

**GNSO  
Operations Steering Committee Community (OSC)  
Constituency Operations Work Team  
08 January 2010 at 14:00 UTC**

Note: The following is the output of transcribing from an audio recording of the Operations Steering Committee Community (OSC) Constituency Operations Work Team teleconference 08 January 2010 at 14:00 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-constituency-ops-20100108.mp3>

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

**Participants present:**

Olga Cavalli – NCA – Work Team Chair  
Rafik Dammak – NCSG  
Tony Harris - ISPCPC  
SS Kshatriya – Individual  
Zahid Jamil – CBUC  
Victoria McEvedy – IPC  
Claudio Digangi - IPC

**ICANN Staff**

Julie Hedlund  
Glen de Saint Gery

**Apologies**

Chuck Gomes – Registries Stakeholder Group  
Krista Papac – Registrar Stakeholder Group

Tony Harris: Hello Olga.

Coordinator: This call is now being recorded. Please go ahead.

Tony Harris: Olga?

Olga Cavalli: Yes. Who is there?

Tony Harris: This is Tony. I just wanted to suggest in case you hadn't thought about it, could we have a roll call to see who is on the call?

Olga Cavalli: Yes of course.

Woman: Yes.

(SS): Yes - (SS) joined.

Woman: ...there?

Woman: Yes.

(SS): Yes. Yes.

((Crosstalk))

Woman: He has just joined.

Olga Cavalli: Great. Great to know that. Happy New Year to you.

(SS): Oh Happy New Year. It was some dialing difficulty for me.

Olga Cavalli: Okay.

Glen de Saint Gery: I will do a roll call for you Olga.

Olga Cavalli: Yes please.

Glen de Saint Gery: Good morning. Good afternoon. Good evening everyone. On the call we have Rafik Dammak, Zahid Jamil, Victoria McEvedy, Olga Cavalli, Tony Harris, Claudio Di Gangi and (SS). And for staff we have Julie Hedlund and Glen de Saint Gery. We have apologies from Chuck Gomes and Krista Papac.

Thank you Olga. It is over to you.

Olga Cavalli: Thank you very much Glen. Good morning, good evening everyone. Happy New Year if I didn't say it individually to you. Thank you for joining today.

We have an agenda. Before we start, Julie or do we have any news, any policy update that we should have in mind before we do our work?

Julie Hedlund: Olga this is Julie. No there was not a Board meeting between our last call and this one. I have no policy updates to provide at this point.

Olga Cavalli: Thank you. Thank you so much Julie. Any questions to Julie about policies updates? No. Okay.

We agreed to review the draft documents produced by some working teams one by one starting from 1.1 go and then to 1.2 and so on. So, today the idea is to review (SS)'s documents. Thank you so much (SS) for joining. One clarification comment - the idea is to have this conversation today for one hour.

I can stay longer if it is needed but it is not - the agenda is to work for one hour. If we need more time it will be done in another call. And we will review the documents one by one. This is what we discussed and agreed during the last call. Are we okay with that?

Man: Yes.

Olga Cavalli: Okay. So we have (SS) document uploaded in the wiki. Julie has been so kind to uploaded it in the wiki so we can see it. We have some comments. We also agreed to send comments and suggestions of changes or deletions to the list so far. Maybe I missed something so please help me if I am mistaken.

I have received some comments from Krista and from Tony. And also Chuck made a comment to Krista's comments. That is all I have received so far. Have you any of you seen in the list something that I did not know? Okay. So...

(SS): That - hello - (SS) here.

Olga Cavalli: Yes.

(SS): Comment is not from - not from Tony but this - I have got a friend who was in the (unintelligible).

Olga Cavalli: I am so sorry. I cannot understand you very well.

((Crosstalk))

Claudio Di Gangi: Olga that is what...

(SS): Yes.

Claudio Di Gangi: ...you wanted to but - for the com - this is Claudio.

(Olga Cavalli): Yes.

Claudio Di Gangi: (SS) is referring to...

((Crosstalk))

(SS): Thank you. Yes. Comment is from Claudio, not from Tony (unintelligible).

Claudio Di Gangi: I believe Tony had a comment as well. And I think it was on the other document though.

Olga Cavalli: Yes. Tony had a comment about Annex B. I think it is on this document or on Victoria's document.

(SS): On Victoria's document.

Olga Cavalli: Okay. So, Tony you have a comment for this document and drafted by (SS) and his sub-working team.

Claudio Di Gangi: Not right now.

Olga Cavalli: Okay. So it is only the suggestion sent by Krista and a comment sent by Chuck. Are we okay with that?

Claudio Di Gangi: And Olga this is Claudio. I had a...

Olga Cavalli: Yes.

Claudio Di Gangi: ...I had I think there were a couple comments on some of these items as well.

Olga Cavalli: Okay great. So I would suggest the following. I have been checking Krista's comments. And she has two type of documents sent to the list. One is with some type of changes that maybe we can check them and agree if we like them and upload it into the document now or then.

And then she has some questions. We can review them after we see the first Word document with her changes. And then we go to your comments Claudio and we go through the document revision from the start to the end. Do you think this is a good way to proceed?

Victoria McEvedy: Yes. I have a comment on that as already mentioned...

Olga Cavalli: Sure.

Victoria McEvedy: ...Olga.

Olga Cavalli: So please go ahead Victoria.

Victoria McEvedy: Yes. It is really - I am - as I have raised on the list, I just wanted to ask and to perhaps just as a courtesy to be sure that (SS) did not want to have the option having spent all the time to make the changes himself. So, (SS) I am just asking whether or not that is something you might be interested in doing or you are quite happy for Julie to make them.

Olga Cavalli: (SS) it is all your decision.

(SS): Yes. Now I talked about both the comments. I will think about the (type orderers) and they have to be - must be incorporated. Julie can do it. Next is some questions. Now for the (blue team) I like to tell that certain things are beyond our scope.

So that is within GNSO's scope. And well some think the report to GNSO, is these questions can be (read to) the rest to GNSO. And if anything is within our scope, this - the (blue team) can discuss and take decision. That is one.

About (modules) comment I like to tell one thing. That this team is working for GNSO improvements.

Woman: Yes.

(SS): Not certain improvements are not (validable) or not agreed or not accepted by certain constituencies. Now what should be the right thing is that instead this should be - the (blue team) is to be taking decision to go against ICANN mandate. The best (thing) should be that constituencies should go to GNSO and ICANN and say that well, we cannot follow this your guidelines.

And in my opinion, they would have gone much earlier before this subgroup it was formed. So that was about Claudio. So my request would be that the (blue team) is to be very careful in considering those plans or not transgressing its mandate or scope of responsibility.

With that I will not - I mean there will be - there will not any need for me to answer anything. And as (unintelligible) said about one hour meeting. So I believe if I leave after half an hour I think maybe good. I let group do what they what is decision taken. I will not have any objections to...

Olga Cavalli: Thank you. (SS) let me remind you that - and I think your comments are very good. First let me clarify, you are okay if Julie make the changes to your document? Is that okay for you?

(SS): Yes. Yes.

Olga Cavalli: Okay great. And once we have the documents, it will be submitted to the GNSO and it will be re-reviewed again by all the Council members and it will be sent to constituencies for revisions. So your comments are very much appreciated. But I think we are doing the procedure we have to follow and the GNSO will review again our document.

