

**Policy & Implementation Drafting Team Meeting
TRANSCRIPTION**

Monday 24 June 2013 at 1900 UTC

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Monday 24 June 2013 at 1900 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-policy-implementation-20130624-en.mp3>

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

(transcripts and recordings are found on the calendar page)

Michael O'Connor: Hi, all. Just testing the old audio. It looks like it's working. This is Mikey.

Holly Raiche: Good morning, Mikey.

Cheryl Langdon-Orr: Loud and clear, Mike.

Holly Raiche: Hello there, Mikey.

Michael O'Connor: I have all kinds of people on here.

Nathalie Peregrine: Yes, you've got Holly, Cheryl and myself on the audio.

Michael O'Connor: That's great. And Cheryl's in the Adobe room and everything. Adobe as Cheryl would say.

Cheryl Langdon-Orr: Indeed.

Holly Raiche: She doesn't know exactly a word that we Americans spell it. I can put my American hat on, I'm used to saying 'Adobe'.

Cheryl Langdon-Orr: It's adobe.

Holly Raiche: Mikey...

Michael O'Connor: (Cross talking)

Holly Raiche: (Cross talking). It's a New Mexican Mexican word that is from the— what's the—all right, where is it from? It's adobe because...

Michael O'Connor: Yes, it's a name, it's a Native Indian, Native American term. It's the way they make houses.

Holly Raiche: Exactly.

Cheryl Langdon-Orr: Mud. Mud.

Michael O'Connor: Mud. Yes, mud.

Nathalie Peregrine: But (cross talking)

Cheryl Langdon-Orr: A variety. (Inaudible) mud, brick, mud all sorts of things, yes.

Michael O'Connor: Yes, yes.

Holly Raiche: Amazing houses.

Cheryl Langdon-Orr: I think it actually has (inaudible).

Michael O'Connor: Really?

Cheryl Langdon-Orr: You know, it must be ooh, we're talking about 34 years ago now, 35 years ago now.

Michael O'Connor: Yes.

Holly Raiche: Yes.

Michael O'Connor: Tell you what, the amount of rain we're getting up here there's no way an adobe house would survive (inaudible).

Cheryl Langdon-Orr: I'm sure the adobe would but...

Michael O'Connor: Yes, that's it, that's the secret difference. Okay.

Cheryl Langdon-Orr: Giggle, giggle, (inaudible).

Michael O'Connor: Giggle, giggle, yes, yes.

Holly Raiche: Okay. Yes, we can't have a meeting with just four of us.

Cheryl Langdon-Orr: Well we can but it (cross talking)

Holly Raiche: We'd get a lot done. We'd say, "Right, okay, is everybody happy? Fine. Good. Done."

Cheryl Langdon-Orr: Well and (inaudible)

Michael O'Connor: I think we're actually pretty close.

Cheryl Langdon-Orr: Yes, (inaudible).

Holly Raiche: Well I think so.

Cheryl Langdon-Orr: (Inaudible) pretty much how I thought the meeting would go but.

Michael O'Connor: Yes, I think we're awful close. I think there hasn't been a whole lot of chatter about the mission and scope and, you know, the question...

Cheryl Langdon-Orr: Huh.

Michael O'Connor: String I think has...

Cheryl Langdon-Orr: Yes.

Michael O'Connor: Come pretty close to landing as well, so (cross talking)

Holly Raiche: Well I think we're on the working group tasks and then, you know, I don't know what we're going to do about timelines. But never mind, it's minor.

Michael O'Connor: Timeline's not a big deal. The timeline is something the working group can sort out.

Cheryl Langdon-Orr: Yes, yes, (inaudible). Oh yes, (cross talking)

Michael O'Connor: Yes, yes.

Holly Raiche: You mean we're going to be finished by Durban?

Cheryl Langdon-Orr: We have to be but (inaudible)

Michael O'Connor: With this, yes, with the Drafting team, yes, you bet. I bet we're very close to done today.

Cheryl Langdon-Orr: Yes, (inaudible). Yes, if it's not today we can do it by next week.

Michael O'Connor: Yes, I think so.

Cheryl Langdon-Orr: In final (inaudible)

Michael O'Connor: So, Holly, one of the things that I just offered on the list but it just came in (cross talking)

Holly Raiche: I'm trying to read it. I haven't read it yet (cross talking)

Michael O'Connor: Well it's just accepting Greg's change and then a new set of questions but, you know, when we get to the questions it might be easier to just do the (inaudible) mind-mapping thing.

Holly Raiche: Look...

Michael O'Connor: Because it's really easy to really rearrange all that stuff.

Holly Raiche: I would love to do that. First of all, it being only four minutes to five o'clock in the morning, I haven't actually had a chance to read the latest emails.

Cheryl Langdon-Orr: And it's not going to take you long, Holly..

Michael O'Connor: (Cross talking)

Holly Raiche: But, well...

Michael O'Connor: Yes.

Holly Raiche: I'm actually kind of, I'm looking at what the—probably after the meeting I'll then get the emails.

Michael O'Connor: Well it's been a pretty good conversation today, I think.

Holly Raiche: Yes. Well...

Michael O'Connor: I think we're getting close.

Holly Raiche: I'm actually, I've been pleasantly surprised to have kind of there are things, a few interesting suggestions that's been nicely scotched rather quickly but most of the time everything's been really interesting.

Cheryl Langdon-Orr: Yes. (Cross talking)

Michael O'Connor: Yes, that's...

Cheryl Langdon-Orr: (Inaudible)

Michael O'Connor: What?

Cheryl Langdon-Orr: This is better than one of mine, mate, and I do some floozy (ph) sentences. I'm going to like a third reading to this sentence.

Michael O'Connor: But which one?

Cheryl Langdon-Orr: I'm betting on, with the...

Michael O'Connor: (Inaudible)

Cheryl Langdon-Orr: Was more over-adventuring of into making changes to that already documented—whoa.

Michael O'Connor: Oh yes.

Cheryl Langdon-Orr: Oh, you're (inaudible).

Michael O'Connor: I was in a hurry. I was kind of in a hurry...

Cheryl Langdon-Orr: You were and (cross talking)

Michael O'Connor: In there and...

Cheryl Langdon-Orr: I don't know (cross talking)

Michael O'Connor: It was 10 minutes before the call (inaudible).

Cheryl Langdon-Orr: (Cross talking)

Michael O'Connor: It's not one of my very best sentences.

Cheryl Langdon-Orr: Oh, no, no, no. I appreciated it. It was (inaudible). Very few times I have to go back and second (inaudible)

Michael O'Connor: Yes.

Nathalie Peregrine: Think of it as stream of conscience. Is just what you want to do is say that, you know, I'm just becoming (inaudible) stream of conscience, you know?

Cheryl Langdon-Orr: But I don't know how to explain this stream of consciousness writing, you know?

Michael O'Connor: Yes, I...

Cheryl Langdon-Orr: Stream of consciousness writing and this one, you know?

