted to suggest maybe we can - we might want to be able to do it on a list. If we give everybody - if everybody can comment on what is proposed with the final version by Tuesday of next week we may not even...

J. Scott Evans: Yes.

Chuck Gomes: ...even need a call.

J. Scott Evans: I'm fine with that.

Chuck Gomes: Now we should leave it on there in case it's needed.

J. Scott Evans: That's right.

Chuck Gomes: It's easy to cancel. And the goal would be then if it's finished on Tuesday that then I think Marika, you will work with Amr, I think you're the council liaison right?

So we would then Marika and Amr can work on a motion that could be submitted with this or actually the document could be submitted person first and then a motion could follow. I don't think it matters which way that happens for them. And this would be for the meeting in Buenos Aires. Does that make sense?

J. Scott Evans: I'm fine with that. Let's see if we have any - I see that Amr tends to agree.

What I would do is my suggestion is -- and Marika, I'll get to you -- is that we do this. And then on Tuesday if we haven't heard anybody call or ask for a call we put out a call for consensus on the final report so we have it documented. And then we give that like 72 hours and then we close it off. Marika?

Marika Konings: Yes, this is Marika. I'm perfectly happy with that. And just one note, I did circulate this document on, you know, scenario planning. And I think someone actually suggested maybe that would be worth including as an annex.



And I just wanted to check whether others agree that that may be helpful to include an example or, you know, whether any objects to including that. I'm seeing green checkmarks so, and I see Amr raising his hand.

J. Scott Evans: Amr?

Amr Elsadr: Yes, sorry about that. This is Amr. Yes I appreciate the scenario documents. I'm not particularly sure I'm - I completely agree with what's being suggested.

And I would think that there might be some - it would be so clear cut to recommend the processes that are being suggested in the document us solutions to the scenarios that were presented, I think particularly the one on specification 13 of the registry agreements.

I think the way the board framed the question to the GNSO Council was that they were asking for something that a GDP would provide.

But I'm - I - in answering the question I would say that a GGP would not have been sufficient. Because the way I see it although no new contractual obligations were created for certain type of gTLD registry I think some consensus policy that resulted in contractual obligations might have been some of these registries might've been relieved of them.

So I'm not sure for example that a GGP is - is a process sufficient to address this or not where the document suggests it might.

So if we're going to include it as an annex to this report I think we might need to do a little work on it. Thanks.

Marika Konings: This is Marika. If I can maybe respond to that. And I think that's why I specifically called out as well that, you know, if the council wouldn't agree that a GDP would be appropriate and did expect new contractual obligations or there were changes to that it could also have initiated a PDP.

And I think the more important to note is I think actually the (unintelligible) that I created because I think in the new world after these recommendations are implemented of course, there would be an Implementation Review Team. So I think that issue would've already been dealt with at a much earlier stage and may still have needed or resulted in a GDP or an EPDP but that would've been already a formal mechanism to deal with that and channel those kind of concerns.

So, you know, Amr if there's any further language that you would like to ask to really make it clear that, you know, indeed, these are - and I think it's specified of course these are just examples. And, you know, it doesn't mean that it would've have gone this way.

It's indeed a question that I think for all these processes it's really the question that the council needs to deliberate first on, you know, what do we believe is the most appropriate process?

And there may not be the same answer for, you know, every situation. So I think if you - if there's any clarification we'd like to add, you know, feel free to suggest and I'll incorporate that.

J. Scott Evans: All right. So that does give us something to pay particular attention to and for the next draft is to look to see if there are some suggestions to the scenario document.

And we can put that to the entire list when we send it out to ask if they want to add it in as an annex to this. I know it's been suggested by (Ann). We can put it - Chuck is that your hand sir?

Chuck Gomes: It is. Yes. So rather than continuing to drag this out longer and longer, because I really think we need to get this in the hands of the constituencies and the stakeholder groups as soon as possible, why don't we do as Marika

suggested and just make sure that these examples that she's provided have the appropriate qualifying language at the beginning to say that, you know, like for example on the GGP example in Spec 13 that if it's agreed by the council that the - that this doesn't - it doesn't change policy then a GDP would apply as follows.

If it is decided that it impacts policy then the GDP would not work.

But by putting the appropriate qualifications at the beginning of each of these tables it seems to me that they would be helpful examples of how the processes could be applied.

And as I think (Ann) requested I think that'll be helpful to a lot of people, even if in the actual circumstance it may not work out that way.

But just let's put the proper qualifying language at the beginning of each one so that it doesn't - and the people won't assume that this is a definite example. It would have to be evaluated in the given circumstances. So does that make sense?

J. Scott Evans: Well it does to me.

Marika Konings: Amr has a green checkmark.

J. Scott Evans: Amr has a green checkmark as well. So let's do that then.

So we've got our marching orders. Looks like I'm going to be able to give everyone back 30 something minutes of their day.

So the idea so we all understand it is that this is going to be circulated with the changes we've discussed today incorporated. We're all going to take a final read in the hopes that we can - if no one makes a call on the list, doesn't state on the list that they want to have an actual call next Wednesday we will

cancel that call and we will then issue the call for consensus around this document and leave that call for consensus open for a period of time.

So with that I'm going to bring this call to a conclusion. I'm going to thank everyone for their time, their hard work.

I want to give special thanks to Chuck, who's taken on a lot of chairing as I sort of vanished into INTA air for a while -- appreciate everything he's done and to the staff for their continuing dedication to assisting us bringing this thing across the goal line in time for Buenos Aires.

Thanks everybody. Speak with you online. Hopefully that's all well need to do. Hopefully by the end of next week we'll have consensus on this and we can get it out. Have a great day.

Man: Thanks. Thanks J Scott.

Woman: (Unintelligible).

Man: (Unintelligible) Chuck.

Woman: Thanks all. Bye.

J. Scott Evans: Thanks everyone, bye.

Chuck Gomes: Bye.

Terri Agnew: (Marion) if you can please stop recording.

END