

**Policy & Implementation Working Group Meeting
TRANSCRIPTION**

Wednesday 04 December 2013 at 2000 UTC

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Wednesday 04 December 2013 at 2000 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-policy-implementation-20131204-en.mp3>

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

Attendees:

Wolf Knoben - ISPCP
Chuck Gomes – RySG
Philip Marano – IPC
Michael Graham – IPC
Cheryl Langdon-Orr – ALAC
Alan Greenberg – ALAC
Klaus Stoll – NPOC
J.Scott Evans – BC
Anne Aikman Scalese - IPC
Tim Ruiz – RrSG
Greg Shatan – IPC
Olga Cavalli – GAC
Tom Barrett – RrSG
Marie-Laure Lemineur – NPOC
Kristine Rosette – IPC
Brian Winterfeldt – IPC
Amr Elsadr – NCUC
Maureen Cubberly – Individual
Eric Brunner-Williams – Individual

Apology:

Nic Steinbach – RrSG
Holly Raiche – ALAC
Krista Papac

ICANN staff:

Mary Wong
Marika Konings
Glen de Saint Gery
Nathalie Peregrine

Nathalie Peregrine: Thank you very much, Cheryl. Good morning, good afternoon, good evening, everybody. This is the Policy and Implementation working group call on the 4th of December 2013. On the call today we have Michael Graham, Olga Cavalli, Cheryl Langdon-Orr, Amr Elsadr, Chuck Gomes, Eric Brunner-Williams, Klaus Stoll, J. Scott Evans, Alan Greenberg, Phil Marano in for Brian Winterfeldt, Maureen Cubberley, Wolf Knoben, Anne Aikman-Scalese and Tom Barrett. We have apologies from Holly Raiche,

who's addressed this working group, (inaudible). From staff, we have Marika Konings, Mary Wong, and myself, Nathalie Peregrine. I'd like to remind you all to please state your names before speaking for transcription purposes. Thank you very much, and over to you, J. Scott.

J. Scott Evans: All right. Thank you. First, I think Greg Shatan has sent an email saying that he will possibly join late, so I just want to get that on the record. Next, I have a question to all. Does anyone have an update to their Statement of Interest? Hearing none, we'll move on.

Our proposed agenda was circulated to the group yesterday by Marika, and I want—you see it posted it here under Agenda on the right rail of the Adobe Connect screen and if everybody could look at that and see if they're all comfortable with that. Okay, I see no objections, so let's move forward.

The first substantive item on our agenda is a recap from the Buenos Aires meeting and given that the chair of that meeting was Chuck, I'm going to ask him—I'm sorry, I was reading some of the chat. I can't multitask. I'm a man, I should know that. I would ask Chuck to take and let us know an update on what went on in Buenos Aires. I think many of you were there but there were some who were not there. I attended by phone.

Chuck Gomes: Thanks, J. Scott, and this is Chuck. And I have the same trouble with multitasking, so no criticism from me. I thought it was a very successful meeting. For those that were participating in person or on the phone, everyone supported the work plan, and thanks to Michael for going over that via remote participation, and we'll finalize that later today, as you see on the agenda. And then we had what I thought was an outstanding discussion on the definition. Now those of you on the Definitions sub-team may not think it was quite as outstanding because they gave you more work to do. But it was really good, there was some very good input from working group members and others, so I think we accomplished what we wanted with regards to the definition. We did mention some of the questions. There wasn't as much discussion on the questions for discussion, but a large amount of time was spent on definition, which I thought was very useful.

So let me leave it at that rather than repeating the MP3, and transcripts are available for that meeting if anybody missed and hasn't taken advantage of those, but if anybody has any questions or additional comments about that meeting, suggestions how we might do it better in the future, please speak up.

J. Scott Evans: I have a question, Chuck. This is J. Scott on for the record. How did the briefing to the GNSO Council go?

Chuck Gomes: It was pretty straightforward. We told them where we're at, we talked a little bit about the work plan, and, again, Michael participated on that and went over the work plan. As I recall—and somebody correct me because I was in a lot of meetings there—I don't think there were any key questions on that, so it mainly turned out to be just a status update.

J. Scott Evans: Okay. Does anyone else have any questions or comments regarding either the GNSO update on Saturday or the substantive meeting face-to-face that was held on the Wednesday, the 20th? Okay, well then let's move to the next agenda, which is to finalize sign-off on the work plan. Marika, I'm not sure, are you planning to share that? I noticed that you had sent a link out.

Marika Konings: This is Marika. I can pull it up.

J. Scott Evans: Okay. I think it had some small tweaks in Buenos Aires, but nothing major has happened with the structure and the deliverable timeline remains the same; is that correct?

Marika Konings: This is Marika. Yes, (inaudible) updated was to reflect that some of the sub-teams were actually taking a little bit more time than originally envisioned, so I just updated that information.

J. Scott Evans: Okay. So this is our work plan and I will open it up to any questions. Concerns? All right. Hearing none, I would like to have this work plan formally approved by the attendees of this meeting. If you would indicate your approval by the voting mechanism by indicating a positive agree.
Okay. It looks like majority of those who have responded have done so as affirmative, so this is our work plan. And Marika, this already posted on the Wiki, is it not?