So we will be sure that we are doing - we - they will find a final text and maybe it comes to us...

((Crosstalk))

(SS): For that request - and for that request here that when this Julie is doing any corrections to my document, she should very carefully go through my what comments I made. And if any doubt is there she should come back to the chair or maybe (unintelligible) the (blue team) is instead of - I mean instead correcting the document in a hurry.

Olga Cavalli: Okay. I think that Julie will make sure that the changes are really visual - visually clear and visible so we can all review them after the call of...

Claudio Di Gangi: Olga this is - could I respond?

Olga Cavalli: Yes. Go ahead Claudio.

Claudio Di Gangi: I believe what (SS) is referring to is some of the Board Governance Committee recommendations. And I think that my comments or some of the previous ones were - and I think we have a different interpretation on what some of those recommendations were.

And so, while we are in this process of (implementation), that is where I think we are seeing things slightly differently. So I think (SS) sort of presented it as if the constituencies are not agreeing with what some of the recommendations were.

I do not think that is really the case. We just have slight - interpretations of how we should go about implementing them.

Olga Cavalli: Yes Claudio I agree. And as I said, our document will go to GNSO and it will go to different constituencies for revision. And if GNSO and constituencies find it inaccurate, we will have the chance to review it again.

So let's find a (checks) that it is okay for our working team and try to move forward to GNSO because in March we will have been working for one year. And I think it is enough time to produce an outcome.

Okay. Any other comments? Great. I would suggest that we take a look at the changes suggested by Krista about the typos and all that. They are at the end of (SS) document. And it is the inclusion of the word group or groups in some of the paragraphs.



I was going to ask the group if we are okay with these changes. Do you think it is their appropriate so we can include it or include them or not? I do not see a big problem in accepting that. (SS) what do you think about Krista's suggestion.

(SS): Yes. I appreciate the comments and this will be accepted.

Olga Cavalli: Okay. Any other comments? Are we okay with Section 2, for example Paragraph B saying all groups shall abide rules governing and all group members - she had added the word group in several sections of the documents and I think it clarifies the text. So we like these changes. Okay.

Julie could you - I do not ask you to make these changes now, but you can consider this changes and have loaded them into the final document for a new version.

Julie Hedlund: Yes. This is Julie and I will be happy to make those changes. They are very clear and straightforward.

Olga Cavalli: Yes. They are very clear so great. So this is one document. Now I have it on my screen. Then we have some questions sent by Krista. Do we want to go through the text one by one and then make the questions? Do you think that is a good idea?

Man: Yes.

Olga Cavalli: I am trying to find the text now.

Man: Yes. That sounds all right.

Olga Cavalli: Okay. Wiki here. Okay. We have the text. Do you want me to read it? Final recommendations, Subtext 1, GNSO (unintelligible) considers the stakeholder group operations (work team) background. Should I read it all? Yes I will.

After several GNSO reviews the item word governance from (matee) created a working group to consider the results of the reviews and recommendations comprehensive to (both) to improve the effectiveness of the GNSO. This is in the wiki. You can follow me so we can find the text that we want to accept or no.

Included in this policy activity structure operations and communications. The BCG Working Group produced a comprehensive set of recommendations. Where there is a name there is a link. This report has been extensively referred to in (preparing) this documentation document, recommendation document as follow up to the above (rep) (unintelligible) report the GNSO Council from Tuesday and (commenties) and then there is the name of the (unintelligible) in (commenties).

And call the (USD) constituencies stakeholder group operations team, or was CCSG Working Team. In this document, working team mean OSG CSG work team. It has a wiki page. There is a link to the wiki page.

Julie can you - after we - the call review all this links if they are okay. I am not going to open all the links now because I will surely get confused.

Julie Hedlund: Yes Olga. This is Julie. I will review the links. Also for all of you, I have now uploaded the document with Krista's changes to the wiki to refresh your screens. Then you will see that document in the window.

((Crosstalk))

Olga Cavalli: That is fast. I am interested (revelation). Okay. Following the background section, the working team with GNSO staff support created a work plan and broke it into stacks and sub-stacks. This document have - can be seen in the above referred wiki page. (SS Cathea and S) volunteered to lead test one, sub-test one.

Other working team members volunteered - volunteering to work for test one, sub-test one are Victoria McEvedy, Claudio Di Gangi and Rafik Dammak. Is this okay? Are we missing someone here?

Man: It is okay Olga.

Olga Cavalli: Okay. Sub-test one is described as develop recommendations for a set of participation rules and operating procedures which all constituencies should abide by sub-test one. It was further divided into three sections. And this have been detail in the recommendations.

In addition to the BCG working group report, we refer to constituency renewal and stakeholder group (FG) charge the document submitted to the Board for approval, there is a link, as well as staff analyses of constituency and stakeholder group charters that can be seen this wiki page.

This is the text that corresponds to the title background. Any suggestions? Any changes? Do we like this text? Do we change something? Great.

Now we go to the substance. We go to recommendations. Section 1, participation principles. The BCG report at (burger) 43 mandated the development (of balance). Constituency developed participation rules for all constituencies that encourage openness, transparency and accountability. The rules must adhere to the following principles.

The criteria for participation in any ICANN constituency should be objective, standardized and clearly stated. Any changes to this sentence?

Victoria McEvedy: I do not think we need to go through that do we because it is a quote from the BCB. Sorry Olga to interrupt you.

Olga Cavalli: Oh.

Victoria McEvedy: But that is just a quote that has been (enlisted) exactly from - isn't it from - hasn't it been...

((Crosstalk))

Olga Cavalli: ...you are right.

Victoria McEvedy: ...(lifted) exactly?

Olga Cavalli: You are right. You are right but I didn't see the quoted starting. This is why I was - I saw it starting and finishing and then...

Victoria McEvedy: Yes though principles I think come from the...

Olga Cavalli: Okay.

Victoria McEvedy: Yes. It is all - it all - I think the whole first section there comes straight from the report.

Olga Cavalli: Okay. So we go to this sub-text. Thank you very much Victoria. I thought that the quoted was finished. So I should start where it says this subtext (same) developed the following rules to implement this recommendation and proposes that all stakeholder groups constituencies (hereinafter called groups) shall adopt the rules below for participations. Such rules and procedures shall be part of their charters. Are we okay with the word groups because it is repeated many times in the document and I like it. I mean are we okay with that?

Man: Yes.

Olga Cavalli: Great. So it is A or groups. And there is the two - let's see, oh it goes (further), 43 okay. Sorry. A, all groups shall - sorry - all groups shall adopt this

rules for participation to encourage openness, transparency and accountability. This rules and any other rules governing participation shall be objective, standardized and clearly stated. Comments?

B, the groups...

((Crosstalk))

Zahid Jamil: Hi. This is Zahid.

Olga Cavalli: Yes Zahid. Go ahead.

Zahid Jamil: Yes. Just wondering when we say that the rules governing participation because we are not talking about principles, we are talking about rules now. And which are rules governing participation shall be objective, that is fine standardized. I have a question. Does that mean every group of constituency will have exactly the same rules with regards to participation because that is what I read from the word standardized. And I know that there will be differences. So I am just wondering what the...

Woman: (Okay).

Zahid Jamil: ...what the purpose of that was.

