

**GNSO
Operations Steering Committee Community (OSC)
Constituency Operations Work Team
19 February 2010 at 13:00 UTC**

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

Participants present:
Olga Cavalli – NCA – Work Team Chair
Claudio Digangi – IPC
Tony Harris – ISPCPC
Rafik Dammak – NCSG
Debra Hughes - NCSG

ICANN Staff
Julie Hedlund
Glen de Saint Gery
Gisella Gruber-White

Apologies
Chuck Gomes – Registries Stakeholder Group
SS Kshatriya – Individual
Victoria McEvedy – IPC
Krista Papac – Registrar Stakeholder Group
Zahid Jamil – CBUC

Olga Cavalli: Thank you very much, operator and thank you for joining. Gisella, please help me do a roll call.

Gisella Gruber-White: With pleasure. Good morning, good afternoon to everyone on today's Constituency Operations call Friday the 19th of February. We have Olga Cavalli, Claudio DiGangi, Rafiq Dammak.

We have from staff Julie Hedlund, Glen de Saint Géry and myself, Gisella Gruber-White. We have apologies from Victoria McEvedy, (S.S.), Krista Papac, Chuck Gomez, Zahid Jamil and Tony Harris will be joining us in about half an hour.

Please state your names when speaking for transcript purposes. Thank you. Over to you, Olga.

Olga Cavalli: Thank you very much, Gisella. Thank you, Rafiq and Claudio and staff for joining. As we were waiting for starting the call, Claudio made a very interesting question and I was wondering about it before starting the conversation. Should we have a minimum amount of working team members on the call to make it valid?

Julie, could you please help me in finding any text relating to that in the charter as we discuss other things about timing?

Julie Hedlund: Yes, Olga. Actually I don't believe there's anything in the charter.

Olga Cavalli: I don't recall but...

Julie Hedlund: I'll take a look at it. There is language as far as what is a (census), but not as far as the number of people needed for a call. But if you wanted to discuss the timing of the call , I'll take a look at the charter.

Olga Cavalli: Yes, thank you very much, Julie. About the timing - I have no problem in doing the call at other time. What do others think? Is there is reason that we change it? Because I missed that call and I don't remember in the MP3 which was the reason for changing it.

Claudio DiGangi: Olga, I think Chuck might have had - I think he wanted to do something at 10:00 o'clock or...

((Crosstalk))

Olga Cavalli: Yes, maybe.

Julie Hedlund: This is Julie. Chuck has a (hard slot) typically at 9:30 and I have a meeting now - a recurring meeting on Fridays for the (SSAC) which goes from 10:00 until 11:00.

Olga Cavalli: So which would be a good time for - the time we had before, 1 hour later? To me it's the same, both times are fine for me if I'm not travelling or in a plane. But Claudio?

Claudio DiGangi: Yes. That works for me.

Olga Cavalli: One hour later.

Claudio DiGangi: Yes.

Julie Hedlund: This is Julie. Nine to 10?

Olga Cavalli: Yes.

Julie Hedlund: That would lose Chuck for the second half of the call.

Olga Cavalli: Forever? I mean...

Julie Hedlund: Sometimes he has a conflict and sometimes (unintelligible).

Olga Cavalli: Okay. And Rafiq?

Rafiq Dammak: Well, no problem. Just I am wondering if we have the meeting every week. I think it's I can't too much - too much frequent.

Olga Cavalli: You mean every 2 weeks?

Rafiq Dammak: Yes, I think that that is 2 weeks and I'm not sure that every week and 1 hour and half I think...

Olga Cavalli: Well, the reason that we have more frequency and more time is because we are a little bit late with our outcomes and it would be good if we can move forward. But if it's an inconvenience for us and we cannot get the people together then we have to revise that because it doesn't make any sense.

I don't know, we may do a (doodle) again to find a good time for the group. I think it could be a good idea. Perhaps, Gisella, you could send a (doodle) for refinding - refinding, does this word exist in English?

Julie Hedlund: Actually, Olga - this is Julie. We can certainly do a (doodle) but please keep in mind that we have I think - I've forgotten the number of calls we now have - so we will have the difficulty of finding a time in which there is not...

Olga Cavalli: I know, I know.

Julie Hedlund: That was why - I mean for one thing I would suggest that we stay with Friday, because as soon as we switch to another day of the week, then we're likely to run into the conflicts. I think - and I could be wrong - but I think maybe what we could do is I could send a message to the team.

It seems that, you know, that I know Krista has expressed a desire for a little bit of a later time because - and Chuck as well. It's been, you know, quite early for them. And perhaps even a half an hour difference of say 8:30 to 9:30 might be helpful to them.

What do others think about that? It might be easier, for instance, I guess what I'm saying - is if I put out a suggested time and ask people to respond to it

because I know that there's still no conflict with other calls we say went to 8:30 to 9:30.

Olga Cavalli: For me it's okay.

Claudio DiGangi: Yes, this is Claudio. Yes, I think that's a good idea, Julie.

Olga Cavalli: Okay. I think it's a good idea, Julie. Rafiq?

Julie Hedlund: And Rafiq, what do you think? And then we'd be doing it 1 hour but - and Olga, would you still want to still do it weekly?

Olga Cavalli: Well, I would like to do that before Nairobi.

Julie Hedlund: Yes.

Olga Cavalli: And see if we can maybe do a little bit progress before our face-to-face meeting in Nairobi. And then we can reschedule biweekly.

Julie Hedlund: All right, well that would be just one more meeting actually.

Olga Cavalli: Yes, that's not that much, yes.

Julie Hedlund: It would only be next Friday because the following...

Tony Harris: Morning.