Holly Raiche: Cheryl, your email is a stream of consciousness writing.

Cheryl Langdon-Orr: Absolutely and I'm never going to make an apology for that.

Holly Raiche: Yes, we...

Cheryl Langdon-Orr: (Cross talking)

Holly Raiche: All just kind of go, "Oh my God."

Nathalie Peregrine: Hi.

Marika Konings: Hi, everyone. It's Marika here.

Nathalie Peregrine: Hi, Marika.

Holly Raiche: Hi, how are you?

Nathalie Peregrine: We just have...

Marika Konings: How are you?

Nathalie Peregrine: We just have...

Cheryl Langdon-Orr: (Inaudible) Mikey's sentences, that's all.

Marika Konings: (Inaudible)

Michael O'Connor: I did hit a kind of a low point there on that third sentence in the last email (audio interference). I thought I made up for the, for, with the next one where it's Christina goes after me and I get to fix the shoe she hits me with. She's got some pretty good shoes.

Holly Raiche: Oh dear.

Cheryl Langdon-Orr: Ah, like a (Inaudible).

Michael O'Connor: You haven't seen (inaudible) Christina's shoes, she's got (inaudible) in front me.

Holly Raiche: So, what, Jimmy Choo shoes, really?

Michael O'Connor: No, she's got...

Cheryl Langdon-Orr: Okay. You've confused Eduardo.

Michael O'Connor: Oh, I'm sorry, Eduardo.

Cheryl Langdon-Orr: (Cross talking) on the spectrum rather than binary, he would very much like you to explain, Mikey.

Speaker: (Cross talking)

Marika Konings: Mikey, just a question on your questions. Are those intended to be part of the charter or it's more something you want to submit to the working group as they get started at, you know, here's a list of questions that may help you frame your work? Are these...

Michael O'Connor: I'm happy...

Marika Konings: (Cross talking) questions you have to answer?

Michael O'Connor: I'm easy either way. I very carefully did not write an introductory paragraph because...

Holly Raiche: (Cross talking)

Michael O'Connor: It seemed to me, you know, I mean we could do a, we could either put it in the charter and say, you know, an introductory paragraph, "Here's a series of questions that the Drafting team found helpful in its discussion that the working group might consider or we could just leave them out," but I felt like the questions helped get people a little bit closer to closure, and so I was thinking they could go in into the charter, you know, much like the, some of the other charters have had questions for the working group to consider.

Marika Konings: Yes.

Michael O'Connor: Yes.

Holly Raiche: How about...

Michael O'Connor: I'm not sure we—I mean another way to treat them is to say that the four questions, you know, the four highest ordered questions are in the charter and then the rest are examples of...

Cheryl Langdon-Orr: Yes.

Michael O'Connor: Questions that the working group might want to consider when taking those questions up. Another way to do it...

Cheryl Langdon-Orr: (Inaudible)

Michael O'Connor: Would be to stick them under the work plan. So there's all kinds of things to do with it.

Marika Konings: Right, because I think we have to be careful not to tie the hands of the working groups too much because I think what we're trying to set them out to do is indeed those four points, that is what they have to deliver and, you know, it's really up to them to decide how they're going to deliver on them, but I guess, you know, indeed providing possibly some (inaudible) saying that you may use these as your guide to getting to the answers or that's what...

Michael O'Connor: Yes.

Marika Konings: We think may be helpful that may work I guess quite well. I don't know.

Holly Raiche: Nathalie, how are we doing on attendance?

Nathalie Peregrine: Hello, this is Nathalie, and for the moment on the bridge we have Greg Shatan who's already joined us and all the (inaudible).

Holly Raiche: Could I actually, in my screen there's only room for about five or six people, and then loads of room for chat. Is there any way to slightly rearrange the...

Michael O'Connor: Make your screen bigger vertically.

Cheryl Langdon-Orr: Yes, that's...

Michael O'Connor: You'll find (cross talking).

Cheryl Langdon-Orr: Easier said than done.

Michael O'Connor: By the size of your window.

Cheryl Langdon-Orr: That's easier said than done with (cross talking)...

Marika Konings: I've reorganized a little bit. I made the attendee part a little bit bigger because for you...

Holly Raiche: Yes.

Marika Konings: It's easier with the two raising hands and the chat's a little bit smaller but hopefully this will still work for everyone.

Holly Raiche: Yes, okay. It's just that I have no idea who's there.

Cheryl Langdon-Orr: Just scroll.

Holly Raiche: Okay.

Cheryl Langdon-Orr: You can scroll, Holly, but I do see what you mean.

Holly Raiche: No, you could only scroll up to a certain point and then you just...

Cheryl Langdon-Orr: Really? Oh.

Holly Raiche: Yes, that's my problem. So I have an incomplete feeling of who's there, which is interesting.

Nathalie Peregrine: Ah, good morning, Eduardo.

Cheryl Langdon-Orr: Okay. Look, It's about 5:02. Should we give one more minute for everybody and then start the call? Is Chuck an apology?

Speaker: No...

Nathalie Peregrine: Yes, I believe so. I believe so.

Holly Raiche: Okay.

Nathalie Peregrine: And I think Alan sent his apologies as well.

Marika Konings: (Inaudible) Nathalie probably has a more updated list of the apologies, yes.

Nathalie Peregrine: Yes, and so did Wolf-Ulrich too.

Holly Raiche: Sorry?

Nathalie Peregrine: Wolf-Ulrich also sent his apologies.

Holly Raiche: Do we want to wait for 5:05? We have got an hour and a half.

Nathalie Peregrine: Well, I think we'll get started with recording and the roll call. We're probably really at five past before we actually start the call, so.

Holly Raiche: Okay, why don't we do—why don't we do a roll call now? We'll start the recording and then we can do a roll call and statement of interest.

Nathalie Peregrine: Okay, perfect. Holly, I'll start the recordings and do the roll call. Teagan (ph), could you please start the recording and let me know when you're done? Thank you very much.

Operator: This call is now being recorded. If you have any objections, you may now disconnect. Thank you.

Nathalie Peregrine: Thank you very much, Teagan. Good morning, good afternoon, good evening. This is the Policy and Implementation Drafting team call on the 24th of June, 2013. On the call today we have Cheryl Langdon-Orr, Holly

Raiche, Mikey O'Connor, Jordyn Buchanan, Greg Shatan, Eduardo Diaz, Jill Titzer and Christina Willett. We have apologies from Alan Greenberg, Wolf-Ulrich Knoben and Chuck Gomes. From Staff, we have Marika Konings, Berry Cobb, Lars Hoffmann and myself, Nathalie Peregrine. I'd like to invite all participants to please state their names before speaking for transcription purposes.

Thank you very much, and over to you, Holly.

Holly Raiche: Thank you very much. Welcome, everyone. Could I first ask if anyone has any changes to their Statement of Interest that they would like to speak now? And if not, let's proceed with the call.