((Crosstalk))

Victoria McEvedy: Can I just - can I comment on that? I would not read the standardized quite as precisely as this. And I do not think it leaves that room for variation myself. Standardized doesn't mean standard or identical or anything like that. I mean I think myself, (subject out of the sorts) it is referring to some commonality but I do not think that the meaning of the actual semantics word is used would require this Zahid. But that is my thought.

Olga Cavalli: The English native speaker could perhaps suggest another word that could be less confusing. I understand Victoria's point and this is how I read it. But I also understand Zahid comments.

Zahid Jamil: Can I make a suggestion? This is Zahid.

Olga Cavalli: Yes please.

Zahid Jamil: A word that Victoria used was commonality.

Olga Cavalli: Yes.

Zahid Jamil: We could say with common rules.

Olga Cavalli: I like it. Yes. I like that suggest - I like her synonym. So your suggestion would be any of the rules governing participation shall be objective, common and clearly stated? I think common, common...

Zahid Jamil: Any other ideas? I am happy to take another idea.

((Crosstalk))

Olga Cavalli: On how to...

Zahid Jamil: So the standardized can be interpreted otherwise. That is all.

Olga Cavalli: I understand your point. Victoria, you are English native.

Victoria McEvedy: Yes. I am just looking actually because I think we would get some help from the other terms used. You see standardized has been taken from - if you look about, in the second paragraph here...

Olga Cavalli: Yes. It is there, yes.

Victoria McEvedy: You see that is where we are taking it from. To be honest, it is actually a very good shorthand because it is - but a commonality is - would have been a good term. You know, common is sort of too much which sort of (agains) to just stand (out). It is the standardized and the (ality) which arguably imputes some flexibility although that is not terribly precise either. Yes. I mean I am afraid I do not have anything else on the top of my head.

Olga Cavalli: Okay. (Let) have this word in mind and maybe and before or after we can find a better word. I think standardized it is fine and I read it as Victoria understands it. But I also understand Zahid concern. Zahid do you have any suggestions?

Zahid Jamil: A very quick one, I mean instead of actually trying to find a word if you having difficulty right now, we could just put a footnote in there. That...

Olga Cavalli: Yes.

Zahid Jamil: The idea is that they would be common in nature but not identical.

Victoria McEvedy: Well actually could I just - just sorry. Now you have given - it was a very good suggestion. I am just wondering, it might be easier to clarify the end of that sentence. But, you know, we could just add a proviso couldn't we after clearly stated like something like notwithstanding, you know, rules do not need to be identical or some sort of language like that. Would that make you - would that address your concern?

Zahid Jamil: That - absolutely. That would be perfectly fine. Thank you.

Victoria McEvedy: We could say something like for the absence - for the absence of doubt. And I would need to actually probably draft it probably but the for absence of doubt, rules do not - such rules may contain variations or something like that.

Olga Cavalli: That would be, sorry I did not get it completely, a footnote?

Victoria McEvedy: No. It would just be a proviso. So after the word is clearly stated, you might add a comment...

((Crosstalk))

Olga Cavalli: Okay.

Victoria McEvedy: ...a comma, a comma.

Olga Cavalli: Okay.

Victoria McEvedy: And it might say something, yes, so the absence of doubt.

Olga Cavalli: Can you draft it and send it to the list Victoria so we can have it?

Victoria McEvedy: Yes I can. It might be easier actually.

Olga Cavalli: Thank you. Thank you so much. Are we okay with this? Great.

B, the group shall have their participation rules based on common principles developed by the GNSO. These rules then shall be made available in a variety of languages so they can be understood by (againsla) of our audience. And I remember Krista making a comment here.

She has a question and maybe we can discuss about it. She says rules made of (unintelligible) languages, who translates. If group translates, what if there is no budget. That is a good question and I would love to have all this conversations in Spanish but I am accustom to working in English. But do we have any comments to Krista's questions.

Claudio Di Gangi: Olga this is Claudio.



Olga Cavalli: Yes.

Claudio Di Gangi: I would - I need to go back and take a look at the toolkit of services to see if there was a...

((Crosstalk))

Olga Cavalli: Olga - remembering that, yes.

Claudio Di Gangi: ...if (Scott) was one of the areas where the constituent - the groups can get support.

Olga Cavalli: Okay.

Julie Hedlund: Yes Olga this is Julie. I will be happy to pull that document up while we are discussing and see if that is something concluded there.

Olga Cavalli: Yes. I think that the word variety is confusing. I would love to have different languages. But having documents in a variety of languages is something that we all desire, but it is something that sometimes is very difficult to achieve. Also in United Nations, if you go there you have not all the languages available. You have I think six of them. Luckily Spanish is one of them. But there are some other languages that are not.

So I think perhaps too much in a variety of languages. Perhaps...

Victoria McEvedy: Can I - could I just add to that. I think that is a very good quest - a good point Olga. I just know that what the E.U. does is it has, you know, because there is, well there is 26 members of the E.U. and I am not sure how many languages there are. They're not 26 but there is quite a lot.

But what they do at the E.U., institutions have designated a number of working languages.

((Crosstalk))

Victoria McEvedy: I think there is only three of them. I think they are English, French and German. And I could be wrong about that. It may have changed since.

Olga Cavalli: Yes. You are right. You are right. And United Nation is six...

((Crosstalk))

Victoria McEvedy: Okay fine. So maybe that is something that we could footnote there that maybe there should be a number of working languages. I do not know, you know, and maybe someone should look at that. But it would obviously be appro - it is not appropriate for the constituencies and stakeholder groups just to publish their charters in English obviously. And if we do not try and do something about this, nothing will happen about it.

Olga Cavalli: I totally agree. And I know that (Eiken) is making a lot of effort in providing different translations into different languages for many of the documents. And I commend him for that.

But I also understand that it is very difficult to do in many languages. So I would suggest and I take the comments from Krista and questions before asking who (done says), I would like to change the word variety. Maybe we can make it a clarification as Victoria said and perhaps saying in a certain number of working languages something like that. Do you think that can be accepted?

(SS) are you okay if we change a little bit the word variety? (SS) we lost you?

Julie Hedlund: Olga this is Julie. I show that (SS) has disconnected.

Olga Cavalli: Okay. I - oh yes he said that he was going...

Victoria McEvedy: Yes he did.

Olga Cavalli: ...to be available for one hour and a half. But maybe I understood...

((Crosstalk))

Victoria McEvedy: He said half an hour I think.

Olga Cavalli: Half an hour, sure. Okay no problem. Are we okay to change the...

Zahid Jamil: Olga?

Olga Cavalli: Yes. Who is there.

Zahid Jamil: This is Zahid. Can I...

((Crosstalk))

Zahid Jamil: ...make a point?

Olga Cavalli: Sure. Please go ahead.

Zahid Jamil: Yes. Thank you. I think I understand what Krista is trying to get at. It is - even with the number of working languages and U.N. has six as you well know. And for those who are involved in the (CD mount accosted) that then racks itself up for (cancellation) purposes.

And I think even if you have three or four or five languages in which we are going to have these different rules as they keep coming out being translated,

I know that say for instance the (BT) members are very sensitive these days to cost implications.

So it may be a very important question to ask, would ICANN pay for this? And that would be one way to handle this. Or would it be the groups, stakeholders and constituency that have to pay for it, you know, from their own budget.