Marika Konings: This is Marika. I think it's currently posted as a draft document for review but I'll post it under a separate heading on the Wiki so people can go there and see it, and we'll take charge as well to try to keep this up to date on an ongoing base as, you know, (inaudible) move up to track that. And I think we've also built in on a regular basis review by the working group as a whole of the work plan to make sure that things are still on track or whether we need to move up some of the major milestones or not. So we'll take care of that.

J. Scott Evans: Okay. And I should emphasize that. For those that were not on the phone in Buenos Aires, it was made very clear in Buenos Aires that this is a living document; meaning that it will be edited and altered as regards to deliverables and things as the process moves forward. It's not a static document. Chuck?

Chuck Gomes: Thanks, J. Scott. I'm just curious how we're going to observe status of the work items as we go. Will this thing—are we thinking about the same spreadsheet being a status update, or maybe color coding action items that are finished or closed or behind, or anything like that? Because we want to regularly have status updates for ourselves, but also it'll be helpful for giving the Council update.

Marika Konings: This is Marika. I can respond ...

J. Scott Evans: Yes.

Marika Konings: .. to that if you want.

J. Scott Evans: Please go ahead.

Marika Konings: Yes, as you see (inaudible) the work plan, we actually indicated some color codings that we will be using, and maybe a way to go is actually prior to every working group meeting we would just update it and do the color coding; although the concern (inaudible) we may just, you know, move up especially for some of the sub-team work add some additional meetings if we already see that that's happening where we can still color code it and noting that this is, you know, delayed from what we had originally envisioned and this is what we think is now going to be the target date for delivery.

J. Scott Evans: Okay. I noticed here, Marika, that it shows that for one, two through to three, four and five, the call for volunteers was supposed to go out November 25th. Did that occur?

Marika Konings: This is Marika. I'm just looking at—no, that is one of the items that we need to move down, because actually we don't have the working definitions completed yet, so ...

J. Scott Evans: Okay.

Marika Konings: ... I think we're still waiting for those two sub-teams to complete before diving into the other ones.

J. Scott Evans: Okay. All right. How long do you think—I guess we should talk to Michael. Let's get an update from him and we can see where we are, and we can see where we might want to move that—Cheryl, I'm sorry, I didn't notice your hand.

Cheryl Langdon-Orr: Thanks, J. Scott Evans. I just wanted to pop in while Marika was talking about the color coding, so by the way. Another thing we could do in addition to the rather gross, and I don't mean that in a bad way, tool, which is, you know, completing some (inaudible) et cetera, a simple text addition on percentage, so it can be—and if we do it in, you know, 10, 15, 30, 50%, 35 percentage completed, that can often be useful and that doesn't negate the (inaudible). But there's a big difference between, you know, ongoing and 92% complete and ongoing and only 22% complete, and of course that would also go for delays, et cetera. Thanks.

J. Scott Evans: Okay. All right.

Michael Graham: Yes, J. Scott, it's Michael.

J. Scott Evans: Yes.

Michael Graham: Yes. I think that probably would be very useful to the extent that we could put that information in, and I think probably the best thing would be for me to work with Marika, and as she says, at particular times to look at this and update the dates. We were not—I was not looking at the dates we had enforced as proposed dates at this point, but I think if she and I worked together as the subgroups or sub-teams are meeting and immediately before the work group meeting itself, we can go through and

just make sure all the dates, either we're meeting those, or if there are deadlines coming up, to get that information out, or if we need to move some of those deadlines. And in that regard I'll note that the Definition sub-team, for example, has moved its deadline, so that there's an additional meeting next week, with the idea that we will be proposing some definitions for the next four work group meetings, and that sort of information, you know, once it's made by the sub-team we can incorporate that.

J. Scott Evans: Okay. All right. I see, Marika, your hand is up again.

Marika Konings: Yes, this is Marika. This is one of the comments also made in the chat. I think as we move forward at some point we probably need to consider as well, I'll ask the working group the question on how many sub-teams we realistically can have running at the same time. We're already know there's, for example, the sub-team (inaudible), it was hard for example to come together this week due to all kinds of other commitments and their time to do some work on (inaudible) this and actually scheduling a meeting probably in the course of next week or the week after. So it's something we need to think about. And I noticed as well that actually the call for volunteers that's in here, I don't know if that was changed on one of the versions actually very early. It looks like we're already calling for volunteers or had intended to call for volunteers on the 25th of November while the work wouldn't actually start until the end of January, and (inaudible) sure if that makes much sense, because presumably people will only be able to indicate whether they can commit the time closer to the date. So I suggest we will need to actually move that up into the new year as I think it will be clearer that those sub-teams could get started and do that closer to the actual starting time.

J. Scott Evans: I think that that's a good suggestion. Michael, is that a new hand or an old hand?

Michael Graham: Well I was a new hand and basically, you know, I agree with what Marika was saying in terms of moving those. And also the question that's on the chat as to whether or not, you know, with the staffing it makes sense to have all of these (inaudible) early on. One thing that we had discussed in the earlier version is (inaudible), and that is that the sub-teams, the substantive sub-teams really don't get started working until after the Zero B Working Principles come out, so that those are going to govern everything. So I think we need to just look at those dates going forward, what is realistic once we start our discussion up.