I would like to start, as I suggested in my email, by heading to the first area of discussion which we should be signing off on today if we're going to meet our schedule, is to finalize the mission, purpose and delivery of the mission and scope, and what is on your screen, which I'm happy to read out, would be the latest version, which, thank you, Marika, has done. It begins with key assumptions. There were originally two that were suggested by Chuck and Jordyn. There are four, and we have got four tasks. Now, is there anyone who does not have the screen in front of them?

Cheryl Langdon-Orr: It's all good.

Holly Raiche: Okay. All right, can I just read them out for everyone and if we can decide at this meeting that this is our mission and scope and then we can spend today on the recommended working group tasks, which is the next section that we have to deal with.

So the key assumptions for today or for the charter are: first, the processes are fairly well defined as far as policy development concern understanding that there's plenty room for improvement; the second key assumption is some implementation processes are less well defined, and hence will likely need to be a larger focus of the working group; third, the exact relationship between policy and implementation may not be understood but there is a need to establish a framework that takes the relationship between the two into account; and fourth, all processes, policy implementation and the framework for interaction between the two need to be multi-stakeholders and the actual task of—well, what we're saying is the policy and implementation working group, which is to be formed, is tasked to provide the GNSO Council with a set of recommendations on and there are four elements, and thank you, Marika, for taking everyone's comments into account.

Number one, in light of existing GNSO operating procedures, a set of principles that would underpin any GSO policy and implementation related-discussion to recommendations on a process for providing GNSO pending quotes policy guidance including criteria for when would it be appropriate to use such a process instead of a GNSO policy development process; three, a framework for implementation related discussion or latest GNSO policy recommendations including criteria for when

something is to be considered policy and when it should be considered implementation, and/or further guidance on how GNSO implementation of new teams are expected to function and operate. And I'm going to do a whole 'speak now or forever hold your peace'. I've got one minute. People can put their hands up or 'ah-ha'.

Jordyn, please take—go ahead. Followed by Christina. Jordyn's got his hand up. Okay. Jordyn...

Marika Konings: Nathalie, are we—is the audio bridge connected? Can you double-check because we're not hearing Jordyn, and I think he joined me on the (cross talking)

Holly Raiche: (Inaudible), exactly. Jordyn's not on the audio bridge. Could we—Jordyn, if you wish, we can dial out to you. If you want to communicate your number by private chat we'll have to dial out to you. All right, Jordyn's going to dial into the audio bridge. In the meantime, Christina, you're next.

Christina Willett: Sure. I have two, kind of two points in terms of under the key assumptions, and just taking up a point that Greg had made earlier, I think part of the reason the ICANN community sometimes has difficulty moving forward is that we're perhaps not as precise as we should be in the language that we're using. So, that brings me to my first question, and that is with regards to the third bullet, 'the exact relationship between policy and implementation may not be understood.' And I'm not, I don't think that's necessarily completely accurate but I'm also not exactly quite sure what we're trying to say. Are we trying to say that the delineation is not understood or that how those terms have been used have not been defined? But I think as it is, I think I find it to be confusing. So that would be the first point.

And then with regard to the 'all processes policy implementation and framework for interaction between the two needs to be multi-stakeholder', I absolutely agree with that and I think Alan made a really good point. What I have been struggling with all day is trying to come up with suggested language that would kind of refine at least with regard to implementation how that would actually work in terms of what we mean. Because my concern is that I think we're all familiar with the criticism about the PDP process and it takes forever and, you know, depending upon the extent to which implementation is kind of full-on multi-stakeholder, I'm very concerned you could end up in a situation where you have the implementation taking as long or longer than the PDP in the first instance. So, that would be kind of my concern about that. I have some suggestions about the tasks or the recommendations but I figured I'd start with the key assumptions. And I'll get back in the queue.

Holly Raiche: Thank you, Christina, and I'm going to do the right thing and raise my hand, until we get Jordyn. Have we got Jordyn yet?

Jordyn Buchanan: Yes, thank you.

Holly Raiche: Oh okay.

Jordyn Buchanan: Sorry, I'm on the bridge now.

Holly Raiche: Go ahead.

Jordyn Buchanan: Thanks. So, I think I just briefly want to address that last point that Christina just made. I think we could just probably, you know, what, you know I'm weary of hashing through the details of the, what the working group outcome should be at this point but I think we could probably just use like a word, like 'appropriate' with regards to the, you know, multi-stakeholder process to make sure that the working group is considering the role of the multi-stakeholder process and implementation as well, not necessarily dictating how much it is and I think that's very much up to the working group.

I do want to—I think my second comment, unfortunately, is going to go almost exactly in the opposite direction of Christina's so we may have a little bit of work to do on this, but I actually think, I'm troubled and I think I've expressed this a few times on the list, I think that this distinction between policy and implementation is likely to prove almost completely intractable. Undoubtedly, we'll to get to a point that a working group agrees what the delineation point is between these two things and I think anything that we do that requires that the working group does so in order to make progress on a bunch of other places in which I think there's incredibly good work that they can do is problematic.

So to that point, and I apologize for not raising this on the list, but I think in the third point of the things that the working group is tasked to do, the additional language, the (inaudible) including criterion for when something is to be considered policy and when it should be considered implementation, then concluding that as a sort of bottom line objective for the working group sets it up for failure. I think it is wholly reasonable and I agree that it's reasonable for the working group to talk about this to see whether or not they can accomplish creating a delineation but I think, you know, sort of predicating the success of the working group on whether or not they achieve this, I think really would diminish the impact of a lot of other really, really useful work that the working group is capable of doing it.

So, I'll make one other final point which is, I think when Chuck and I were drawing up some key assumptions, those were intended to frame our discussion about what the mission and scope should be, as opposed to necessarily actually ending up in the mission and scope. I think probably if we just include the stuff starting with what the working group's capacity is and maybe document the key assumptions somewhere, maybe elsewhere (inaudible) of mission and scope although I don't feel particularly strongly one way or the other about those points.

Holly Raiche: Jordyn, may I ask you to comment on Christina's comment in the chat? Can we say the exact delineation and substitute those words, would that be better for what you're saying? (Cross talking)

Jordyn Buchanan: In the (inaudible)—I can't tell whether—Christina and I think are saying almost opposite things and I'm saying about the key assumptions—well I think first, I'm not sure we need the key assumptions at all, which would probably address Christina's point, if we could just drop that point, but I'm troubled by the inclusion of the delineation between policy and implementation in the third bullet of the actual tasks. So, I think we're—(inaudible) right now, unfortunately, Christina and I are having slightly different chunks of the text.

Holly Raiche: Oh, (cross talking)

Jordyn Buchanan: Christina (inaudible)

Holly Raiche: Why don't we leave it there. Greg, you're next and maybe, Greg, and we can all think for a moment about what Jordyn has just suggested, which is, do we need any or all of the key assumptions there? But, Greg, you're next, so go ahead.

Greg Shatan: (Inaudible). Thank you, it's Greg.