And so that would be an important issue. So although we can sort of sidebar this right now, but I think that I would like, you know, we need to get clarification as we go along.

Victoria McEvedy: Yes. I would just like to add to that. That is a fair enough point but we are talking about constitutional documents and there is not a lot of them and they do not get changed very often. And they are in a big - there has been obviously quite a lot of to-ing and fro-ing with the new stakeholder groups and the reconstitution process and everything is under amendment.

But on the whole, constituencies do not change their charters every two minutes. And both the participation principles and operational principles all contain in one document their constituency and that is the charter.

So, I mean I have to say the expense - I mean even let's just say that each constituency decided to translate their charter into four languages, I mean quite frankly that is not a mess of expense on the constituencies if the worse possible scenario should swallow it. It is not going to cost a lot of money is it?

Olga Cavalli: Are you making the point that...

((Crosstalk))

Zahid Jamil: I think that is a fair point.

Olga Cavalli: Yes. That is a very good point. What if we say this rules then shall be if possible available in a certain number of working languages so they can be understood by ICANN global audience.

Tony Harris: Olga?

Olga Cavalli: Yes. Tony?

Tony Harris: Can I make a suggestion? This is Tony.

Olga Cavalli: Sure please. Go...

((Crosstalk))

Tony Harris: Perhaps you could - that is a good way of putting it, but you might even say following the languages that ICANN normally translates for the general documentation.

((Crosstalk))

Olga Cavalli: We char...

Victoria McEvedy: Yes, but what (are the) languages?

Olga Cavalli: We char...

Tony Harris: So you go to the Web site. You can see them. I do not know them by heart but there is...

Victoria McEvedy: Okay.

Olga Cavalli: I think it is Spanish, French, it - there are several. I think there are more than - it is like United Nations or something like...

Julie Hedlund: This is Julie Olga. I believe it is the U.N. languages. I think there are six.

Olga Cavalli: Six. It is six. Great. So which was the text that you suggested Tony?

Tony Harris: I am sorry?

Olga Cavalli: And...

Tony Harris: Oh (well) the text that you had was fine. But since we seem to be stuck on how to define how many languages, probably the easiest way is when you mention languages to follow...

((Crosstalk))

Tony Harris: ...the customary proceedings with ICANN translated documents.

Olga Cavalli: So this would be - this rules then shall be made available in the - well the working languages for ICANN? I do not know how to...

((Crosstalk))

Tony Harris: Well the language is normally documents in ICANN are normally, the important documents at least as far as I can see, are normally automatically translated into several languages. These could be part of that process.

Victoria McEvedy: I, you know, I have to say, I mean it is a great suggestion. But I think that, you know, that might end up being gained but later by mean parsimonious groups. Let's not put it any (further) than that. Why don't we just pull those languages and stick them in?

Tony Harris: That is okay with me. I...

((Crosstalk))

Olga Cavalli: ...say you...

Tony Harris: ...have no problem.

Olga Cavalli: So this would be this rules then shall be made available in English, Spanish, French, that is what you mean?

Victoria McEvedy: Yes.

Olga Cavalli: And this would be this rules then shall be made available in English which are developed in and you tell me. Spanish should be one. That is a joke.

Julie Hedlund: Olga this is Julie. I will list the languages that are the...

Olga Cavalli: Okay great.

Julie Hedlund: ...languages that...

((Crosstalk))

Olga Cavalli: So they can be understood by ICANN's global audience. So Julie puts all the languages there which I think are six and starting with English which is the working language. And then it says so they can be understood by ICANN's global audience. Are we okay with this change?

Man: Yes.

Olga Cavalli: Great.

Victoria McEvedy: That is good.

Olga Cavalli: Thank you. C, all groups shall improve include fitness and represent a (business) and shall explore the possibility to have differential fees structures based on ability to pay. In order to encourage increased representation from those living in less developed economy. Comments?

We - oh Krista has a comment. She says differential fees, structure base and ability to pay, she says registrars used to have this but it automatically detriment it wasn't much of a benefit and it was easier to go with one fee for everyone. Of the - if the obligation is only to explore it, then it should be fine but prefer to leave it out.

This is Krista's comment. Any other comments from the group?

Victoria McEvedy: Well I may - I (first) say I rather think that it is probably something actually quite important. I mean I know I have to pay \$70, what is it, \$70 U.S. dollars to join the IPC. And that is not a lot of money. But you have actually got to pay it.

You can't - you have got to pay it through their bank account or something. So you end up paying \$20 - now was it 70 pounds or something. I cannot remember what it was. But I ended up having to pay enormous bank transfer charges because there is no way to give a check to a U.S. organization so I had to wire it.

Olga Cavalli: Um-hmm.

Victoria McEvedy: Anyway, you know, so it cost like 100 pounds which is not, you know, it is not a lot of money but, you know, for someone living in Ethiopia that is an absolute fortune.

Olga Cavalli: Yes.



Victoria McEvedy: And it absolutely is a barrier to entry. So I mean it is all very well - I mean the registrars and the registers, they are commercial organizations. But for the (NC), you know, who are sort of the groups that are aimed at Internet users and broader participation and what have you, I mean fees can be really prohibitive.

It is only to explore, but I mean I think we if anything should be really encouraging sliding scales.

Olga Cavalli: Any other comments? I personally like the idea of having this differentiation for allowing. You know, I totally understand your point Victoria. I live in a developing country and I know how difficult it is to write money and to pay and to transfer money. And it - for us any fee is for U.S. dollars or pounds are extremely high.

Claudio Di Gangi: Olga...

((Crosstalk))

Olga Cavalli: So yes. Claudio?

Claudio Di Gangi: Yes. I also - I agree with what - I mean I appreciate, you know, that (odd) issue that Victoria just raised. I think - this is I think what Krista touched on in her comment is that actually implementing this is probably complicated.

I think it, you know, it sounds like a good idea, but it might get tricky with actually setting up a uniform sort of rule for how to implement this. I - other ICANN where - I do not think ICANN generally sets up different fee structures. I think usually it is sort of a uniform fees.

Olga Cavalli: You make a very good point Claudio. But we can use some other elements that ICANN is using. For example, if you review the rules for the fellowship program that brings people from developing countries that cannot pay the

ticket to attend an ICANN meeting and they are trying to make outreach, they apply the rules so define in what is a developing country based on United Nations designation.

So that could be a good point to start. If you participate in United Nations meetings, sometimes you get funding if you are from a developing country or not. This is a distinction made in a certain list that have been already decided by an international organization which is the United Nations.

So perhaps that could be a reference. If we think that this is organization is - it is good to have. And I understand the complexity of implementing it. Any comments?

Victoria McEvedy: Well, I mean apart from - I mean are we taking anything - I mean, I am sorry Olga, what are you really - are you suggesting that we just - I am sorry, did I just not follow what you were saying. But I mean are we just saying that we have an opportunity to really even give this a nudge or leave it nowhere where nothing will ever be done about it.

Olga Cavalli: Yes. I agree. We should decide first if we are okay with this or we are not. I am - I think it could be complicated but I think it is good to have it. What do others think?

Claudio Di Gangi: Yes. This is Claudio. I am okay with having it the way it is worded.

Olga Cavalli: Victoria?