Olga Cavalli: Hi, hello, Tony.

Julie Hedlund: ...day we would be having a face-to-face meeting shortly after.

Tony Harris: Hi.

Olga Cavalli: Hi, Tony. Welcome. We were discussing the timing of the call because we have changed it recently and we have several apologies and we think that perhaps one of the reasons that we are not together today as a team - many of us - is because of the change in the time.

So we were thinking about doing the call a little bit later - half an hour later. Is that good for you?

Tony Harris: It's okay with me. Yes.

Olga Cavalli: Okay. And we're planning to have one more call next Friday before Nairobi and then have our face-to-face meeting on Sunday in Nairobi. And then see if we can discuss that in person in Nairobi if we would schedule for biweekly meetings or we can see that how progress we made and - sorry - and we can move forward from there.

Tony Harris: Good.

Olga Cavalli: Great, so Julie, do that and send a message proposing the time change and see how it - what the reaction is to this.

Julie Hedlund: Right, Olga. This is Julie. I will do that. I'll make as part - I'll make it as - set it apart of our regular - to bring people's attention to it. And this is Julie - also I looked through the charter with respect to any requirement as to the number of people needed to be on a call.

There is no requirement in the charter for the number of people that need to be on a call in order to hold a call or a meeting. There are requirements relating to a definition of a consensus position, rough consensus being no more than no more than 1/3 disagrees and 2/3 agree.

So in that respect I think the - perhaps the interesting point would be that anything we might decide on this call we would have to consider whether or

not we could consider that a consensus position or whether or not we would need to have input from the others.

I think with the number of people on this particular call we would need to have input from the others, but I should point out that as we've been going through the documents I have - any language that's been discussed on the call I have represented it in curly brackets to indicate that we've not had comments from everyone in the work team, just those on the call.

And in each case we've always asked work team members to comment on any language suggested, you know, during a call. So we've been giving work team members not on the call an opportunity to review what's been discussed.

Olga Cavalli: Thank you, Julie. I would like to propose the following. Let's do the call for 1 hour and let's try to finish the language for the first document for (subtask) 1 and propose the changes among - the agreed changes among us in the wiki with curly brackets or strike-through or whatever it corresponds.

And then we ask the group - the rest of team - to review those changes. And if we have the time then we move with to the second document and go on. Because there are some language still to be defined in the first document that I think we should close that document and agree and then a final version among all of us and go to the next one. We have been going around with that document for a while. Do you think it's a good idea?

Tony Harris: Yes.

Olga Cavalli: Okay. So let me open it - I have several things open at the same time - and find the document. There is a text proposed by Rafiq in - at the end of the first document - it's a shame that (S.S.) is travelling. He cannot join because he's the one who chaired the working team.

Let me find it. (Unintelligible) one Section 2 Paragraph (f), there is a language suggested just - suggested by Rafiq. Section 2, Paragraph (F) - "In case of unfair treatment resulting in the rejection of an application or a dispute, the applicant may lodge a complaint with the ICANN Ombudsman or "- this is the inclusion suggested by Rafiq - "or as mutually agreed upon non-biased neutral third party to process for lodging a complaint with the Ombudsman as set forth in Article 5 of the ICANN bylaws and in the Ombudsman framework available at" blah-blah-blah.

I like the suggested text. What do others think?

Claudio DiGangi: I like it too, Olga. This is Claudio.

Olga Cavalli: Tony? Have we lost Tony? Okay, I suggest the following. Julie, please take away the curved brackets and leave the text as agreed among us and see what do others think. I think the text has been circulated back 2 or 3 - 1 week ago. So haven't seen reactions against it so I think it's a good inclusion. And it's clarifying.

Julie Hedlund: Okay, Olga, I'll take away the brackets. And I will in the actions from this meeting ask people to, you know, review all of the changes on task and subtask and indicate whether or not there are any concerns.

Olga Cavalli: Great. So this goes for Section 2 Paragraph (F). And I have another paragraph indicated to be reviewed - Section 3, Paragraph 2. And there are several parts in curved brackets. Could any one of you remind me which was the issue with this paragraph because I cannot recall?

Claudio DiGangi: Yes, Olga - this is Claudio. We discussed this paragraph two calls ago and then also on the last call when I proposed language based on the initial discussion. And that's I believe what's in there in the bracketed text. And that was what we came to agreement on on the last call.

Olga Cavalli: So this text was already prepared by the working team on the last call?

Claudio DiGangi: I had sent it to the list I think shortly before the call and then we talked about it.

Olga Cavalli: Yes, I remember that, yes. So we may think that the group has already reviewed it and saw it - it's something that nobody reacted against.

Claudio DiGangi: Not on the call. I think Victoria had proposed alternate language but...

Olga Cavalli: I don't recall seeing Victoria's comment.

Claudio DiGangi: She wanted - she sent something to the list also before last week's call. She wanted to stick with what we had revised on the previous call. We sort of did a revision while we were speaking and she wanted to - she wanted to stick with that language.

Olga Cavalli: Okay, let's review the text and see if we agree in it or not. Section 3, Paragraph 2 - "To improve accessibility, transparency and accountability all groups should establish and publish a consensus building model or process in their bylaws or charter. The process or model should be based on the principles of participation representing business, (unintelligible), integrity, flexibility, transparency, openness and (unintelligible). Comment to the GNSO working group model."

Then what's the reference about the use of voting with policy - I don't understand the language at the end of the paragraph.

Claudio DiGangi: I was going to actually - I was going to ask a question about that too. Julie, is that just old language?