Holly Raiche: And Marika's in the queue after Greg, okay?

Greg Shatan: Thank you, it's Greg. I have no comment on whether the key assumptions should be dropped totally; just haven't thought about it yet. But I do think I, you know, maybe we're going back and forth on this but...

Holly Raiche: Yes.

Greg Shatan: It is important to at least have in front of the working group the delineation or definition of policy and implementation. You know, I don't think that the group needs to fail if it fails to define policy and implementation. It may—but I think that if the group can define policy and implementation in a way that can reach consensus that might set the work of the group in one direction in terms of how issues around policy and implementation are resolved, and if it seems intractable, then I think it sets the working group off in a different direction and, you know, does not base certain outcomes on whether something is defined as policy or implementation. But I think there's still a sense behind thing—behind why certain things are dealt with in certain ways and a lot of that has been so far based on whether something is policy or implementation or that maybe that those senses of how much room there is to run versus what the participation is of stakeholders and GNSO Council and the like and implementation review teams and the like will be. But I guess the bottom line is I don't want, I don't think there should be any sense and frankly I don't think there is a sense that if the group fails to define policy and implementation that it just has to blow up the working group and go home, but I think that it should at least be an important part of the working group's efforts to see if there is a common ground upon which policy and implementation can be defined. Thank you.

Holly Raiche: Greg? Greg, could I ask, on going down to the tasks, one of the tasks, number two, 'recommendations on the policy, on the process to providing GNSO policy guidance including criteria for when it would be appropriate to use such a process instead of the GNSO policy development', and then number three, 'a framework for implementation related discussion'. Do those two together address your point?

Greg Shatan: Yes and no. I mean I think as long as we're using the words 'policy and implementation' it's problematic if different people use them to mean different things in the same conversation or in the same process.

Holly Raiche: Right.

Greg Shatan: So, or I should say 'process'. So.

Holly Raiche: Do whatever.

Greg Shatan: Yes, I've got a Canadian passport's owner in my drawers. In any case, it's something I think that it's still something that's before us and I don't think that, I think it's overly fatalistic to think that not—that we can't define policy and implementation or at least learn something instructive about what people are trying to do with those definitions of, you know, the problem. One of the problems I think that exists is that those definitions are used as tools rather than for real or those words are used as tools to achieve certain outcomes rather than they're actually meaning anything in and of themselves. So, I think that as long as you're using them, you know, unless we'd stopped using the words entirely, I think it's certainly everything works better if they mean the same thing to everybody.

Holly Raiche: Thank you, Greg. Marika, you've had your hand up for a while.

Marika Konings: Yes, this is Marika. Thanks, Holly. Just in relation to the third bullet point on the key assumptions, I think that's actually wording that came from Avery (ph) on our last call, but I do believe that went to the point and I think Christina's clarification probably goes to that point that it was more about saying, we probably won't be able to draw a, you know, big line in the sand between what is policy and implementation and I think that's what she was trying to convey there, so hopefully the wording that Christina suggested would be acceptable due to Avery as well as she's not on the call today.

And in relation to the defining policy and implementation, and I think, again, I think I'm more in Jordyn's camp there. It is a personal observation, because I think if you currently look at the PDP process and the bylaws it's basically once the Board adopts it then it moves into implementation. I think where we're currently struggling is what element as part of implementation discussion should be considered policy and what kind of procedures or what kind of framework needs to be in place to recognize those and address those in an appropriate way. So I think as well partly by defining that framework I think that will automatically provide the answers into, you know, what ends up being policy related discussions that will need to go through a separate process or framework

and whether are those purely implementation related discussions that can just move forward with whatever guidance is provided. So, I think as well really trying to make that a key task of defining it may be problematic and may distract indeed the working group from what is actually a task but having it in there as one of the guiding questions or one of the elements it may pay attention to and may indeed be helpful as it will undoubtedly come up in as part of the conversation.

Holly Raiche: Thank you, Marika. We've got Mikey's been hanging on for a while and Jordyn's up put his hand up. Greg, your hand is up. Did you still want to—is that an old hand or do you want to be in the queue?

Okay, I'll take it—Mike, Mikey, go ahead.

Michael O'Connor: Hi, this is Mikey. I'm going to let Jordyn go first because I'm enjoying and thinking this is a positive conversation and I sort of want to just wrap it up.

Holly Raiche: Okay. Jordyn, you're next.

Jordyn Buchanan: Yes, so I just wanted to, call it, one thing that Marika had just said which makes me nervous, which is that I think there is a tendency to talk about implementation as a separate policy and implementation is discussed that we don't need to worry about, you know, that we can just go off and do and there are definitely types of implementation where that is true but I think that's the rat hole that we end up falling down is, and I think that's precisely where so much of the community becomes uncomfortable about trying to draw this line between policy and implementation. Because if implementation means that once you step on that side of the line then some, you know, doesn't matter who it is, staff or someone not the community just goes and does it without any consultation or feedback or the multi-stakeholder process, I think that's when people get sort of extremely concerned about getting that delineation exactly correct.

I think it's probably more appropriate to say that there's a set, a type, there's a bunch of things that are forms of implementation that are sort of purely procedural that don't require as much community feedback and I think figuring out while we're talking about implementation figuring out even being able to classify types of changes that don't necessarily require as much community input, I think that's probably useful. But I don't think that line is along the policy versus implementation line. You know, there are implementation changes that can still have significant an effect on, for example, compound contracts, which is where I can, you know, essentially draw most of its authority from and I think we should focus much more on making sure we understand the dividing lines of where community involvement's appropriate as opposed to necessarily—this is why I don't think it's that productive to talk about the wording because the words actually don't form the basis of distinction in terms of what the process should actually look like.

Holly Raiche: Could I ask a question there, Jordyn? Looking at the key assumptions, if you start with number four, which is all processes, policy, implementation and framework need to be multi-stakeholder, does that pick up some of

what you're saying? And then the third point, the exact relationship and then we've got some comments in the chat about whether we replace relationship with delineation or whatever between policy and implementation may not be understood but this need to establish a framework, does that start to address your concerns, simply saying, we need to understand both and all of the processes may at some point or other have to be multi-stakeholder?

Jordyn Buchanan: Yes, yes.

Holly Raiche: Now, does that—is that what you were saying?

Jordyn Buchanan: Yes, I mean, so I don't think we're that far. I mean my principle concern right now in just looking at the text is that in number 3 of the tasks, it sounds like that the framework for implementation is dependent on understanding what the difference between policy and implementation is.

Holly Raiche: I see.

Jordyn Buchanan: And I don't think that's the case. I think we can create a really solid implementation framework, and as Alan just said on the chat really, because it's really a question of timing, right? And this is in play on the list today. The GNSO when they're formulating policy into a bunch of stuff that probably looks like implementation, and we need to understand how things lead from one phase of the process to another seeing that it's sort of driven primarily by the Council that you might think of as being that's policy side and then maybe a space that's driven primarily by staff but with significant community involvement that we might call implementation. It doesn't really matter what you call any of those things; is it matters that we understand the rules of engagement and the expected output for each of those processes much more than what we're calling each phase. If the GNSO elects to make less specificity and put relatively more of the decision-making process in the sort of staff-driven phase, you know, that's their prerogative, but doesn't make it—you know, it doesn't mean that the community doesn't care about the results once that it's been pushed into the staff-driven process.