Victoria McEvedy: Well I would like to take out explore and - I mean if any - if it is going to say it, say it as it is, then I think we should add a proviso that there should be some sort of release system. You know, so, I mean if it is not going to be a general rule, we could at least add some language on that makes it basically sort of makes an appeal procedure for someone who is, you know, that you could apply to the here to the constituency for an exemption.

You know, so they should explore the general rule having slide scales, but even if they do not do that, they should have, you know, sort of a poverty relief, you know, everybody should have a poverty relief mechanism.

Olga Cavalli: What I tried to say before, I do not know if I was clear, is that there are some grouping of countries that are used for - in several founding procedures in defining what is a developing country or not. And so that helps for some funding. I know it feels like the fellowship of ICANN. I do not remember exactly the wording they have.

Victoria McEvedy: Well, what - I mean that would sort of - I mean, I mean to do it per country is one thing. But I mean I guess what I am really just suggesting is could we just put in a recommendation that all constituencies have - definitely have a (rule) to relieve financial hard, you know, to - for hardship relief, you know. So that they can make an exception from the usual fee structure even if they do not decide to have a sliding scale generally?

Olga Cavalli: That would be a different wording as it is right now?

Victoria McEvedy: It would just be a proviso on the end I think. I mean I think it could be done by a proviso and just could say something like, you know, yes, really all groups should have a mechanism for any potential member to apply for hardship relief in order to join.

Olga Cavalli: I am writing it. All groups should have a mechanism for...

Victoria McEvedy: Yes. I mean for any potential member...

Olga Cavalli: Um-hmm.

Victoria McEvedy: ...to apply or member or potential member to apply for hardship relief.

Olga Cavalli: Apply for...

Tony Harris: Olga can - I would like to make a comment when you are finished drafting.

Olga Cavalli: Oh I have two words missing. To apply for?

Victoria McEvedy: The word I was using was hardship.

Olga Cavalli: How do you write it?

Victoria McEvedy: Yes hard, H-A-R-D...

Olga Cavalli: Yes.

Victoria McEvedy: ...ship, S-H-I-P...

Olga Cavalli: Yes hardship.

((Crosstalk))

Victoria McEvedy: ...is one word.

Olga Cavalli: But - means. What does it...

Victoria McEvedy: It means sort of poverty or...

Tony Harris: (Gardencia).

Olga Cavalli: (Gardencia). Okay. Thank you Tony. I am sorry. My English is limited. All groups should have a mechanism for any potential member to apply for hardship or and you said something more.

Victoria McEvedy: Hardship, no it is hardship relief...

Olga Cavalli: Relief, okay.

Victoria McEvedy: ...from the normal fee scale or normally applicable - otherwise applicable fees.

Olga Cavalli: Okay. Thank - and we - you suggested we leave the text about...

((Crosstalk))

Victoria McEvedy: Yes. And leave the text. And then basically that would give two options. So they should explore having a sliding scale...

((Crosstalk))

Olga Cavalli: Because - shall explore. You are right. Yes. It is not mandatory.

Victoria McEvedy: Exactly. But our very minimum there is they have to have hardship relief. So even if they choose not to bring in a sliding scale, they have got to have, you know, they should be, and I am, you know, which sends a good message hopefully to people who might be shy of applying for the hardship relief otherwise.

Olga Cavalli: Okay. Tony you wanted to make a comment.

Tony Harris: Yes I just - I just wanted to say that I think it is a good concept. As a matter of fact in our constituency in the ISP we have always applied it. In fact, we do not charge anything to non-profits or ISPs in developing countries who come, you know, participate sort of now and then or whatever.

But the only problem I think you might find in putting that in writing is who defines, I mean who says and who can check if it really is a case of hardship relief or he just doesn't feel like paying it, you know. And it is probably a

commercial ISP or developing country teleco and they can pay whatever it is \$50 or \$100 without any problem.

In other words, what verification mechanism would you have which is another hassle, and you know, and then there is a PO...

((Crosstalk))

Tony Harris: ...a PO to that and aren't we sort of opening up a can of worms there...

Woman: Well...

Tony Harris: ...if we put it in writing and make it a bylaw sort of thing?

Victoria McEvedy: It is better that not having, I mean surely it is better than not having any encouragement for it. And I do not think there would be a need. I mean people can usually recognize hardship when they see it. It is like...

((Crosstalk))

Tony Harris: Ha ha. You would be...

Victoria McEvedy: ...an elephant - it is like an elephant is they are hard to describe...

Tony Harris: You live in the U.K.

Victoria McEvedy: ...and hear it.

Tony Harris: Obviously you live in the U.K. You do not live in the developing regions.

Victoria McEvedy: But I mean people with any...

((Crosstalk))

Tony Harris: With all respects, with all respect. It is just...

Victoria McEvedy: But if anybody made an application, they would have to give grounds for hardship. And I mean they would - it would be - I mean if you want to add in a procedure, I mean I just think that is unnecessary. I mean every constituency should form its own hard, you know, should have its own - there should just be a mechanism for people to apply for a release from the normal phase. And they would...

((Crosstalk))

Tony Harris: Well you can make it...

Victoria McEvedy: ...a (case).

Tony Harris: ...you can make it a recommendation. We, you know, it is recommended that this be taken into account or...

Claudio Di Gangi: I would agree with that. This is Claudio. And I - oh I mean I agree too with the idea behind what Victoria is getting at here but I think it is better to set it up as a recommendation, encourage the groups to, you know, to consider setting up that type of system.

Olga Cavalli: This would be included in this - in this paragraph?

Claudio Di Gangi: Yes. I would just put it - I would just use sort of the same language we were going to use but just set it up as a recommendation.

Olga Cavalli: So it would be another letter - B, C, D, E? All groups should have a mechanism for any potential member to apply for hardship relief from the normal fee scale? I think it would be - should be included in this one.

Claudio Di Gangi: Yes. Yes. I would, you know, explore. I would (unintelligible) because I think Tony raises, you know, a fair point that there is going to again by complexities in how that works.

Olga Cavalli: Tony what is your suggestion? How can we handle this idea and this text that I think - that I think it is very good that Victoria that suggested? You - how do you want to include it or what changes you suggesting?

Tony Harris: I am only saying that and instead of saying it should be a requisite article or bylaw or whatever you want to call it of the constituency, that the - it should be a recommendation for constituencies to consider mechanisms or alternatives for people to participate who cannot afford to - whatever Victoria said about, you know, not being able to pay or...

((Crosstalk))

Victoria McEvedy: I mean I would just say it if I might, I mean Tony I understand your point. I mean you are kind of worried. You are - but, you know, making it a recommendation which is a bit of a default position for people who do not like change, I must say, doesn't even address your own point. I mean your own point is a concern.

Tony Harris: (Fair).

Victoria McEvedy: Your own point is actually a concern about, you know, people, you know, some - what the criteria for granting hardship relief might be and not predetermining what hardship criteria might be or the outcome of a hardship application. I mean that is what you are really complaining about.

So making it a mere recommendation is just - but - it doesn't even address your point and is a bit of a knee jerk reaction. So I am just - I mean if we are leaving it up to constituencies how to grant the hardship relief and in what



criteria, but just saying that they must have a mechanism to do so, I mean haven't they got the flexibility that you are concerned about?

Tony Harris: Victoria, I am sorry. I back off. Olga, that is okay...

Olga Cavalli: Yes.

Tony Harris: ...with me.

Olga Cavalli: Oh yes.