Julie Hedlund: That was language that had been originally discussed. I don't - it didn't - you did not make any changes to it, Claudio, it's just - I have quoted the full

paragraph. So that was something that was discussed and was not in contention. I simply included it to - for completeness.

Claudio DiGangi: Because it was sort of - it was, you know, I think including it - it was - it's not something I was initially contemplating when I sent the new language to the Web site. I just thought that was going to be the language we were going to go from.

Julie Hedlund: Right, I included it just for completeness because Section 3 Paragraph 2 - that is Section 3 Paragraph 2. So you've made changes to the first sentence so the second sentence stands as previously agreed, which is, "Use of voting within policy deliberation should be minimized as much as possible." And that was discussed several calls back.

Olga Cavalli: Claudio, you okay with the last sentence?

Claudio DiGangi: I mean I'm okay, yes. I mean I'm okay with the idea there. But it just - I didn't think it sort of flowed. I mean part of my idea for coming up with new language was to just make in more broad and sort of more general.

Julie Hedlund: Claudio, this is Julie. Were you anticipating striking that second sentence, because...

Olga Cavalli: That was my question.

Julie Hedlund: ...we could do that as a direction in any of our calls. We didn't actually talk about the second sentence, I didn't think. So that's why I included it. And I'm sorry if I misunderstood.

Claudio DiGangi: Oh no, that's fine. Yes, I mean I was basically proposing a whole different set of language that what was previously there, including the last sentence.

Olga Cavalli: So what you're proposing the first part of the paragraph.

Claudio DiGangi: Yes.

Julie Hedlund: So you're proposing to strike that sentence - that second sentence so there is just the one sentence?

Claudio DiGangi: Exactly.

Olga Cavalli: What do others think? I like the idea. I don't like the last sentence. I think it's - it doesn't make a lot of sense having it there.

Tony Harris: I agree. Yes, we should take it out.

Olga Cavalli: Rafiq?

Rafiq Dammak: Okay.

Olga Cavalli: Okay. So let's do the following. Julie, strike it through and take out the curved brackets in the first part of the paragraph and see what do others react. What else we have to revise in the first document?

Julie Hedlund: This is Julie. I don't believe there is anything else, Olga.

Olga Cavalli: Great. So let's do the following. Let's tell our list that we have revised the first document and we have made some changes and that we have like 1 week to review them or react or send comments. And if nobody sends any comments or reaction or proposal we could have it as a final document. Does it sound reasonable?

Tony Harris: Yes.

Claudio DiGangi: Yes.

Olga Cavalli: Great. Okay. So about Subtask 2, there are some texts that were going to be submitted by Claudio, (Michael), Julie, Claudio again. How could we proceed with this document? Should we move forward from the point that the working team left in the last call or should we revise this text that has to be sent from different people? I would like to move forward.

Tony Harris: I vote for moving forward, yes.

Olga Cavalli: And see - remind (Michael), Julie, Claudio - and Victoria I think they have to review some text and send some input. You think it's a good idea?

Julie Hedlund: Olga, this is Julie. I have actually sent the text in.

Olga Cavalli: Yes, I saw it. I'm so sorry. You're right.

((Crosstalk))

Julie Hedlund: (Unintelligible) changes I was aware of. And just to remind people I had sent in the recommendations that related to Paragraphs C and F. I had reviewed the recommendations in Paragraph C through F references the constituency disclosure policy.

I was unable to find references in the BGC recommendations with respect to a constituency disclosure policy so that - and I had sent that separately to the list.

Olga Cavalli: Yes, I saw it. So is that text included in the document? That's a part of it, or we don't need to include it?

Julie Hedlund: No, Olga, we don't need to include it. It was sent for reference.

Olga Cavalli: Okay.

Julie Hedlund: The deal was to see whether - so that people could be reminded as to the related BGC recommendations and so there's nothing to include unless we decide that there's language that's missing there. But I think that it was - at any rate we can discuss that. I can go back to that particular message if you like.

Olga Cavalli: No, I saw it and it was very clear. Claudio, do you want to submit this new text that you proposed to submit about this Section 2 and review some language in Section 4? Or you want to discuss it now?

Claudio DiGangi: I'm sorry, Olga, which...

Olga Cavalli: I'm talking about the action items of the last call...

Claudio DiGangi: Okay.

Olga Cavalli: ...and there are some references about some texts that you were going to or propose to revise. It's Section 2, Committees, Paragraphs C and D, and Section 4 Elections. Why don't we go to the text and review it, okay?

Claudio DiGangi: Yes.

Olga Cavalli: I think that would be easier. Okay, Julie, please help me. Where could we - which could be a good point to - we start reviewing the document - the second document?

Julie Hedlund: Well, if you wanted to I think we had, you know, at the last meeting, as you mentioned, there was a discussion about Section 2 Committees in Paragraph C and D and I - we could look at those and see if we have any changes that we want to suggest there.

I think - we had suggested some changes last week but I think that there were some concerns expressed on C and D about what was required and

whether or not it was too broad and what were the precedents from other constituencies. And I think that's why (Michael) was going to look back at his group's charter to see what they suggested there.

So we might want to hold this. But I'll just quickly read C and D and we see if we have any additional thoughts perhaps, if you'd like me to do that.

Olga Cavalli: Which part of the document is this in?

Julie Hedlund: It's Section - it's Section 2 and - or Part 2 - pardon me - a part to Recommendations and Section 2 Committees, and within Section 2, Paragraphs C and D.

Olga Cavalli: Okay.

Julie Hedlund: Right. So Paragraph C reads, "The (FAHSA) Committee has been established and the membership of it shall be published on a constituency Web site and action points, decisions and any resolutions of final work products should be made available to the entire constituency membership within a reasonable period of any given meeting."