J. Scott Evans: Okay. All right. So I think there's general agreement that we will move that November 25th date until—call for volunteers at least in a tentative format to after the first of the year, so sometime before or after January 5th or before the 13th.

All right. With that, we'll consider this to have been approved, and we will move on to the next item, which is the update on the Definition sub-team. I did notice that Maureen was on the phone, but then it appears that she dropped, but it's my understanding that Maureen was not able to attend

the last sub-team call, and for that reason Michael has agreed to give us the update.

Maureen Cubberley: Hi, this is Maureen. Yes, that's absolutely right, and thank you, Michael.

Michael Graham: Oh, you're welcome, Maureen. Hope you're feeling better.

Maureen Cubberley: Thank you.

Michael Graham: Get you back into the trenches now that we've delineated them. And I (cross talking)

Maureen Cubberley: No excuses, eh? Okay, thanks.

Michael Graham: The update on the definitions is we did meet and had a good working telephone call on Monday, starting to look at both the comments that we had received from—well, during the Buenos Aires meeting, some comments that Alan had submitted in response to it, and it was quite a good and wide-ranging discussion. Basically, we've concluded that in any of these terms there are actually two definitions that are out there. One of them would be, we sort of labeled the dictionary definition, that would be a general uninformed idea of what that term means, and then most of these terms have a term of art meaning as well. So we were able, and I don't know if— I know it's been distributed, Marika. I don't know if you could post this. But we ended up with a draft that incorporates in many of the definitions both a dictionary and then the first stab at a GNSO whatever. So we have policy and then we have GNSO policy, which means policy is understood within the context of GNSO proceedings, PDP proceedings and ICANN.

Our task is to take a look at these drafts with the comments and the discussions from Buenos Aires in mind. All of us submit them in the Wiki any proposed changes, questions, et cetera, and then we've rescheduled a meeting for next Monday that would actually be an hour and a half, I believe, that we'll start going over those, and I would certainly invite any and everyone within the working group at this point to go over these draft documents and any comments or suggestions that you might have, to go ahead and submit those now so that we could start mulling them over as part of that work group.

J. Scott Evans: I think Chuck has raised his hand.

Chuck Gomes: Thanks, J. Scott, and Michael, and the sub-team that's working on this. Looking at the table that's shown, I don't think I see the terms that were suggested the definitions in Buenos Aires. Am I missing something there?

Michael Graham: There were several terms that we discussed that we did not reach a decision on. Let me see. I don't have those in front of me.

Chuck Gomes: That's okay. This is Chuck again. I just wanted to make sure that the sub-team does discuss all of those that were suggested. Now, I fully understand that the sub-team may recommend that we don't include

some of those but if we don't, we should probably have some sort of rationale so that we show that we're responsive to the input that we receive. Thanks.

Michael Graham: This is Michael, and on behalf of Maureen, we did discuss most of those terms. We did not reach a definitive conclusion, although I will say I think most of them we considered as to whether or not they were necessary for the work group going forward and we decided they were not. They were of interest, but were not necessary for our purposes. But in light of what you'd just said, Chuck, I think when we get back together again we will put together a rationale for why we are including or not including any of those suggested terms.

Chuck Gomes: Thanks.

J. Scott Evans: All right. So again, Michael, just briefly summarize for us the next steps with regards to this. Are you looking for the full committee that is here today to review this document and get comments back to you?

Michael Graham: I don't think a requirement, and certainly we're still working within the sub-team model, that the sub-team will come together with the purpose of coming up with a draft next week, hopefully, that can be presented to the working group as a whole for discussion at our next full group teleconference, that that would be something that we could focus on then.

J. Scott Evans: Okay.

Michael Graham: But I was just saying, if anyone has any, I suppose, strong feelings or helpful comments, I certainly would like to see those. I think, Maureen, I don't think we're closed to those.

J. Scott Evans: Okay.

Speaker: The plan...

Maureen Cubberley: I agree. I think that's a really good way to get some input at this stage when there has been a lot of work done and there's more for people to look at. So, yes, I agree. This is Maureen, by the way.

J. Scott Evans: All right. Any comments from the members? All right. Thank you, Michael and Maureen. Appreciate that very much.

Now we're going to move on to a discussion of the sub-team Zero B draft principles, and I think Chuck had circulated, based upon some information that Marika had pulled together, some thoughts with regards to the draft principles in the form of a Word document that was circulated, and I think Marika's going to share that with the group. And as soon as it gets here, we're going to let Chuck present these, because he is the author of the more fleshed-out version.

Chuck Gomes: Okay. Thanks, J. Scott. This is Chuck. I'll go ahead and start talking while we're waiting here. Keep in mind that we don't yet have anyone volunteer to kind of take the coordination lead on this sub-team. I would

rather not do it because I'm co-chair of the working group and I think it's helpful that I don't take a lead on too many things, just to spread the workload around and get others involved. So certainly if there's one of the sub-team members that's willing to do the basic coordination, that would be great.