((Crosstalk))

Tony Harris: I am convinced. Yes. It is a great argument. I am convinced.

Claudio Di Gangi: Can I respond to this point Olga?

Olga Cavalli: Sure Claudio, go ahead.

Claudio Di Gangi: I think that like - I mean I again, you know, agree with the direction that we are going with, but I think by just saying the groups must have it but then not giving any guidance as to how that would actually work doesn't really, I do not think, add a lot of value.

And it just - I do not think it is necessarily would be clear to the groups how to implement something like that in a fair way, in a non-discriminatory manner. And it could just be - it could be opening up more problems than it is actually solving.

Victoria McEvedy: Okay. I mean, I mean I have to say - just going to - can I answer that? I mean I am sure that is a well intentioned comment, but I mean, you know, the leaders of these constituencies on the whole are relatively sophisticated

people and would deal responsibly I am sure with any application that was made for fee relief on good grounds.

And, you know, I would trust that they can do that. I mean I do not - I have faith in the group leaders myself and I am just concerned that you don't and wonder why that would be. I mean...

Claudio Di Gangi: Well it is just because - part of the reason is because I think in certain cases hardship applications would be denied and you would be putting those folks in a position where they would be denying hardship applications. And in - I think there should be some sort of guidance given as to how something like that would work.

Victoria McEvedy: Yes. I think it is likely to be very, very rare that people are going to get a hardship application and even rarer that they are going to deny it. And I am sure they will not deny it without perhaps speaking further - I mean, you know, a bit of judgment. I mean sure people have judgment and, I mean (unintelligible) very rarely likely to be a problem. And good common sense and good judgment should guide leaders and groups through it.

I mean, you know, we have committees of all kinds don't they, executive committees and all kinds of committees. So I mean these are business people who run the constituencies and the stakeholder groups and I am sure they are perfectly capable of dealing with this.

Tony Harris: Olga can I make a comment?

Olga Cavalli: Sure please.

Tony Harris: Yes. Victoria, that is very well put actually. I just think about a couple of cases. It could be a small ISP in Kazakhstan or in Uganda and we would not have the faintest idea of what, you know, what the capability is.

((Crosstalk))

Victoria McEvedy: Well you could request information. I mean, you could just say you could ask for their annual turnover.

Tony Harris: Well we are getting into - okay. We are getting - then you are confirming my point where that would scale into more procedures and more...

Victoria McEvedy: (Now) that is ridiculous.

Tony Harris: ...or checks and everything.

Victoria McEvedy: Come on.

((Crosstalk))

Victoria McEvedy: Come on. Come on.

Tony Harris: I mean what on earth for.

Victoria McEvedy: Someone comes to you and you would say we will consider application but could we have the following information. I mean common sense would enable you to ask for anything you might need to consider. I do not see that there is any need to make your...

((Crosstalk))

Tony Harris: I hadn't thought about that. Yes. You are right. I hadn't thought about common sense. Okay. Fair enough.

((Crosstalk))

Claudio Di Gangi: ...this area where you would have different procedures, you would have different hardship procedures. So maybe one constituency would let somebody in if they could meet one criteria but then another constituency would have a different criteria for who qualifies for the hardship.

Olga Cavalli: It would be up for any constituents - for all - each of the constituencies. So we cannot - we cannot express that. (No).

Claudio Di Gangi: It just seems to me that if we are leaving it up to them to decide whether or not to grant the hardship, then we are sort of let - we are - if we are going to give the groups that much flexibility where you can say you can set whatever criteria you want for whether someone qualifies for hardship exemption, you are basically giving them the criteria to decide whether there should be a hardship exemption at all. It is really no different in my mind.

I think it is, you know, I think we still kind of accomplish the same thing if we put in something that, you know, a recommendation from our group that we think it should be, you know, explored or looked into or...

Victoria McEvedy: People (will) just ignore it. If it is only a recommendation, everyone will ignore it.

Claudio Di Gangi: I do not think that is the case.

((Crosstalk))

Victoria McEvedy: You are basically giving them the option not to do it. (No) and I do not understand that.

Olga Cavalli: Let's think about this. I think this text that Victoria suggested is very good. Maybe we can change one word. It says all groups should have a mechanism for any potential members for hardship relief from the normal fee scale. May

be we can take this should and put a could so they have the freedom to decide.

Claudio Di Gangi: That is a good idea.

Victoria McEvedy: I think it should be a minimum and everyone should have it. I do not know what everyone else thinks or if we should poll views on it.

Olga Cavalli: If we could it is two weak - all groups could have a mechanism...

((Crosstalk))

Victoria McEvedy: ...could we just - I think we need to sit back here. I mean, you know, we can - the GNSO is really seriously - let's look up for a moment to the Board Governance Committee report quote. I mean, you know, anyway, we know that the Board - isn't there a whole second subtext. Isn't Subtext 2, no no, task two, isn't it like promotion inclusiveness?

Olga Cavalli: Yes.

Victoria McEvedy: Right. So, I mean, one of the key, key, key factors that we can actually do here that will really help with task two is do something about this hardship relief.

Olga Cavalli: Yes.

Victoria McEvedy: It is really important.

Olga Cavalli: Good (idea).

Claudio Di Gangi: Yes.

Olga Cavalli: I agree.

Zahid Jamil: Oh hi. This is Zahid. Can I get in the queue?

Olga Cavalli: Yes sure. Go ahead Zahid.

Zahid Jamil: I am seeing two issues here on the (death) which is in front of me which is what was sent by the work team seems to be that we are looking at making differential fee structures for representation from less developed countries. Now that is fairly easy. It is a fee from a less developed country used easily bracketed. There is only (unintelligible) evidence, any other differential basis on which you paid a fee. So that is one thing.

Now we are talking about it seems something completely different which is sort of like a waiver or scholarship or fellowship or a hardship release. There I think we are going to have problems. I think some of them got highlighted as we were speaking.

And then we question because these are - most of these constituencies whether they are - or stakeholder groups (talking) about commercials maybe, but everybody else is either businesses. And there will be questions I am sure within those groups being asked about people who may be asking for hardship release. So they are getting the benefit of being included in the process, but they are not contributing like other members are.

So I think that balance has to be there. You have to be able to contribute as well because we have services that each group provides. And so we cannot sort of look at a situation as participating for free.

I understand that there should be differentials based on some objectives standardized criteria which could be (coming) in from a less developed country. We have a differential fee mechanism.

But when we are applying for these hardship released, I think it becomes very difficult. And then those members will face difficulties probably in their own groups because people will look at them in a different way I think.

And I mean for one - I for one from a least developed country do not want to be viewed in that perspective either. But anyway, that is the point I want to make.

((Crosstalk))

Olga Cavalli: Sorry Victoria. Zahid, do you have a suggestion for changing the text or adding something?

Zahid Jamil: I think - I mean my position is if we are going to look at differential fee structures as (poetry) I think that is fine but the existing language is fine. But adding hardship as an additional element - so you have got, you know, you got different structures now.

You have got probably in certain constituencies, larger associations and groups of companies are bigger spend more money as fees. Then you have small (consultancies) paying less fees. Now you have got a differential on the basis of where you come from.

So if you are from India or Pakistan or some other place, now that is different. Then comes another group who says these guys are actually in it for free because they applied for hardships. So we are really making this fairly complex.