And D reads, "It is recommended constituencies publish to the constituency membership and..." - and this was added - "going forward maintain a list of all active and inactive committees and their final decisions, resolutions and final work products."

And that - the terms "going forward" were added because of concerns that it might be onerous to go back and collect historical information on constituency memberships unless those active and inactive committees. So it was suggested that this recommendation by going forward.

Olga Cavalli: Comments about - I don't work usually in a constituency so it's difficult for me to see - to face this language (so bad) so I would appreciate Tony's or Rafiq or Claudio's input about this.

Tony Harris: Olga?

Olga Cavalli: Yes?

Tony Harris: Yes, I think the language as it was modified and stands now is more appropriate. It's more - it would be more - let's say it's more fulfillable, okay?

Olga Cavalli: Okay. Claudio?

Claudio DiGangi: Yes, I think this language is good, too. I mean one of the concerns I had about C was if the committee was formed within a constituency or stakeholder group, are we talking about publishing that on the Web site so anyone can see that? Or is it just for the membership?

The C - there's a distinction there and you know, I'm just wondering if it's an internal constituency issue they might not want, you know, everyone in the world knowing that they're looking at a particular issue, say for example. So this was...

Olga Cavalli: May I ask you something? How do Web sites of constituencies and they call the world - are they - all the content is open for everyone or they have some parts which are private for the members of the constituency?

Claudio DiGangi: I think it varies, Olga. I think some might have areas dedicated to their membership. I don't think there's uniformity on that.

Olga Cavalli: No, I imagine, but it can happen that there may be a Web site that has a private section to the members.

Claudio DiGangi: Yes.

Tony Harris: Olga?

Olga Cavalli: Yes.

Tony Harris: Yes, in the case of the IAC that's not the case. The Web site will normally sort of focus on publishing results - let's say the results of committee work and things that would be useful for public - for the public to know about, but not perhaps the internal debates and discussions going on about certain topics. I mean those are - those belong to the constituency.

Olga Cavalli: So why don't we add some language that could cover that privacy that the constituency may have in its communications so we cover that? I'm reading it, "the (unintelligible) the committee has been established and the membership (unintelligible) decisions and any resolution and final work products should be made available to the entire constituency membership within a reasonable period of any given time."

Tony Harris: That's okay in a sense because it's called a constituency membership.

((Crosstalk))

Tony Harris: Sorry.

Olga Cavalli: I would add a sentence that would say perhaps "considering also that there may be some information that could be kept private to the constituency members," or something like that.

Tony Harris: Well, actually if you read the way it ends it says, "it should be made available to the entire constituency membership." It doesn't talk about the general public.

Olga Cavalli: Yes. The whole work, yes. So you like the language as it is, Tony? I'm trying to address this other...

((Crosstalk))

Tony Harris: It's - no, it's all right. It's not very well written, the paragraph. As Claudio defines it very accurately sometimes, it doesn't flow well.

Olga Cavalli: Well, you both are English native-speakers, I am not. Your help is welcome.

Tony Harris: Well perhaps we could leave this as a pending open issue if Claudio's (unintelligible) and maybe either of us or both of us can make some suggestion before the next meeting.

Olga Cavalli: Great.

Tony Harris: I don't know what Claudio thinks.

Claudio DiGangi: No, it's a good idea. I was just thinking about it while we were speaking. Perhaps if we just - if we add in - if we - the first part of the sentence is I think where there's a little ambiguity so maybe if we just - if it just reads, "the fact a committee has been established and its membership should be made available to the entire constituency membership. And that all action..."

Tony Harris: Yes, I agree.

Olga Cavalli: That's a good change, that's a good change.

Tony Harris: That would fix it, yes.

Olga Cavalli: Did you get it, Julie?

Julie Hedlund: Let me review it. "The fact that a committee has been established and its membership shall be published on the constituency Web site," et cetera.

Claudio DiGangi: Well it should say, "And its membership should be made available to the entire constituency."

Julie Hedlund: Oh, I see.

Claudio DiGangi: Adding the period.

Julie Hedlund: Shall be made available to the" - well - "shall be made available to the constituency membership"...

Claudio DiGangi: Yes, yes.

Julie Hedlund: ...or do you want to say "entire constituency membership," which is different than what it says further down.

Claudio DiGangi: Yes.

Julie Hedlund: Okay.

Tony Harris: Yes. We are shortening it.

Olga Cavalli: Yes, it's already (changed) and we're okay with the language?

Tony Harris: Could we read it once more as it stands now, please?

Julie Hedlund: "The fact that a committee" - this is Julie - "The fact that a committee has been established and its membership shall be made available to the entire constituency membership and action points, decisions and any resolutions and final work products should be made available to the entire constituency membership within a reasonable period of any given meeting."

Claudio DiGangi: I think that's fine, Julie. Julie maybe instead of maybe you could just put a period instead of and then...

Julie Hedlund: Fine, and separate this into two sentences?

Claudio DiGangi: Yes.

Julie Hedlund: Okay.

Claudio DiGangi: Yes, I agree.

Julie Hedlund: So then it would be - it would begin, "Action points, decisions and any resolutions blah-blah-blah should be made..." Okay, so that will be separate sentence.

Claudio DiGangi: Yes.

Tony Harris: Okay.

Olga Cavalli: So that's done? You like it, Rafiq?

Rafiq Dammak: Yes, it's okay.

Olga Cavalli: Okay. Great. So we have C. Are we okay with D, the addition of "going forward?"

Tony Harris: Yes.

Olga Cavalli: "It is recommended constituencies publish to the constituency membership and going forward to maintain a list of all active and inactive committees and their final decisions, resolutions and final work products." Is this feasible? I mean...