But I did pull together some—a starting document for the sub-team to consider and the plan right now, based on list (ph) discussions, is for the members that have volunteered on this sub-team to comment on these in any way possible. You can suggest deleting some, you can suggest changing them, adding new ones, but it'd be really good if we could get some discussions going on that we...

Speaker: (Inaudible)

Chuck Gomes: Somebody needs to be put on mute, I think. We're getting some conversation going on on the side.

Speaker: (Inaudible).

Chuck Gomes: So again—and by the way, if there's still anybody that would like to be a part of this sub-team, just communicate on the list and you'll be added. Now, another thing that I sent yesterday—I don't know if it's helpful or not, but I would appreciate feedback from those on the sub-team, in particular, whether you think it might be. I made a list of some criteria that I thought we could use to evaluate principles and measure them against the criteria and any other criteria that people may think of.

So, that's where we're at right now, waiting for some email feedback, and hopefully we'll be able to have a meeting next week or the week after, after we get a lot of exchanges in the email.

J. Scott Evans: Okay, Marika, are you putting up the suggested principles?

Marika Konings: Yes, I'm putting up the criteria, the last part that Chuck was referring to.

Chuck Gomes: This is Chuck again. The criteria basically are mainly based on things in the Charter, plus some general thoughts that I thought applied to criteria. There are really only four of them, of major criteria. The number two has a lot of sub-items and those are just things out of the Charter. And so, again, unless you want me to spend time on these, J. Scott, what I would really request is feedback from the sub-team members on both this and the first (inaudible), if possible, principles, via email.

J. Scott Evans: Okay. And I agree, I think that that is information that would be very valuable to the sub-team as they begin their work, is if they receive feedback from the larger group both on the principles that have been identified as possible principles and on this criterion for reviewing those principles. Is there any discussion or comment?

Yes, Tom.

Thomas Barrett: Hi. I just had I guess a general comment about these principles. Can you hear me okay?

J. Scott Evans: Yes. In fact, you're one of the better.

Thomas Barrett: So in Item 3, it refers to recourse that the GNSO has if they're not happy with a proposed implementation, which to me is nice that it's there, but is somewhat reactive, and probably too late in the process for our preference. So I'm wondering if there's any principle that might address how a working group stays involved after they're done with the PDP and basically work hand-in-hand with staff on implementation.

Chuck Gomes: This is Chuck. Thanks, Tom. I would anticipate that that will fall out in some of our recommendations. Again, these are just underlying principles, that I hope all of them contribute not only to the work we have to do but GNSO processes going forward for both policy and implementation. Principle number three that you see there was just a thought that I had that we haven't really discussed in the sub-team yet, but I was trying to distinguish between policy and implementation. I think policy has to be, as you'll see in principle number two, really needs to be not only multi-stakeholder bottom-up. What I tried to communicate in number three was is that I don't think that implementation necessarily has to be bottom-up. In fact, it would probably be very inefficient to do it that way, unless there are significant changes to policy. And so that was what was trying to be—what I tried to communicate there, along with some other things that are kind of interrelated to it.

I don't think I addressed your comments though. Do you want to comment further?

J. Scott Evans: Well this is J. Scott. I think you did, because I think what you're saying is the principle is the 60,000-foot goal that we're trying to achieve, and Tom has enunciated something that might be a recommendation that we make that would achieve that principle.

Chuck Gomes: It's Chuck. Yes, I mean, that's what I took. Is that correct, Tom?

Thomas Barrett: Yes.

Chuck Gomes: Thanks.

Thomas Barrett: I think one of my questions is that by looking at the existing, you know, archive of ICANN documents, we in a way—to develop the principles, we're coming away with a bias towards, you know, how they were written originally in terms of their relationships between the GNSO and staff, and I guess I'm questioning whether or not there's a bias there that we might want to add some more principles to.

Chuck Gomes: Yes, I welcome more principles. I just tried to get things started. So, please submit some.

Thomas Barrett: Okay.

Chuck Gomes: And if you see a specific bias, point that out please, because I certainly didn't intend that.

J. Scott Evans: Okay. Thank you, Tom. Marika?

Marika Konings: Yes, this is Marika. In relation to Tom's question, and I think that also will come back looking at the Charter question that deals with the implementation review team, because that was a conflict that was developed in the revised PDP to exactly address that issue, how can you make sure that there's a mechanism going into the implementation, whether, you know, part of the working group still stays there, the kind of consultation body or mechanism for staff to consult with, but it's one of the areas where currently there's relatively little guidance and I think one of the hopes is that out of this process, you know, further details or guidance would come out on how those implementation review teams are expected to function, and as well how they link up with that, and as well how certain things may go back to the GNSO Council should there be a determination that there are policy questions that would need to go back to some other process.

J. Scott Evans: Okay. Now when is— has the meeting time been set for the call next week?

Marika Konings: Do you mean for the sub-team?

J. Scott Evans: For the sub-team Zero B?

Marika Konings: No, (inaudible) is still waiting for some people to complete the Doodle Poll. So this is a reminder for those of you on that team to please look at my email and complete the Doodle Poll that will either be I think next week Thursday or Monday, Tuesday of the week thereafter. I think those are the options that are in there.