So I would be just be...

((Crosstalk))

Victoria McEvedy: You have got to remember that - individuals.

Zahid Jamil: ...able to ex...

Victoria McEvedy: Individuals can...

Zahid Jamil: I would be happy to take let's say for instances the language which is there in C.

Victoria McEvedy: I would just like to add one point (unintelligible) which I think it is important to your analysis and that - you have got to remember that these groups are supposed to be open to individuals. And I think there is actually a recommendation about that somewhere isn't it.

So, I mean, you are very much characterizing that (unintelligible) they would be business who one business would get an advantage over another. Although I would just say that I think that, you know, business in Somalia is in quite a different position to a business in a developed country, and that there may be even as well as giving the developed country sliding scale, which let's face it is not - they might also need hardship relief.

But also, all groups are open to be individuals. And individuals really may need relief and it may not be a competitive disadvantage issue with an individual.

Zahid Jamil: Can I respond to that? This is Zahid.

Olga Cavalli: Sure Zahid. Go ahead.

Zahid Jamil: I think - I think the point of those individuals, but they are individual businesses. It is sort of like a sole proprietorship model. But they are not non-businesses who are individuals. So...



Victoria McEvedy: Well now that is not true. These groups are (unintelligible) I am an individual and I am in there with the IPC. I mean I think there is a rule in here. I think - I wish - (SS) would be able to help us but one of these rules says that all of these groups have to be open to individuals. Where is that rule?

Claudio Di Gangi: That is not - I do not believe in this document. And I do not think - this is Claudio by the way. I do not think that...

((Crosstalk))

Victoria McEvedy: Here it is. It is B. It is in Section 2B. All groups must offer membership to natural persons or individuals as well as to entities and legal personalities corporations. Now I can tell you that the IPC has individual members and it is a controversial issue. And the business constituency I believe is open to individuals. I do not know about the IPC and I do not know about the registrars and registries.

The (NC) non-commercial users constituencies are open to individuals.

Claudio Di Gangi: The (quid) - that text that you just quote says if applicable.

((Crosstalk))

Victoria McEvedy: Yes. But the general - yes you, but the general rule is that individuals should be entitled to join groups isn't it?

Tony Harris: Can I step in Olga?

Claudio Di Gangi: Can I ask a question? This is a...

Tony Harris: Olga?

Claudio Di Gangi: Yes.

Olga Cavalli: Sorry. I cannot follow if you all talk at the same time.

((Crosstalk))

Tony Harris: Put me in the queue. Tony.

Olga Cavalli: Yes. Thank you Tony. Claudio are you finish - or you want to finish your statement?

Claudio Di Gangi: No I am done.

Olga Cavalli: Okay. Victoria you want to add something to Claudio's comment?

Victoria McEvedy: Into (Claud) - no I think I have made my point and I have probably talked too much already. But I do think (it is very)...

((Crosstalk))

Olga Cavalli: No it is just that the two of you were talking together and I couldn't understand clearly what you were stating. This is why I...

((Crosstalk))

Victoria McEvedy: Oh okay.

Olga Cavalli: ...one at a time.

Victoria McEvedy: Shall I just restate mine very quickly?

Olga Cavalli: Yes please. And then Tony go ahead. And let me please then - after Tony I would suggest that I wrap up, and I would suggest that this is a very important issue and we - I can write the text suggested by Victoria as a

footnote, and then we can discuss this in the - in our mailing list because there are some other members that are not present and maybe they want to add something to this. Go ahead Victoria please.

Victoria McEvedy: Okay. So, I was just trying to answer Zahid's point. He, you know, he - I think my concern is that it is important to remember in this analysis that individuals - all of the groups it says in Section 2B of the language over the page all groups must offer membership to natural persons or individuals as well as to entities with legal personalities such as corporations.

Now I think it is very important when we are developing these rules to remember that because the GNSO is trying to encourage as much participation as possible, it is wrong to characterize all of that as business or commercial. Non-commercial users constituency in particular has a lot of individuals. IPC has individuals. Business constituency should be open to individuals and we may see much greater participation from individuals in the future.

And the GNSO should be welcoming and encouraging that. So I think it would be wrong to draft a rule based the fact that it might just be businesses getting an advantage from hardship. That is all I had to say.

Olga Cavalli: Okay. Tony?

Tony Harris: Yes. Well, that is interesting. Actually I could probably give - going to this point, the example of the - of our constituency, the ISPCP. By definition we are the Internet service providers and constituency - I am sorry, and connectivity providers constituency.

I have yet to meet some - an ISP who is an individual because actually it is quite complicated to provide Internet services. You need servers. You need help desk. You need a lot of bandwidths and, you know, contracts with telecos. It sort of seems a little beyond the scope of an individual.

So as somebody just mentioned in that 2B, where it speaks about natural persons or individuals, it does say if applicable. And it - I do not think it is applicable in our constituency. We have never turned anybody down but I struggle to see who would be able to apply.

Olga Cavalli: I understand your point. I mean because your constituency is mainly you have companies giving services, that is all you are saying.

Tony Harris: What is the name of the constituency?

Zahid Jamil: This is Zahid.

Olga Cavalli: Yes Zahid. Go ahead.

Zahid Jamil: Sorry. I will let Tony finish and (then, you know)...

((Crosstalk))

Tony Harris: I was just saying that that is the name of our constituency...

Olga Cavalli: Yes exactly.

Tony Harris: ...Internet service providers and connectivity providers. And they are never individual people. It is just impossible. You cannot do it.

Olga Cavalli: No you cannot do it. Zahid.

Zahid Jamil: Yes thank you. I completely agree with Tony. That is what I was thinking. I mean it - the same would apply to the (C) itself, the business constituency. It would have to be by definition businesses. Even if they are individual run businesses, they would still have to be businesses.

And I think it is an important point that Victoria has raised, because if there is any doubt or room in 2B for this to be interpreted otherwise, and words, you know, if applicable, are not necessarily seen (unintelligible) and there is going to be an argument about this when it goes into the constituency, we may also need to be very careful in how we clarify this in Section 2B. Because we do not want the confusion in the (BC) or in the ISPC saying somebody saying well I am an individual and I want to apply. So, just wanted to clarify that point.

Woman: Well that...

Tony Harris: Yes. That should be revisited, definitely.

Victoria McEvedy: Well I am sure that we will end up discussing that. And I would just like to add to that that this is point that I have already - I mean it has already been addressed. It comes up for me as well. And it comes up in Sub-task 1.2 where it is also that were such - I would like just to say that - and I think the point is raised in some of the commenture there.

But, you know, by law, and I can absolutely can tell you on the U.S. law and U.K. law and I believe many of the commonwealth common law systems and also I believe under civil law, an individual would be perfectly entitled to run any of those businesses. And just - and I do not think that they have - that it is right to prefer the corporate form.

It does not happen in any other context legally so I think it is quite inappropriate. And I think given the GNSO's desire to improve its outreach, it is wrong to suggest that individuals do not run businesses and everybody in most countries you can have a sole proprietorship or a corporate form or a partnership. These are three main business structures.

But it is wrong to suggest that in - that indivi - that there are not individuals and that individuals should be excluded even on purely a business analysis which I do not think is the appropriate one.

Tony Harris: Olga could I respond to that since this is pointing to my comment?

Olga Cavalli: Tony yes. Go ahead.