Tony Harris: Yes.

Olga Cavalli: I mean it's not a burden for the constituencies?

Claudio DiGangi: Yes, I mean - Olga, this is Claudio. That's what we spoke about last week, you know, and we discussed that the toolkit would be primarily available for that reason, so.

Olga Cavalli: Great, great. So it's okay with the addition of "going forward."

Tony Harris: Yes.

Olga Cavalli: Great, thank you. Okay, communications has a lot of text strike-through. Should we revise it again, what is left?

Tony Harris: How does A - how does A read right now?

Olga Cavalli: Well, it should say, "All constituency mailing lists shall be open to the entire constituency membership and at the election of the constituency in any given case to the public."

Tony Harris: Well what about the executive committee mail list? Normally that's not open to every member in the constituency.

Olga Cavalli: Okay.

Tony Harris: It's not a secret society but it's - I mean the Executive Committee is really - goes about the business of the constituency and - well, it's not normally a list which everybody reads.

Olga Cavalli: Okay.

Tony Harris: I don't know what you think, Claudio.

Claudio DiGangi: Yes, I agree with that. I think - I remember we talked about this last week and - Julie, was there - I don't remember if there was like an action point there that for you, that you were going to look to see what the BGC report said about...

Julie Hedlund: Well, I did actually and that's what I had sent around previously. I can pull up that message if you'd like in just a second.

Tony Harris: Could you tell me what date you sent it, Julie, please?

Julie Hedlund: I'd have to look back. It was I think on Monday, but let me pull it up.

Olga Cavalli: Why did we add the last part of the sentence?

Julie Hedlund: Here is the paragraph, okay. So with respect to Task 1 Subtask 2 communications Paragraph B reads - see, this is with respect to Paragraph B, I thought, "Mailing and discussion lists should be open and publicly archived with posting recommended to members of the election of the constituency."

I didn't realize that it also pertained to Paragraph A. I mean but in any case let me read the recommendations from Page 43 of the BGC report, "In addition the GNSO constituency with council and staff participation should develop clear operating principles with constituency to ensure that all constituent function and of representative are open, transparent and democratic manner. Operating procedures adopted by constituency should reflect common principles and follow these guidelines. Mailing and discussion lists should be open and publicly archived with posting rights permitted to members. Procedures for developing policy position should be clear."

I think the rest of these really relate to other areas in the recommendations. But that was be the only one that I found that related to mailings that - and it seems to read almost verbatim the same as what is in Paragraph B, that is that the recommendation of mailing and discussion lists should be open and publicly archived with publishing rights limited to members. I did not find language that matched Paragraph A.

Man: Okay.

(Debbie): Hello, sorry to interrupt. This is (Debbie). I just wanted to say hello.

Olga Cavalli: Hi, (Debbie). How are you?

(Debbie): How's that for being late? I have an 8:00 standing meeting and I apologize.

Olga Cavalli: Don't worry, welcome. Oh, by the way are we all going to Nairobi? Claudio, going to Nairobi?

(Debbie): I'll be there.

Claudio DiGangi: I'm not, no, unfortunately.

Olga Cavalli: Oh, no. (Debbie)?

(Debbie): Yes, I will be there.

Olga Cavalli: Great. Tony?

Tony Harris: Yes, I will be there.

Olga Cavalli: Rafiq?

Rafiq Dammak: Yes, (unintelligible) I will be there.

Olga Cavalli: Great, I will be there too, so we'll meet face-to-face. Sorry, sorry for the interruption. Why don't we add a part of the sentence in A, making this reference to the Executive Committee exception that Tony pointed out? Does it happen in for example (IPC), Claudio, also, that the Executive Committee has a kind of a private list?

Claudio DiGangi: Yes. And you know I'm thinking it might be beyond just the Executive Committee. You know there might be other...

Olga Cavalli: Yes, of course. We may find broader language.

Tony Harris: Olga?

Olga Cavalli: Yes.

Tony Harris: I may be wrong in my understanding of the BGC report but that's a recommendation, right?

Olga Cavalli: Yes.

Tony Harris: It's a - I mean the BGC is not laying down the law. They're saying we recommend this is what we would like, correct?

Olga Cavalli: Well that's my understanding, yes.

Tony Harris: So we could have a different of - opinion about this.

Olga Cavalli: Yes, that's my understanding that we would find a different language than what they said.

Tony Harris: Okay.

Olga Cavalli: So could we add something about saying that there may be some reserve list or not available list?

Claudio DiGangi: Are we still - are we talking about A now, Olga, or are we talking about...

Olga Cavalli: Yes, A.

Tony Harris: Yes, it doesn't work for me the way it's sent.

Claudio DiGangi: The idea I raised last week, Olga, and I'm not sure about the constituencies would, you know, see enough value or think it's a good idea. But what I thought was if there was one public list for each group that would, you know, it could be used to, you know, to provide postings on there, at least make the public aware on what's going on within the constituency.

Julie Hedlund: Claudio, this is Julie. That was actually original language. It was the second sentence, "It is recommended each constituency should have at least one publicly archived mailing list." I think there was discussion - at least I have it as stricken from last week's meeting but perhaps I was mistaken.

Claudio DiGangi: Yes, that's right. I forgot about that. There's not really - I don't think there's really consensus that - of the value behind I think of having it. So we ended up striking it.

Olga Cavalli: Okay. Can we add some language about some withheld lists? Is this useful or we just leave it as it is?]