Holly Raiche: Okay. Could I ask you to have a little think about what—how you might reword the additional text in number three? But in the meantime Mikey's had his hand up for a long time, and then Alan who's an apology has nevertheless got his hand up as well. Mikey?

Michael O'Connor: Now, you got to watch me. I slipped myself to the back of the queue. Let Alan go first.

Holly Raiche: You just put your hand up so you can actually say I want to listen everyone else, I know. Alan, go ahead.

Alan Greenberg: Okay, thank you. I wasn't planning to be on the call. I thought I'd be driving but there was less traffic and we found a way through the U.S./Canadian border that didn't take two hours. So I'm here. But I didn't

read all the documents and I didn't hear the first 20 minutes of discussions, so I have put that disclaimer in.

I think one of the real problems that we have, and I'm not quite sure how we resolve it, is that we have called implementation everything that follows the GNSO policy process, and that's really a problem because in many cases, and the new gTLD program is the best example, there have been many, many things which really affect the community substantively and we called it implementation. So, either we need to define policy and implementation carefully and then have policy have two phases, that which is done formally by the GNSO and that which is done post-GNSO Board decision, or we have to do something because the terms are confusing. We are using the term 'implementation' to include both real implementation, that is the mechanics of putting something in place, and all the preparatory stages, many of which do involve effective policy, and if we could clean up the terminology the rest of the discussion may be, might be a little bit easier but we're stuck with what we're using right now and I think we have to remember that as we go forward. That was all I was trying to say right now.

Holly Raiche: All right.

Alan Greenberg: I will listen to the transcript and, or to the MP3 and see what people actually said before.

Holly Raiche: Alan, a question. The—where we're up to is we're trying to sign off on at least the mission and scope today so we can work on the deliverables and talk about the actual tasks next. In the key assumptions, it's got all processes, policy implementation in the framework for interaction between the two need to be multi-stakeholder. Now, if you've got something like that woven in that says quite apart from the delineation what do you think if every, if we assume things are multi-stakeholder, does that make it perhaps less important to delineate between the two? Can we go down that, is that where you're headed to? And then I'm going to...

Alan Greenberg: Well...

Holly Raiche: Want you to (inaudible)

Alan Greenberg: Yes, what I was trying to say is, if we had a clean delineation that is implementation or some new word we come up with, it's just purely the mechanics of putting something in place.

Holly Raiche: Yes.

Alan Greenberg: You know, then we've established when is there heavy community involvement and when is there minor community involvement just to act as a check and balance and to make sure no one does anything, you know, dumb. If we're not going to put a delineation between two words, whatever they are at that point, then we're going to have to be really, really clear on the kind of things that Jordyn was talking about, that is,

yes, there are things that implementation that are still making decisions and therefore we're not calling them policy because of history but we have to treat them as policy; perhaps not with a formal PDP but nevertheless with a process. And that's something we did in the new gTLD process; we spent four years with the community, with give-and-take, with—involving the community, so it's not as if it's a foreign concept to us.

Holly Raiche: Mikey, your hand is still up.

Alan Greenberg: Yes, we, but one more thing.

Holly Raiche: Yes.

Alan Greenberg: But we have to not hide behind the word 'implementation' as has been done in recent months and say if we are calling it, well ICANN previously calls 'implementation' then it's not multi-stakeholder. That's the dangerous part.

Holly Raiche: Okay. Thank you, Alan. Mike? Mikey, do you just want to have your hand up or do you want to talk?

Michael O'Connor: No, I actually, but I was—my opinion is still shifting. Here's where I'm at. I think that we're all actually agreeing with each other in a way.

Holly Raiche: Yes.

Michael O'Connor: We all are saying, "Look, these distinctions of process need to be clearer. We need to know more clearly who does what in which phase of the work," and I think that the trouble is that we're conflating policy to mean two things. Sometimes we're talking about the policy phase of the work and sometimes we're actually talking about the written words on the page and same goes for implementation. I think it's perfectly okay for an implementation phase to have some checks and balances in there just to tease out those things that might need to be fed back into another round of policy work. And I think we're all kind of agreeing that the distinctions that need to be made are important, and so I'm pretty comfortable that the working group's actually going to be able to get through this okay. I'm not terribly concerned about the wording in the charter because I know that the working group itself is probably going to puzzle through this on its own anyway, and so if we've got some changes that we all go, "Yes, that's better, let's do those," but I don't know that we need to beat this one to death.

Holly Raiche: Okay, let me ask you a question and ask for comments. Given that we've got text in front of us including key assumptions and a revised set of recommendations (inaudible) for the working group, is there anything in the wording that's going to send the working group off in the wrong direction or is what's there sufficient to guide them in what's going to be a difficult task? And I think we all agree it's going to be a difficult task. And maybe, Mikey, after that, I'm going to get back to Jordyn and say, do we need to do something about the wording in number three, the set of

recommendations, and is that a barrier to the sort of discussion that we've all been having, and I think we're all in the right direction. So, Mikey can go first, and then Jordyn's got his hand up.

Michael O'Connor: This is Mikey. I wasn't listening, I'm sorry. I didn't realize I was on the spot.

Holly Raiche: Well, now, it's—the question I've got for you, Mikey, is, is there anything in the wording in either the key assumptions or the tasks, that the recommendations one to four, that has got different, the revised wording that Marika is putting in, is there anything in either of those two that the first section, which is the mission and scope, is there anything in that wording that's actually going to stop us, stop not us, the Drafting team, but stop the working group from going in the direction of that that I think all of us are headed?

Michael O'Connor: No, I think we're good enough.

Holly Raiche: Okay, thank you. Jordyn, are we good enough?

Jordyn Buchanan: I think I would be more—I think we should just split the third task or the third recommendation that we're trying to do, in two. So obviously the framework for implementation-related discussions or implementation-related discussions, (inaudible) for policy recommendations and then have a separate something somewhere that says, and it could be here or it could elsewhere, saying, 'that we would like the working group to consider whether it's possible to create criteria for when something is policy versus when something's implementation', as opposed to saying that right now it reads to me like you can't do the first half of number three unless you also do the second half and if you can't (inaudible) the second half as possible you can't do it. So, I just think if we split them up then I'm a lot happier, but I also think we shouldn't make it a hard and fast requirement of the charter to actually get a policy versus implementation outcome. I guess it could be a charter and then the working group can just say at some point is it possible to just do this part, but it would be nice if there is some way to indicate that, you know, we'd like you to consider it but it's, you know, you can finish your work if you fail to get to that point.