J. Scott Evans: Okay. All right.

Michael Graham: J. Scott, it's Michael.

J. Scott Evans: Yes. I saw your hand go up and then it disappeared, so.

Michael Graham: Yes, I'm quick like that, and I didn't want to impose myself but I think I sort of do, and I will participate in the sub-team because I think a lot of this discussion will be very important. You were talking about a 60,000-foot view, but I think what will be most useful going forward is actually 150,000-foot view of looking at the goals of policy development, implementation, implementation review, all of that. I mean, looking at that final thing, what all of these components, if they are components, are intended to accomplish, so that we have that 150,000-foot view, and as we come down closer, then are able to see principles, all of which are moving towards that goal, and I suppose the goal is to develop policies, procedures—I'm using—yes, policies, procedures and rules within the GTLD space that reflect the needs, desires and concerns of the multi-stakeholder community, something like that. And I will, Chuck, accept your invitation to submit a couple of proposed principles.

I raised my hand because as the discussion was looking at three—I was looking at your proposal number four which I think is really—I mean, if I were to impose an understanding, that is probably the one that's closest to my heart, and that is, along with the change that we made of speaking no longer of policy or implementation, which was the argument, but looking at policy and implementation towards this higher goal, I think that the idea that implementation is an integral part of policy development within the GNSO and ICANN is really an important principle and may be the number one principle in a lot of ways.

So I just wanted to get that out there while I was thinking about it and before I lost it. Thank you.

J. Scott Evans: Okay. Any other comments? Concerns? All right, hearing none, we will move to Item 6, and we are happy to report that ALAC has made valuable use of its time and got us a response to our request for input, and you now see it in front of you, and I think this has been approved by ALAC. Alan, do you want to present this to the group?

Is he there? .

Speaker: He's in Adobe. I don't know if he's on the bridge.

J. Scott Evans: Well, he was earlier because I heard him teasing people.

Speaker: I believe he was.

J. Scott Evans: Let me send him (inaudible).

Chuck Gomes: This is Chuck. While we're waiting for Alan—and, Marika, you don't need to put the principles back up—but one of the nice things about the ALAC input is that three of their four recommendations actually were principles, and those are included in that principles—the starting point for talking about principles, so I really appreciate what the ALAC did there.

J. Scott Evans: I'm getting—okay, Alan, are you there now? He was away for a minute.

Alan Greenberg: I am. What would you like? Sorry, I missed the call for a minute or so.

J. Scott Evans: That's okay. We have, as you will see if you've got the screen in front of you, posted the ALAC response.

Alan Greenberg: Mm-hmm.

J. Scott Evans: And my question was, would you like to present this to the group?

Alan Greenberg: I'm not going to read it all ...

J. Scott Evans: No, no, no, no, if you would just hit the highlights, please?

Alan Greenberg: Yes. The first page is really going on into history and, you know, if you look at how we got to the place we are right now—and the group has

heard this from me a number of times before, some of us probably too many times—we are where we are right now because we are using terminology in ways that overlap and different people say different things, and therefore we all have our own meanings to some of these words and it's not particularly surprising that we get people vehemently saying something is policy or something is implementation, because there's such a lack of preciseness in how we're using these terms. So, we took the position that instead of trying to answer a lot of questions that come to mind at the beginning of the group, we could try to outline, at least from our point of view, what some of the important classes of outcomes are, and that ended up essentially stating principles.

The whole question of course is, when we come to what we have traditionally called implementation, how do we decide what to do when we reach a question which clearly is not an implementation detail. It's going to have substantive impact on communities, and therefore using the bottom-up multi-stakeholder principle we should have some ability to influence the outcomes. So, we ended up with essentially saying just that, that if a decision is made there must be a bottom-up process. We cannot revert to, in the extreme, at GNSO PDP every time we have a question, however, and therefore we need to be able to come to closure on substantive issues in some quick manner and still make sure that people feel they have been heard and there's been an opportunity.

And because we're going to end up with difficult questions at that time without the luxury of a two-year PDP to establish that, we need to have some ground rules about just how do we move forward in that world, answers that are not at all obvious at this point. But, you know, that sort of was, from our point of view, the guidance of how we get from here to a position where we stop having these unending discussions.

J. Scott Evans: Okay.

Alan Greenberg: (Inaudible) of my try at a quick summary without knowing I was going to be doing it ahead of time.

J. Scott Evans: Okay. That's a good job. Now, having looked at this, and given that it drives to principles, my recommendation would be that we give this to the Zero B sub-team ...

Alan Greenberg: Mm-hmm.

J. Scott Evans: ... for consideration. And (cross talking)

Alan Greenberg: And pile on that group.

J. Scott Evans: And that it be given to them for consideration, and then once those principles are established and agreed on by this larger group, that we then—we can send those principles to the At-Large Advisory, those agreed upon principles by the larger group as a response to say, "We have taken in your advice. This is what ..."—you know, we set out a section that says, "This is what we've done, we've taken it in, we've sent it to the subgroup, the subgroup considered it and here are the outcomes of that work as a response."