Tony Harris: Well if you leave it like it is, I don't think that's really what we would be comfortable with. So I mean I'm okay with the second part of the first sentence which says, "At the elections a constituency in any given case to the public," that's okay. I mean certain things would be useful for the public to know.

Olga Cavalli: Yes, I agree.

Tony Harris: But the first part of the sentence is kind of broad, actually.

Olga Cavalli: "All constituency mailing lists shall be open to the entire constituency membership..." Yes, I think it's like too broad and too vague. I think we should add some language for some restriction.

Tony Harris: Yes.

Olga Cavalli: I should suggest to take all the way. Constituency mailing lists should be open to the entire constituency membership and at the election of the constituency in different case to the public," then we could add something like, "Some lists may not be available for the whole constituency " - I don't know, in the sake of some privacy discussion. I don't know, some language like that.

Claudio DiGangi: Yes, I think that's a possible solution.

Olga Cavalli: I just forgot what I said.

Tony Harris: All right, we got the sense of what you're saying. But the thing is how do you define the exceptions and the context of this - of this wording.

Olga Cavalli: I would start thinking first I don't like all that was said. That's really saying all of them have to be reviewed by all the members. So taking it all the way brings us to a smaller universe and then we have to add a sentence too to define what we don't want to be seen by everyone. We may say, "that constituency may have some reserve lists for internal working."

Tony Harris: Yes, it would be sort of internal working, organizational issues and sort of keeping it away from policy. Because I think basically the sense here would be that the BCG doesn't want hidden discussions on policy.

Olga Cavalli: Exactly, on policy. Okay...

((Crosstalk))

Tony Harris: I mean the Executive Committee may be discussing how many chairs they need for the next meeting in Nairobi or who will be coming to the cross-constituency breakfast, things like that. And I mean why would it be necessary for the entire membership to be following this?

Olga Cavalli: So the sentence would be like, "Constituencies may have - may give some private lists for operational matters and organization," something like that? Did you get something of this, Julie, of the language?

Julie Hedlund: This is Julie. Perhaps we could say, "The constituency may have reserve lists for operational matters not related to policy."

Olga Cavalli: Oh, I love that.

Tony Harris: Yes. That was what I was trying to do.

Olga Cavalli: And take the first "all" word out because I don't like it.

Julie Hedlund: Okay, this is Julie deleting the word "all." And then adding a new sentence, "The constituency may have reserve lists for operational matters not related to policy."

Olga Cavalli: You think that's fine, Tony?

Tony Harris: It's a lot closer to what I wanted to do, yes. It's a good step. What do you think, Claudio?

Claudio DiGangi: Yes, I think that's an improvement. So but I'm just trying to understand like if the idea is that there's some discussion going on within the group about a policy issue, does that have to - are we saying that has to take place on a list that would have to be available to the entire group and they...

Tony Harris: Well, I see your point. I mean the actual exchange of emails would be one way to do it and very broad. Normally in our constituency we - a lot of discussion takes place perhaps within the Executive Committee and the council reps and then that - the output of that - the outcome of these discussion is immediately shared with all the membership, especially in face-to-face meetings we cover absolutely everything that we do.

Claudio DiGangi: And so how would that fit in to here? I mean we're saying that - we're clearing out an exception for operation issues but...

Tony Harris: I think basically if we could get away from the concept of the actual emails and sort of, you know, go to the meat which would be let's say the results or the outcome or will of course be shared or available for all the membership that might - we might be able to come up with some wording there.

Claudio DiGangi: Yes, I agree with that.

Olga Cavalli: Which was the sentence, Tony?

Tony Harris: Well, we're on A, right? "All constituency may - is it list now or have we taken away discussion groups?"

Julie Hedlund: This is Julie. We did delete the term - we did delete the phrase "and discussion groups."

Tony Harris: Okay, fine. But I think, Julie - what Julie read just now - would it be too much to ask - would you read it once more, please, Julie?

Julie Hedlund: Yes, this is Julie. "The constituency may have reserve lists for operational matters not related to policy."

Olga Cavalli: The second sentence.

Claudio DiGangi: I think that's sort of - it's a little restrictive because I think the implication then is everything else has to - has to be in this sort of public or semipublic form.

Tony Harris: How would you - how would you want to change that, Claudio - improve it?

Claudio DiGangi: Yes, and I apologize. This might have been one of my homework assignments on our last call that I'd taken a (chance) on...

Tony Harris: Perhaps if we took away "not related to policy," would that be closer to home for you?

Claudio DiGangi: I think so, yes. I think that would work. What would it read then, Julie?

Julie Hedlund: Yes, this is Julie. It would read, "The constituency may have reserve lists for operational matters."

Claudio DiGangi: Yes.

Tony Harris: Not qualify it in any way.

Olga Cavalli: That's okay.

Claudio DiGangi: Well, I still feel it's being qualified somewhat because we're saying for operational matters. I mean could we just say that constituencies - I don't know if it defeats the point if we, you know, we decide that they maintain reserve lists for...

Olga Cavalli: It's needed.

Claudio DiGangi: It's needed, yes or...

Olga Cavalli: It's needed. We obtain it for operational matters.

Julie Hedlund: Right, so we could say this - this is Julie. We could say, "The constituency may have a reserve list if needed."

Claudio DiGangi: Yes.

Tony Harris: Yes.

Olga Cavalli: Okay.

Tony Harris: There we go.

Olga Cavalli: Great.

Tony Harris: That's fine.

Olga Cavalli: Rafiq?

Rafiq Dammak: Yes.

Olga Cavalli: (Debbie)?

(Debbie): Sounds good.

Claudio DiGangi: Julie, did we delete the word "all" as well?

Julie Hedlund: Yes, we did. This is Julie.