Holly Raiche: Okay. Marika, your hand is up.

Marika Konings: Yes, this is Marika. I just want to make sure as well that the changes we discussed earlier, which I think is a small change to the third bullet point of the key assumptions to change the exact relationship to the exact delineation, and I think the other point is on the fourth point, all processes to all appropriate processes that I think those were acceptable to all as well; just want to make sure that as I prepare a next version of this, the document.

Holly Raiche: So, where was the word 'appropriate' was...

Marika Konings: The word 'appropriate' I think was suggested by Jordyn in the fourth bullet on the key assumptions to make sure that it captures basically that in

certain cases you may not need to have a multi-stakeholder discussion on implementation if it's perfectly clear what needs to happen. So I think the idea was to include all appropriate processes to make clear that it would apply to those processes that need multi-stakeholder input. Or I think Christina was saying we'll need to be, it could be 'appropriately', is it an 'appropriately multi-stakeholder'? Is that the wording that we're looking at? Okay, 'appropriately multi-stakeholder'. Sorry for getting that wrong. And I think then the other one was on the exact relationship and just a clarification there that I think was suggested by Christina that would say 'the exact delineation between policy and implementation may not be understood'. I think those were the two wordings that...

Holly Raiche: Okay.

Marika Konings: People suggested as well.

Holly Raiche: Now, Alan, you have your hand up. Do you want to say what you said in the chat or do you want to add to what (inaudible)?

Alan Greenberg: You know what the thought I'd said in the chat was in response to something Christina said.

Holly Raiche: Okay.

Alan Greenberg: And no, I don't feel the need. I'm going to make a statement which I suspect may not go over well with some people. This is an area, this whole discussion we're having, is an area where certainly in my case my understanding of it is evolving and it's changing quickly. We're talking weeks not years and I would make a case that we should not agonize too much over the charter and that, you know, especially the first parts of it, because I think this may well be a situation where as we understand the world better we may find out that the charter wasn't perfect and I don't think we want to use that as we have to in some cases as a stumbling block and say that's out of scope and we can't have that discussion or we can't have that type of a conclusion. We may well need to revise the charter and go back to Janice over a ratification of that and I don't think we should be afraid of that. This is an area where we, where certainly what we're saying has changed a lot from what it was just a month ago. So, I would suggest that let's not, let's try to do our best but let's not agonize over getting it perfect. If it has to change as we understand the situation better as we go along, so be it.

Holly Raiche: Good. I've had my hand up for a long time, so I'm going to, and I'll let Greg go after me.

Alan Greenberg: You should let yourself speak if your hand is up then.

Holly Raiche: I've let everybody else speak. I would be concerned—there are two things that I would like out of the mission and scope section. One is enough flexibility so that we don't keep going back to redraw charters and reconstitute workgroups. I'd like to have enough wriggle room so that we can actually do what all of us think we're going to do anyway, and that's if

we Drafting teams form part of the working group then that's a different process. But also, I would be weary of watering down too much the concept of multi-stakeholder because if you start with an assumption that let's actually think who do we have to talk to because of who's impacted and if that question's there most of the time and that becomes the guiding principle rather than an actual definition of policy or implementation because that's almost too hard to do, we probably are in a better space. We're probably saying, "Well, actually, it's who do we talk to? Who do we have to talk to? Rather than, have we defined something so that we don't have to talk or we don't have to follow a process?" It's just me suggesting perhaps a different way of looking things so that we've got some concepts rather than being bound by definitions that are going to be very hard to draw anyway. And now I'll put my hand down, and Greg, your next. Thanks.

Greg Shatan:

Thanks. First, I agree, you know, wholeheartedly that I hope that the charter is not a stumbling block to discussions by the working group that comes after us. I have the frustrating experience in a recent working group that something I brought up relatively early on with, you know, I was told was out of scope and that if we wanted to discuss it we'd have to go back and get the charter re-modified and ratified again by the GNSO Council and we ended up not going there, but I don't think that was particularly helpful to the discussions of that point, obviously. So, I'd like to avoid that and make sure that we define the playing field properly so that people don't find themselves trying to be inbound and told that they're out of bounds.

Secondly, I think that with regard to the key assumptions and thinking these through, I think the first three key assumptions are fairly non-controversial. I think the fourth one has a level of controversiality attached to it, perhaps, in that question of when does something have to be multi-stakeholder and when it does not need to be multi-stakeholder and when is the line defined there? I think that's maybe more of an objective or a task for the group to discuss as opposed to a key assumption that either everything needs to be multi-stakeholder or that we start chiseling away at the list of things that need to be multi-stakeholder to the point where some people feel that we're stating an assumption that's in the negative in the sense that other things shouldn't be or aren't ever going to be multi-stakeholder and where do you draw the line. And I think that in terms of a charter point if we're finding disagreement on the point then it's something that the working group should be tasked to discuss rather than have us try to either define it too sharply or in a way that means nothing. Thank you.

Holly Raiche:

Thank you, Greg. Are there any hands up? Not that I see. I would suggest then, Mike...

Speaker:

I see a hand from Greg, or at least was.

Holly Raiche:

No, he's gone, he's gone.

Speaker:

Oh.

Holly Raiche: No more hands.

Speaker: (Inaudible)

Holly Raiche: (Cross talking). Mikey, you said the tyranny of scope which is a bad thing. Do you want to talk about that? No he doesn't.

Michael O'Connor: Yes, I mean I think that Alan's mostly just agreeing with Greg. I think that one of the things, and this is part of the reason I'm so relaxed about this charter is that, you know, the big things that charters do is describe sort of the major results that are being looked for and as always there's the expectation that there's a fair amount of judgment and discretion on the part of the members of the working group as to how they get there, and so overly precise uses of scope as a way to silence people I think is a bad thing.

Holly Raiche: Right. I'm going to rephrase and just ask the question again since I really do want to move on from mission and scope to tasks, and we've got three quarters of an hour to do it. The key assumptions, can we move on from them or, Greg, what I'm hearing—and what I'm hearing is some disquiet on number, on the fourth dot (ph) point, which is an assumption that has to be taken into account, it's not necessarily an outcome. Given, Jordyn, that you developed this with Chuck, do you want to just talk to this fourth point and see where that takes us because it looks as if it might be everything done every time is multi-stakeholder, I don't think you mean that. I think my reading would be the assumption would be multi-stakeholder unless it's simply technical, the implementation, although that's a very dangerous thing to say. So, Jordyn, (inaudible) your words, and Greg has called, put a question mark around them, do you want to talk to number four of the dot points and key assumptions?

Jordyn Buchanan: As Greg just pointed, only the first two assumptions came from the charter (ph) in certain...

Holly Raiche: Oh okay, okay.

Jordyn Buchanan: So, I do think, and I mean I'd be curious to know if, I mean it sounds like Christina was happy that we added the word 'appropriately' (inaudible). Greg, does that satisfy your concerns as well?

Greg Shatan: Yes, we decided where the word 'appropriately' is going or is it...