Alan Greenberg: That certainly sounds a reasonable way to go forward.

J. Scott Evans: Is there any...

Alan Greenberg: (Cross talking) more than the group that's trying to formalize the principles on behalf of the working group, you know, coming back with a response so I think that's very positive.

J. Scott Evans: Yes, think that that seems to me to be the best way to use this information. I want to make sure that I am not imposing my will upon the group. Does everyone think that that seems like a reasonable way forward? Cheryl does. So does Mark (ph). Okay, that looks like the best way for us handle this, because it is so specifically driven towards the work where we're headed, and that group will be so ensconced in that work, I think they are the best group to consider it and then assist us in crafting a response to the At-Large Advisory community (ph).

Now while it is not on here, I'm going to take the chair's prerogative and say that there's been some discussion of a list—oh I'm sorry, Amr and Michael, I'm ignoring you. I'm going to go with Amr first because Michael you've talked a lot.

Amr Elsadr: So, thanks, J. Scott. This is Amr, and I'm sorry for (inaudible), Michael. I was just wondering, because I know ALAC is the only group that has submitted feedback so far, I was wondering—because I must have missed when the request for feedback was sent out, or was there one that was sent out to the leadership of the different stakeholder groups and constituencies, or were the working group members supposed to go back and ask their constituencies to provide feedback? Because I know that neither the non-commercial stakeholder group's chair nor the NCUC chair has received that request. I asked and they said they had them, so I would just like some clarification on that. Thanks.

Chuck Gomes: This is Chuck...

Alan Greenberg: It's Alan. I can address what we answered. Okay, we answered the request that went out to ACSO leaders.

Chuck Gomes: Yes, this is Chuck. I had actually requested after the agenda was already posted that another item be added and I probably should have mentioned that at the beginning (cross talking)

Amr Elsadr: But that's what I was going to talk about, Chuck, so...

Chuck Gomes: Yes.

Amr Elsadr: Go ahead.

Chuck Gomes: So if you're going to get to that, that's fine.

Amr Elsadr: Go ahead, Chuck.

Chuck Gomes: Go ahead.

Amr Elsadr: You go ahead.

Chuck Gomes: Yes, and so it appears based on the dialogue with them that we didn't send our requests to the stakeholder groups and constituencies in the GNSO. We apparently just sent them to the SOs and the ACs. That was probably a mistake on my part. I thought we had done it more broadly. So, if we can talk about that in this meeting, that would be very good, because I think we need to take action in that regard, so.

J. Scott Evans: Okay, Michael.

Michael Graham: Yes, I just thought—I had a question and this is for my education. I believe it was in the ALAC statement, Alan, correct me if it was in the principles that Chuck posted, but that there was a comment that at a particular point that the question was considered to be one that the Board should have considered in terms of whether or not implementation was going beyond where it should. Was that in the ALAC statement?

Alan Greenberg: I'm not sure. It's Alan speaking. We started off and ended with a statement that we believe the Board should have, you know, instituted, created, request a creation of something—a more cross-constituency group than what ended up being the GNSO chartering or work group, because we felt that this should not be the GNSO essentially setting what the rules are for the GNSO, but more of a community thing. Given this group exists, we're responding to it, but our belief that the world should have evolved in a different way than it ended up turning out.

Michael Graham: Yes.

Alan Greenberg: So we certainly made reference to the Board there. I don't think we made reference to the Board anywhere else in this document. I may be wrong though. I don't recall anything else.

Michael Graham: It's Michael again. I think, Alan, that may very well be what I'm thinking of. I just reread this this morning and that's something that stuck in my mind, and my question as I was reading it was, well, you know, this is giving the Board a prerogative, whereas it seemed to me, whatever that issue was, was really more appropriate for the community, again, with the bottom-up type of review and structure and structure. I understand what you're saying now that since this was a Board requested analysis, that perhaps it should have been broader than the GNSO, and I did hear that during one of the ALAC meetings in Buenos Aires and my concern at that time when I did hear that was I don't think any of us who are committed to this work want to proceed down a path only to find that at the end of the day the suggestions that we may come up with are not representational of the entire community, to the best of our ability, and therefore meets either a criticism or additional changes after that, and I just put it out there for you or for the group, if there's something else, other than asking for comments from the ASSO (phon), you know, from everyone and all of the different constituencies, that we can do to ensure that we don't face that criticism at the end of the day.

Alan Greenberg: Sure. Do you want me to answer? It's Alan.

J. Scott Evans: Alan, I'll let you answer first. I just want to make sure that ...

Alan Greenberg: Okay.

J. Scott Evans: ... we don't leave Maureen and Eric out.

Alan Greenberg: I had my hand up for something else, but let me ask you a direct question.

J. Scott Evans: Okay.

Alan Greenberg: It's hard to predict at this point whether what this group comes up with is going to address what the ALAC believes should have been, you know, the way forward. There's certainly a significant concern within At-Large and within ALAC that the problem is significant enough that it shouldn't have been the GNSO that is deciding on the Charter, on what the questions that are being asked, nor the GNSO being the sole guardian at the end of deciding whether to forward the results of this work group on to anyone else or not, that it should have been a more broad-based community than that. That doesn't mean the outcome is going to be unsatisfactory. But, there's a certain sense of unease that the GNSO should not have been the gatekeeper for the whole process.