Olga Cavalli: Yes, that's important because it's not everything is there.

Man: Yes.

Olga Cavalli: Great. We have A. All the rest is strike-through up to G, are we okay with that?

Julie Hedlund: Actually - this is Julie - B is still extant. It reads, "Mailing to specialists should be open and publicly archived with posting rights limited to members at the election of the constituency," which reads pretty much verbatim as to what was in the BGC recommendations.

Olga Cavalli: Oh a revision is gone.

Tony Harris: That needs to be considered I think.

Claudio DiGangi: Did we talk about it last week, Julie?

Julie Hedlund: I'm sorry - Julie - Claudio. What was your question?

Claudio DiGangi: I'm sorry. On B, are you saying we did not strike that? Or I thought...

Julie Hedlund: We did not strike that. The action item was for me to track COC to see what was in the BGC recommendations.

Claudio DiGangi: Oh, got it.

Olga Cavalli: Okay. So we have it on again.

Julie Hedlund: It should not - it was not stricken or should not have been stricken.

Olga Cavalli: Okay.

Julie Hedlund: And neither is part of C. Part of C is stricken, part of C is still extant.

Olga Cavalli: Which part is not?

Julie Hedlund: C currently reads, "Information as to constituency business and work products and finance and accounting, missions to staff and other ICANN entities shall be made available to the entire constituency membership unless there are valid grounds for restricting distribution."

Stricken is "in accordance with the constituency disclosure policy."

Tony Harris: That's right, we did take that out because...

Julie Hedlund: The rest are D is - D and F are stricken because they reference the establishment of constituency disclosure policies and there were concerns about the difficulty of developing and defining such a policy and the action item was for me to look at the BGC recommendations to see if they referred to such a policy. And I did read them through and could not find a reference to a constituency disclosure policy recommendation in the BGC report.

Tony Harris: So it was stricken then. And E also talks about the disclosure policies.

Julie Hedlund: Yes.

Tony Harris: So does F.

Julie Hedlund: Yes. D is stricken, E is stricken and F is stricken.

Tony Harris: Good.

Julie Hedlund: And then there were some modifications made to G. G currently reads, "All constituencies shall have a published privacy policy provided for the protection of the private..." which was inserted in place of "personal" - "...data

of members..." - individual having been stricken. And also stricken was "and shall restrict publication of classes of information on the same."

Olga Cavalli: Okay. Do you like the new language? Julie, could you please clean the - point 3 and update it into the wiki? Not now, I mean after the call.

Julie Hedlund: Well, all these changes have been into the wiki. I can save them so you can see them again.

Olga Cavalli: Yes. I opened the wiki before the call and (unintelligible) things are...

Julie Hedlund: I've been editing as we've been speaking.

Olga Cavalli: Oh, I was (unintelligible).

Julie Hedlund: You should now be able to see the changes.

Olga Cavalli: Great.

Julie Hedlund: Yes, so they should show up. But then I'll go back into editing mode, it's easier...

Olga Cavalli: No, I think it's already done. Don't worry.

Julie Hedlund: But I thought I heard on - that Tony had some concerns about the language in Paragraph B?

Tony Harris: Well, only insofar since we modified A, does B contradict what we changed? That's my only concern. Because we seem to be restating in B what we changed in A.

Julie Hedlund: Actually - this is Julie - it seems that B goes further than A because A speaks to the availability of constituency mailing lists to the entire constituency

membership but B speaks to mailing and discussion lists being open and publicly archived.

Tony Harris: Exactly.

Julie Hedlund: So they would be disseminated to the public but with posting rights limited to members at the election of the constituency.

Tony Harris: So you're really saying that anybody in the entire world could read everything. They can't post to the list but they can read everything, right?

Julie Hedlund: This is Julie. That appears to be what it says.

Tony Harris: Claudio, any thoughts on that?

Claudio DiGangi: You know, I'm thinking about last week that, you know, we - just our discussions that - I think this concept of communications is that the groups communicate with the public what they're doing and what decisions they're making - or their position on issues.

And I think that what's been discussed is that the details and, you know, the intercommunications are not as important as the bigger picture of getting that information out to the public. This seems to be focused on the actual - the mailing list rather than the outcome.

Tony Harris: Yes. That's why I don't think it's a good idea.

Claudio DiGangi: Yes. I agree with that. I think that if we focus this more on communicating the outcome...

Tony Harris: Exactly.

Claudio DiGangi: I don't have specific language off the top of my head, but...

Olga Cavalli: Oh, I (dropped) my document, sorry - I cannot find it now. Trying to refresh, I made a mistake.

Julie Hedlund: Hi, I'm wondering if - this is Julie - if we could reference instead the - something related to decisions or positions could be public. The BGC recommendations talk about procedures for developing policy positions clear - being clear and processes being available and open. So I - if we might want to perhaps be more specific as to what exactly we're making public as opposed to all mailing and discussion lists.

Tony Harris: Exactly. We need - I think we need to define that a little more narrowly.

Julie Hedlund: This is Julie. What about "Policy decisions should be publicly archived," or something like that. I mean if you say "open and publicly archived," then that would mean that people would be able to follow the discussion as opposed to the outcome.

Claudio DiGangi: Yes.

Tony Harris: Well, you could say, "The outcome of all constituency policy discussions and decisions would be publicly archived and available."

Claudio DiGangi: Yes.

Olga Cavalli: Sorry, I cannot see the document. I cannot open it. All right, I closed it, and I cannot open the wiki. So I can't - I'm not following the text.

Claudio DiGangi: What if it's, you know, also - if we want something like, you know, "All, you know, groups should communicate their official positions on issues and, you know, on their Web site." Now would the IPC for example if we put - every time we submit a comment it goes up on our Web site.