Jordyn Buchanan: (Inaudible)

Greg Shatan: Is it 'appropriate processes' or 'appropriately multi-stakeholder' or which or (cross talking)?

Jordyn Buchanan: Appropriately (cross talking)

Cheryl Langdon-Orr: I'm not sure.

Jordyn Buchanan: Okay. All processes, policy and implementation in the framework or interaction between the two need to be appropriately multi-stakeholder.

Greg Shatan: Yes, I don't think that that really meets my concern because I don't think that 'appropriately multi-stakeholder' really changes things much. I mean I think that nobody here is going to fight for—well, maybe I shouldn't say that. Inappropriate multi-stakeholders or at least they're not going to think that it's inappropriate when they make their point. So it's kind of a, it can mean whatever I think it means type of word in this context and I think that clearly part of what has brought us all here on this Drafting team is the feeling of some that things that were called implementation and were taken care of in a way that didn't seem to be multi-stakeholder or maybe didn't seem to be appropriately multi-stakeholder took place and that one way to deal with that is to say that everything needs to be multi-stakeholder, and while in that case it really doesn't matter what you call policy or implementation because in a lot of implementation is handled almost as if it were a policy under the current construct of policy versus implementation and my concern becomes that if you try to kind of over-multi-stakeholderize things, perhaps, you have issues that Ann (ph) brought up in the chat which is, does anything ever get done and can multi-stakeholders move fast enough so that implementation can be implemented and again kind of comes, it's maybe just a different way of defining the outcome of whether something happens or doesn't happen or who gets to weigh in on it and I think that's an element for discussion and not an element for assumption.

Holly Raiche: I...

Greg Shatan: And I think that I just would not want to see the group closed off and have somebody kind of yell 'scope' whenever somebody discussed whether something shouldn't be subject to kind of multi-stakeholder review, consensus or some form of multi-stakeholder input.

Holly Raiche: Could I ask you what you think about Mike's suggestion, which is, 'should have the appropriate level of multi-stakeholder input'. Now we're not going to define this. The working group's going to deal with that, but does that come closer to what you're saying?

Greg Shatan: Well, I mean I think in a sense that leaves perhaps I think more room. I might want to put at the end of that, 'if any', but maybe that's implicit...

Holly Raiche: That's...

Greg Shatan: That the appropriate level of multi-stakeholder input could be zero for something that is a complete no-brainer for all concerned.

Holly Raiche: (Inaudible). Can we settle on that language that Mikey used, if you'd be comfortable with that?

Greg Shatan: Yes, I think I can be comfortable with that.

Holly Raiche: Okay.

Greg Shatan: Just hope that nobody yells 'scope' when somebody discusses whether something shouldn't be multi-stakeholder at all.

Holly Raiche: All right. Alan, you're next.

Alan Greenberg: Thank you. Could I ask whoever's on staff who's putting down hands, don't do that. It's very frustrating. I would not want to use the word 'input'. That has shades of the old ICANN comments where you could input all you want and no one ever does anything about it. I liked actually Christina's thing of 'appropriately multi-stakeholder'. The demarcation between what we're now calling policy and the policy aspect of implementation is certainly in a PDP and we have a very formal process to get buy-in consensus to reach conclusions. The multi-stakeholder part of what we are currently calling 'implementation', currently, anyway, does not have nearly as formal a process, and that's probably a good thing because when you start coming down to details, there are times you're going to—not going to be able to please everybody and ultimately decisions will have to be made, but there should still be the give and take and an opportunity to try to find balance and address the needs. So, I would not want to restrict it just to input. But overall I think we're going into this in far more detail than we need to...

Holly Raiche: Okay.

Alan Greenberg: And we're agonizing over it. I think if we're willing to accept the fact that we may have gotten the charter words wrong and either we will get the charter revised or we'll be flexible in interpreting it, I don't think we need to agonize over it at this level nearly as much. I think this is a learning exercise and chances are all of it will, all of us will come out with somewhat different understandings of these issues than we have today and I think we should allow for that. Thank you.

Holly Raiche: Thank you, Alan. Okay, I think we've got Christina's 'appropriately multi-stakeholder'. Can I, can—may I suggest that we actually tentatively sign off. Now, we've got the 'appropriately multi-stakeholder' for the moment and we have got next week if people are really upset about it but think about...

Cheryl Langdon-Orr: (Inaudible)

Holly Raiche: How we do that. Cheryl?

Cheryl Langdon-Orr: Thanks, and I apologize for jumping in. Let me explain, and for the record that every single time I either try and use my hand or type the word into the chat, and I've done this a lot this time, I lose connectivity, so I'm (inaudible) and nothing I've typed is appearing on chat. But I do apologize; I've been agreeing with and making some comments throughout the whole meeting, however, I can't let this one go by. I wondered, Holly, because I think we're a good way through this part of the document draft. If we took the specific language for this last point to the least and just came back with having had good list remuneration, you

know what I mean, chewing it over, remuneration, thank you. That would be better than leaving it until next week, I think.

Holly Raiche: Yes.

Cheryl Langdon-Orr: I don't want it to go backwards on the progress. That's all. Thank you.

Holly Raiche: Neither do I. Thank you. Okay, I think, Marika, what I would like for the—for a tentative way forward on mission and scope, we take up Christina's wording, I think, and we, from Jordyn we had number three, 'a framework for the implementation related discussions related to (inaudible) policy recommendations' and make that into two points, so three becomes the first part and four becomes criteria, when something should be considered policy and when it should be considered implementation. Jordyn, are you happy if those two things are separate?

Jordyn Buchanan: Yes, I'm happy if those two things are separated. Everyone else is happy with that, I'm fine. I should stop reading them, otherwise I'm totally fine and good for any discussion of that particular point to the list as well.

Holly Raiche: Okay.

Jordyn Buchanan: As Cheryl discussed. Either of those two approaches is fine with me.

Holly Raiche: Okay, fine. I think we can make three, so it becomes three, four would be criteria for something and then five is further guidance. Now, I don't think we're going to get too much farther on mission and scope, so I'd like to kind of tentatively sign off and say...

Marika Konings: Holly.

Holly Raiche: Yes.

Marika Konings: Holly, this is Marika. If I can just ask for a clarification on the first part, the change to the bullet four. Are we going to (inaudible) our support, and I think you picked up on the call as well the language that was suggested by Mikey that basically said 'should have appropriate level of multi-stakeholder participation if any'. Is that the language we're going to put out for discussion and review?

Holly Raiche: There was—I've got some concern with 'if any' but I think Greg was comfortable if we didn't have that there because when we're talking about level that can be anything from 100% to zero.

Marika Konings: Okay, I'll take that off, but the rest of the language that's the one that should go in there, just to clarify.

Holly Raiche: Let's—I think we take Cheryl's point too, which is we've got a list going and we really need to actually sign off on, tent (ph) something as much as we can. So I'd be happy if we just said, "Yes, go, Marika, go ahead with that," and then with the set of recommendations we've now got five points

instead of four but we're splitting three into two elements, which makes Jordyn a bit happier.