J. Scott Evans: Thank you, Alan. Maureen?

Maureen Cubberley: Yes, thanks, J. Scott. Just listening to what's just been said, I think one thing that might help make this as inclusive a process as possible at this stage is to decide how the input's going to be addressed. With the communications today from the ALAC, it has been presented to the entire working group, and I believe the decision was then to ask the principles group to look at it more closely. Is that correct?

J. Scott Evans: Correct.

Maureen Cubberley: So I think that we might do well to determine how each piece of input from each one of the corresponding—each one of the groups that corresponds with us in response to the invitation to the response is dealt with, and I think we need to do that in advance and in a more formal way, not to be critical of how we handled this today, because this is the first piece, but I think it demonstrates openness and accountability to those who are providing input from the various SOs in the groups. So I suggest that we spend some time, I guess not on this call, but devise (inaudible) how we're going to acknowledge and use, or not use, but at least acknowledge and develop a rationale for accepting into discussion all of the input that we get, and including of course whatever the final report is of this group, to make commitments about the key considerations that are addressed in each piece of the response that we get. That's it.

J. Scott Evans: Thank you, Maureen. I would suggest, based on my experience, that it's hard to have a template for this type of response, and the reason is, each

group may respond so divergently. One group may focus on principle. Another group may focus on one particular question. One group may do bigger questions. So it's almost a reactive process, in my experience. We have to look at what you receive and decide then how you're going to respond, because they are so individually created and they focus so differently on different issues. That's just my experience and that's just my two cents on your comment.

I want to move to Eric now. Are you there? Okay. Oh, he's in the chat box. There are interested parties that technically (inaudible) organization of which they urgently (ph) have input on this. (Inaudible) can read my comment as to the audio recording.

Okay. There's something further. Okay. So I think what he's saying is there are interested parties that technically (inaudible). That's correct.

Chuck?

Chuck Gomes: Thanks, J. Scott. I do want to ask Alan a question with regards to his comment about this being more of a community-wide effort rather than just a GNSO. I'm not understanding that and I'm curious. I don't see this being a big issue for the CCNSO. So I must be missing something in terms of what the ALAC point is on that, Alan. Do you think this is an issue—the ultimate implementation is an issue for the CCNSO anywhere near to the same extent it is to the GNSO?

Alan Greenberg: I can certainly answer that. I wasn't talking about each and every AC and SO (ph) being interested. I know from the ALAC point of view there certainly was interest. I believe the GAC should have been more strongly encouraged to participate in the process and there may—you know, without thinking it through, maybe those are the only two ACs and no SOs, or maybe there is some involvement from the other parts of this. The point was more that without attributing, you know, ill intent, it should not have been the GNSO which defines the scope and approves the outcome purely, that was the real point, and as I said, it's partly substance and partly philosophical.

Chuck Gomes: Yes, this is Chuck again. I guess I don't really understand that but I'll accept that, okay?

J. Scott Evans: All right. So, with regards to the request for additional information, it looks as if we have two additional things that need to take place, and one is that we, the leadership, I think it's been indicated by Eric on the list, needs to contact those parties that were initially contacted that have not responded—have not provided a response and see if we can remind them that we're seeking their input. The second is that it looks like we need to reach out to stakeholder groups and the constituencies with the very similar communication as we have sent out to the AOs and the SOs. Is that correct? ACs and SOs, I'm sorry. I just want to make sure I've encapsulated what I'm hearing on this call.

Chuck Gomes: This is Chuck, J. Scott. That's my understanding. And if the group is okay with that, we as a leadership team could accomplish that task, I

think, by going back to the communications that went out and see if they need to be tweaked a little bit, and send it directly to the GNSO, SGs and constituencies for response, and we'll have to come up with some sort of a turnaround time, understanding that we're going into a big holiday season. So, that is my understanding.

By the way, as kind of an aside but related note, this is the kind of thing that I don't think is very helpful to send to the GNSO Council. It's different with regard to the CCNSO and the way they're organized, but what we really need in the case of the GNSO is responses from the constituencies and stakeholder groups rather than a unified response from the GNSO Council, which is very hard to get.

J. Scott Evans: Okay. So that looks like we have an agenda item for our next leadership call, and that is to move forward with follow-up with the parties that have already received the same request that went to the At-Large to see if we can cajole or plead or get from them a response to our request for input, and then to look at the requests that have already gone out to the advisory committees and supporting some of the SOs and see if we need to tweak that and then send that to the constituencies (inaudible).

And then picking up on Maureen's comment, one of the agenda items for our next full call should be a consideration of how are we going to respond to this group when they get back to us or are we going to have a reactive model, which I discussed in my comment to Maureen, or are we going to have a more formalized template-type treatment where each response gets the same type of treatment.

So is that a way to go forward. Alan's raised his hand again.