Tony Harris: Yes. Well actually I think it looked like what this article says is it refers to individuals, I mean individual is one person. That is the way I read it. I am not - I mean obviously you can tell me an individual runs a company.

We have 70 members in our association here in Argentina. Sixty-five of them are run by individuals are the owner of the company. But by - and I insist by definition, our constituency is not a constituency made up by individual people.

You have to be an Internet service provider or connectivity provider to participate in our constituency.

Victoria McEvedy: Well I understand.

Tony Harris: If you are not one of those figures...

Victoria McEvedy: Um-hmm.

Tony Harris: ...one of those two and let's say service definitions, whether you are an individual or ten people or 1000, that does not matter, then you have other constituencies you can go to. You have got the non-commercial. You have got the ALAC.

((Crosstalk))

Victoria McEvedy: Yes. That is eligibility though Tony.

Tony Harris: There are also all kinds of places you can go to.

Victoria McEvedy: All right. All right. (Set back) what you said, it was quite right. But that - and that is a fair enough - that is an absolutely appropriate eligibility requirement isn't it? You know, you have got to run one of these businesses. But I mean I am just saying that certainly under the English law and under I believe American law, it could be structured, for example, an individual could own the business and it could be structured as a sole proprietor - as a sole partnership even if it had many, many, many employees.

Tony Harris: Well that is true. It is possible. But so far, in practicality, you cannot become an Internet service provider as an individual sitting in an office. You need...

Victoria McEvedy: Okay.

Tony Harris: ...a lot, a lot more things to be able to do that.

Victoria McEvedy: Sure. Sure. Listen, the registrars, the registries and the ISPs yes, it is very unlikely you are going to have individuals. And there - but many of the - the important point is your eligibility criteria. You should not have a rule excluding individuals if they did meet the eligibility requirement but it is very unlikely that they will.

It becomes more important when you look at something like the business constituency. Now business people can be individuals can't they? And again, as I say, under English and American law, you can be a sole proprietor.

I am a sole proprietor myself in terms of business structure. And lots of professional people practice under a sole proprietorship structure. So the business constituency certainly needs to be open to individuals.

And, you know, and also, remember Internet users are a stakeholder group, users, right. And they may be in the NCUC, but they have every right and should have every right to join other constituency subject to eligibility criteria.

Tony Harris: I - well I cannot see them being in our constituency. I mean they would be bored to death.

((Crosstalk))

Tony Harris: But well, okay. It is a point.

Olga Cavalli: Okay. Sorry for interrupting you. I think it is a very interesting discussion, but we are 30 minutes past our time and we have to close our call today.

Let's do the following and see if you agree with me. I will write the text suggested by Victoria that is suggested to be as a footnote to paragraph - oh I lost my document - Paragraph C and let's discuss it - discuss this in the - in our email list and maybe we can find a final text.

And we are okay with the text as to paragraph, Section 1B and Julie will send us the link to the wiki updated document. Are we okay with this suggestion?

Man: Yes.

Olga Cavalli: Great. Thank you very much for your participation. I think we have made a very important progress and we have exchanged our very relevant ideas. So let's work on Paragraph C. I will send the text that I wrote when Victoria suggested it. And let's discuss about it how we want to include this idea and perhaps the others that were not able to participate can add something and also (SS) who was the one that led the preparation of this document. Okay?

Julie Hedlund: Olga this is Julie. I have a question.



Olga Cavalli: Sure. Please go ahead.

Julie Hedlund: (In the) text for Paragraph C, I thought I had heard Victoria say that this should be a proviso in that it would follow as another sentence, you know, following the...

Olga Cavalli: Oh maybe I misunderstood that. Is that what you meant?

Victoria McEvedy: Oh. I think that when I said proviso, I think I was actually talking about, and I was supposed to provide you further language and that was for 1A. I said I would email that to you.

Olga Cavalli: Yes. That is what I understood.

Julie Hedlund: Victoria this is Julie. So in this case, this would ultimately appear as a footnote? I just want to make sure I reflect it correctly.

Victoria McEvedy: Oh no. No, no. It would go in the...

((Crosstalk))

Julie Hedlund: Okay that was my question. All right.

Victoria McEvedy: But proviso sort of sounded - wasn't quite the right characterization. But it would be part of - it would be a new sentence I think as part of C wouldn't it?

Julie Hedlund: That was my question Victoria.

Olga Cavalli: Okay. So I will include it as a part of C and as mentioned new text. And we discussed if we are - and we can exchange more in detail more ideas about this. I think it is a very important discussion.

And I also realized that constituencies are different in - from their essence and their participants. So it may be difficult to find a final text that the states all the need. But we have to try.

Julie Hedlund: Olga this is Julie. I just wanted to point out one other thing if I may.

Olga Cavalli: Sure.

Julie Hedlund: So with respect to Paragraph B, I just (unintelligible) translation. And the policy is to translate into five U.N. languages - Chinese, Russian, Arabic, Spanish and French, you know, in addition to English.

Olga Cavalli: Okay.

Julie Hedlund: It is assumed that English...

Olga Cavalli: English is the working language so...

((Crosstalk))

Julie Hedlund: Right.

Olga Cavalli: ...it should be all documents are...

Julie Hedlund: Right. And I have reflected this in language in all caps in the revised version of the documents on the wiki.

Olga Cavalli: Okay. Thank you very much Juliet. Any comments? Great. Thank you very much for a very interesting exchange of ideas. And thank you joining.

Julie Hedlund: Olga may I ask - this is Julie again. I am sorry. As far as the timing for the next meeting, I - did you - I know that Glen sent a notice to the list that next

week all of the policy staff are on a retreat at the Marina Del Ray facilities.  
And then I fact will be on a flight at this time.

Olga Cavalli: Which is - which week - after...

Julie Hedlund: Not next week but the week after. What - if we were doing bi-weekly meetings, the bi-weekly meeting would have - would occur on the 22nd of January. I unfortunately will be a plane and I do not believe any other policy staff will be available for that call.

My question is whether or not we could instead have a call next Friday. That would be January 11.

Olga Cavalli: That is okay for me. What do others think?

Victoria McEvedy: Yes I agree. I think we should - maybe a long call too, maybe a two hour call so that we can try and finish this.

Olga Cavalli: I have no problem. I have no problem. Okay. That...

Glen de Saint Gery: Sorry. That would be January 15. This is Glen.

Olga Cavalli: Yes exactly. Great.

Julie Hedlund: January the 15th, right.

Olga Cavalli: Yes.

Julie Hedlund: I am sorry. I was looking at the wrong cal - yes, January the 15th. And you are correct.

Olga Cavalli: Let's try to set it up for next Friday for two hours. What do the rest of the working team members think? Silence so they agree. Okay. Okay.

Glen de Saint Gery: Okay. I will pick up the call for next Friday at the same time.

Olga Cavalli: Great. And for longer time for two hours.

Glen de Saint Gery: For two hours.

Olga Cavalli: Great. So I will send text right now when I finish the call. And let's exchange ideas and we talk again next Friday. Have a nice weekend.

Claudio Di Gangi: Thank you.

Woman: Thanks.

Woman: Thanks so much.

Woman: Thank you.

Olga Cavalli: Bye-bye.

Woman: Bye.

Glen de Saint Gery: (Ube)? (Ube)?

END