Different activities that we partake on that are related to policy issues also go up, things like that. That's kind of what I was thinking. Do you think maybe we could take this to the list, Olga?

Olga Cavalli: Yes, and I was thinking that with one hour, and we agreed to make this call a little bit shorter because we have very few members participating and I cannot open the wiki.

Tony Harris: Olga?

Olga Cavalli: Yes.

Tony Harris: Olga?

Olga Cavalli: Yes.

Tony Harris: If it would help you while you're on the call the report - this report from Victoria McEvedy - you can find it on December 18 - an email from her to the (G) - to the (unintelligible).

Olga Cavalli: Yes, but I think that something's happened with my Internet connection, too.

Tony Harris: Yes. Oh I'm - okay.

Olga Cavalli: I may not find anything.

Tony Harris: You're in Japan, right?

Olga Cavalli: Yes. It has been working quite well at the hotel. But now something's happened. Okay, let's do the following. Sorry, Tony, you wanted to say something.

Tony Harris: No, I was just pointing out where you could find the document. Go ahead.

Olga Cavalli: Yes, Julie, please be so kind to put all these changes that we have been talking about in the text in the wiki and...

Julie Hedlund: This is Julie. I have actually already entered those that we have discussed thus far. I do have a question with respect to B. Was there any consensus on a change?

I heard the "outcome of all constituency policy decisions" and then striking "mailing and discussion lists should be publicly archived," but I'm not sure that a decision was made. Are we taking this - the text of B to the list or does anyone have a suggestion so I can move forward with that one?

Tony Harris: Yes, I have a suggested text which would be, "constituency activities and the output of all discussions shall be open and publicly archived." Or "should be open and publicly."

((Crosstalk))

Julie Hedlund: Let me repeat it and see if I got it. "Constituency activities and the output of all discussions should be open and publicly archived."

Tony Harris: Yes, that's the suggestion.

Olga Cavalli: Claudio, you like it?

Claudio DiGangi: Yes, I might just have to look at that one on paper. You know, I might - Julie had just read something that - I mean they're very similar I think what Tony and Julie just read. I'm not sure when we say constituency activities if it's too, you know, what we're referring to exactly there that they may - they put on their Web site. It might be cleaner if maybe if we just say - I think Julie - the language Julie read was "policy outcomes."

Tony Harris: Okay, I'm all right with that.

Olga Cavalli: Or news about policy?

Claudio DiGangi: What was that - could you read the language again, Julie, that you had initially read?

Olga Cavalli: You off, Julie? Hello?

Julie Hedlund: I'm sorry, yes, sorry - I was on mute. Okay, I've got it back. Oh, wait - actually this is what - okay. My suggested text was, "The outcome of all constituency policy decisions should be open and publicly archived."

Tony Harris: Yes.

Claudio DiGangi: Yes, I like that one.

Olga Cavalli: Great. Rafiq, you like the language?

Rafiq Dammak: Yes, it's okay.

Olga Cavalli: (Debbie)?

(Debbie): That sounds really good.

Olga Cavalli: Great. Okay, so let's do the following. We ask the working team to review the final version of Document 1 and review the changes made up to here in the document - second document and we establish a new time for our call next Friday and try to move forward in the list with some input for comments about what we have agreed up to now. Do you think that's a good plan?

Tony Harris: Yes.

Man: Yes.

Olga Cavalli: Great. And Julie, please let us know about the proposed new time in UTC - I don't recall which is it now - and help me please summarizing this action item.

Julie Hedlund: Yes, Olga, this is Julie. I will summarize these action items and today and the time in UTC would be - let's see - 1:30 UTC - 1:30 to 2:30 UTC, 8:30 to 9:30 EST.

Olga Cavalli: Great, and hopefully we will have more working team members on our next call. And then we have our face-to-face meeting in Nairobi.

Claudio DiGangi: Julie, this is Claudio. Is it confirmed that there's going to be remote participation for the - our face-to-face meeting?

Julie Hedlund: Yes, Claudio - this is Julie.

Olga Cavalli: There should be.

Julie Hedlund: All meetings will have remote participation, very robust remote participation. In fact the board in their meeting last night requested additional funding for remote participation.

Claudio DiGangi: Wow.

Olga Cavalli: Exactly. Yes, as many members of ICANN community will not be there. The Board has requested to have a good platform for remote participation, which I think is very good.

Julie Hedlund: The only (unintelligible) of course is that the times will not necessarily be convenient for people at all time zones.

Olga Cavalli: Tony (unintelligible).

Tony Harris: I seem to have heard - I seem to have heard that Chuck won't be there?

Olga Cavalli: Chuck won't be there.

Tony Harris: That's amazing. He's never missed a meeting.

Olga Cavalli: I know, but he's not allowed to by his company. So we will manage with Stephane. We will - have divided the different meetings of the GNSO and we will do - he will be participating remotely and we will help him from there.

Yes, he said that yesterday in the GNSO Council meeting.

Tony Harris: Is Krista going to Nairobi?

Olga Cavalli: Oh, I don't know. I haven't talked to her in a while.

Tony Harris: Okay.

Olga Cavalli: Many of us will be there but some of us won't. It will be a different meeting.

Tony Harris: Yes.

Olga Cavalli: Okay, we have a plan for the next week. Thank you for joining and we'll talk again next Friday. Have a nice weekend.

Claudio DiGangi: Nice weekend.

Tony Harris: You too, Olga.

Julie Hedlund: Bye.

Olga Cavalli: Bye-bye.

Tony Harris: Bye-bye.

END