Alan Greenberg: Yes, thank you. I'll just go on record as saying, to be honest, I don't think the ALAC was expecting a response, although, you know, clearly if this is sent to the principles working group and they come back with a response or the work group comes back with a response based on that, that's fine. We're providing input into the process and, you know, we have people on the working groups, so I don't think we were specifically looking for a formal response, a substantive response, other than "thank you, we'll take it into consideration." We're not rejecting it as it happens, but I'm not sure we want to agonize too much over that, other than staying at this position and what I'm saying, and I'm giving my own personal opinion.

J. Scott Evans: I see several hands have gone up. I couldn't see whose went up first, so Maureen, I'm going to start with you. Are you there?

Maureen Cubberley: Hello. Sorry, I had the mute on. This is Maureen. Thank you. I was thinking less of a response and more of a how do we work with what they give us and acknowledge that we have done so. I guess it's for the accountability and tracking of the information and the input that we get. So I don't want to, you know, create another layer of bureaucracy or more complication, but just simply to have something in place that ensures that we do pay attention to what we get in response to our comments. I think that's about it. Thanks.

J. Scott Evans: Chuck?

Chuck Gomes: Thanks, everyone. I don't think that we as the leadership team need to wait until our next call.

J. Scott Evans: Okay.

Chuck Gomes: In fact, I think that would be way too much time. I would like to think that we can, via email, ourselves modify the letters and get them out to the stakeholder groups and constituencies sooner ...

J. Scott Evans: Okay.

Chuck Gomes: ... if the rest of the leadership team's comfortable with that, and in the case of responding, or to those who haven't responded, I think the main one that I think we need to respond to is the GAC.

J. Scott Evans: Yes.

Chuck Gomes: You could ask them to respond by the end of November. So I think it would be good if, again, I think we can do this on our leadership list to ask them if they are planning to respond, that we really would like their input, just a fairly simple I think ...

J. Scott Evans: Yes.

Chuck Gomes: ... message like that. Okay?

J. Scott Evans: Yes, okay. Right. Any other points? Any other business? Okay. Marika, if you would please let us know when the next meeting is?

Marika Konings: (Inaudible) one other item, Item 7, the GNSO Council meeting (cross talking)

J. Scott Evans: Oh, I apologize, I apologize. Yes, because this is where we lost our entire leadership call in this point on Monday. Chuck reminded us on the leadership call on Monday that Jeff Newman (ph), who was the liaison with this group, had resigned from I guess the Council, and as such, we do not have a liaison, and I think Chuck your idea was to enquire as to whether any of the GNSO councilors that serve on this committee would be willing to take up the role as the liaison, but I will leave it to you to let me know by your input whether that's correct or you had another thought?

Chuck Gomes: Thanks, J. Scott, and that was exactly my thought. Let me let everyone know in case you haven't seen it, and many of probably have not. This item is on the Council agenda for the meeting on December 12th, to come up with a replacement liaison to take Jeff's place. We're in the fortunate circumstances of having, I think, seven councilors that are participating in this working group, so I thought it would be good if we take the opportunity here, for those of you that are on the Council, to think about performing that role. It's not a real heavy duty role. The main criterion is that you be on the Council—or the main criteria is that you be on the Council and that you regularly participate in the working group

activities so that you can serve as a communication channel to the Council and back to the working group. So I won't pick any particular people out, but it'd be really good if one or two of you—it wouldn't hurt to have a couple of people that would do it, that would back each other up, although any councilor that's done the working group can provide information in a Council meeting with regard to working group activities. .

J. Scott Evans: I think Brian Winterfeldt just volunteered.

Chuck Gomes: He did? Well thank you, Brian.

J. Scott Evans: And Amr, do you want to—do you both want to do it and help each other out and back up? If you'll just present to the GNSO Council on their meeting when the agenda item comes up, I'm sure that would work.

Chuck Gomes: Thanks, guys.

J. Scott Evans: Okay. Well, that solves that, Chuck. Congratulations. Okay, Marika, if we can talk about our next meeting.

Marika Konings: Yes, this is Marika. So the next meeting, if we're continuing on our every two-week schedule, would be the 18th of December, same time, same channel. And I posted as well in the chat that two weeks after that will be the first of January, so the proposal will be the next meeting after the 18th of December would be on the 8th of January.

J. Scott Evans: Yes. Okay. So, the next step is (inaudible) Zero B Doodle Poll to get finished, and for that group (inaudible), and to find a coordinator for that group, then for that group then to begin its work and consider this material, and that we will then have our next meeting on the 18th, hopefully, with input from the Zero B sub-team on what their status is.

Is there anyone else that has a different take or believes that we should have additional steps? Oh, and I apologize, and that prior to our next meeting, hopefully within the next few days, that the leadership will reach out to those groups that have not (inaudible) to this date received their request, a request input, and follow-up with those parties, particularly the GAC, seeking input. Those are the next (inaudible).

Seeing no additional business or hearing no additional business, I will call this meeting to an adjournment.

Chuck Gomes: Thanks, J. Scott.

J. Scott Evans: Thank you all for your assistance.

Cheryl Langdon-Orr: Bye.

Nathalie Peregrine: Thank you.

Speaker: Thanks, J. Scott.

J. Scott Evans: Have a good day. Bye.

Speaker:

Bye.

END