Marika Konings: Yes, I've got those changes.

Holly Raiche: Okay. Now, I would like to move on to objectives and goals. We've got about a half an hour going left. I'll just read them out and we'll see where we go from there, and we've got the goals and from there we've got the tasks, and I think the task is going to be a really big one, so let's see if we can make some headway on the objectives and goals. I'll just read them out and then look for comment, and am looking forward to commenting on the list so we can actually sign off in before Durban.

To develop at a minimum an additional recommendations report and a final recommendations report addressing the charter questions provided below—wait a minute, provided below. I thought we were supposed to deal with the questions we've asked above.

Marika Konings: This is Marika. That was my assumption as well and that's what I had an issue point but Chuck for some reason changed those.

Holly Raiche: I have a little bit of a problem with that because we've just spent a lot of time on key assumptions and what they're supposed to do so, and that looks as if they're only looking at what's below. Leave that, leave it but I'm just—that worries me a bit, frankly.

Marika Konings: And this is Marika. Maybe we can just change it back to the original language and then Chuck come back in if he had a specific reason to change that or maybe it was just a...

Holly Raiche: Yes, I just would like to know why that was put in because I thought the mission and scope is what we're going to do. Unless we think that the recommendations include all the mission and scope, in which case I'm not sure why we're doing two things. Never mind, okay. Following the processes, describing GNSO working group guidelines, recommendations may include both changes to GNSO operating procedures, et cetera. The recommendations are expected to provide a clearer understanding of both potential goals and in-state of the PDP. In particular for situations in which the output of policy development effort is not a consensus policy, it may be desirable to have a more streamlined process than the current PDP; alternately, should be 'alternatively', it may be that the PDP is initiated in a different manner or its work is concluded differently if the output is not intended to be a consensus policy. Hmm. Improves the collection of documentation of gTLD related policies and best practices created by the GNSO. Three, provide a better understanding of the transition between policy and implementation with expected outcomes reached or provide a framework for implementation is predictable, repeatable, efficient. And finally, that includes multi-stakeholders. Feedback? Alan's going to say something there. Five, includes guidance on how feedback from the policy (inaudible) is needed in an implementation process. Six, include mechanisms to adjust policy in response to learning from implementation.

Does anybody have an initial comment on any of those? (Inaudible) and if not, I've got mine up (inaudible).

Nobody has any comments. And not even in chat. Well, Jordyn's comment, "I think they are great."

Cheryl Langdon-Orr: (Inaudible). Okay. Okay.

Holly Raiche: While I wait for people typing, Mikey and Christina?

Okay. Mikey, your hand is up. And by the way, you're going to go in front of me.

Michael O'Connor: Thanks. This is Mikey. You know, this is back to 'this is good enough' for me.

Holly Raiche: Okay.

Michael O'Connor: These have been in front of us for quite a while and I think we've got a pretty clear understanding where we're headed and to get us there. Again, there's always this point in a chartering project where I feel like it's close enough all. We could indeed wordsmith the heck out of this but I don't think it's a...

Cheryl Langdon-Orr: Yes.

Michael O'Connor: Very productive thing to do.

Holly Raiche: Okay.

Cheryl Langdon-Orr: That was me agreeing, Cheryl.

Holly Raiche: Greg, you're next. And Mikey, before that though, Mikey, Christina's question is, how do your thought questions fit into this?

Michael O'Connor: This is—thanks, Christina, this is Mikey. If you roll down to the next page there's a task for, there's preparing working group responses to key questions and there's a list of questions but we could staple those thought questions in there with an appropriate disclaimer at the front that says something like 'working group may find the following questions helpful as a starting point for structuring their work', something like that. I think that the worry that I have about, you know, questions going into the charter without some sort of disclaimer is that it's sort of like Greg's scope point earlier, you know? I'd hate to hamstring the working group with a series of questions that turn out not to be quite right but I think somewhere down in that task four region would be a good spot to stick it.

Holly Raiche: Okay. Marika, could you put Mikey's questions into what he's suggesting. So, on number four, 'prepare working group responses to key questions' and we can put them there. Now, Greg, you've got your hand up. Do you want to go ahead? Thanks.

Greg Shatan: Yes. Without wordsmithing too much, I think especially given our previous discussions it would be appropriate on the fourth recommendation to include before the word 'multi-stakeholder', the word 'appropriate'.

Holly Raiche: Okay. Marika, do you have that? Good.

Marika Konings: This is Marika. No, I'm sorry, I was typing in the chat, so Greg, maybe you can post a suggestion in the chat or just repeat it now? I'll be happy...

Greg Shatan: Sure, I'll do both. Under Objectives and Goals, the fourth recommendation I think we should put 'appropriate' before 'multi-stakeholder'.

Holly Raiche: Okay.

Marika Konings: Okay, got that.

Holly Raiche: I think I'm raising my hand. My comment would be, I tend to think number one is pretty wordy, and I'm not sure that we need to go into that level for a PDP at this stage or indeed we—I think we want to leave these a bit more flexibility. But, look, what I'll do is I'll probably draft something on the list and see how it works. Just, it's so, number one under recommendations is so detailed it may act to actually confine the discussion which is I don't think what we want to do. I think we're looking forward to not only a PDP process but perhaps other processes, so I think we're a bit too detailed in one and I'd just tend to make that a shorter sentence and I would take note of what Marika has said in the chat, which is, talk about how do we get some feedback and that's I think I would add that to number six as a recommendation. Now, Greg, your hand is up. Do you want to, do you have more to say or is that a (cross talking)?

Greg Shatan: I was just going to say on this that I think the parenthetical for looking at this, the first recommendation here, is actually quite a bit broader than the first, than the sentence itself which talks about the goals and end stage of the PDP or is the parenthetical kind of goes off into new territory of...

Holly Raiche: Yes.

Greg Shatan: We'll call it alternatives to the PDP and whether it's PDP light or expedited PDP or something that's not PDP when what happening isn't necessarily 'policy development' or at least consensus policy development. And I'm not objecting to this parenthetical but rather suggesting that maybe that should come kind of out of the parenthetical and be in, you know, not proposing any exact drafting, and I apologize for that, but that is kind of the task is not just to look at the PDP but at other avenues toward achieving something in the policy realm.

Holly Raiche: Okay.

Greg Shatan: (Inaudible)

Holly Raiche: I thank you. I tend to agree with you. Jordyn, you've got your hand up and you've got some contributions in the chat as well.

Jordyn Buchanan: Yes, so I mean I agree that the parenthetical is indeed wrong and it was intended to provide context around what the first half is intended to be and, as Greg points out, it's wrong precisely because it's hard to capture (inaudible) a little bit the scope of what's intended here and (inaudible) didn't quite understand (inaudible) which is why I sent him the thing that became the parenthetical. What I might suggest is just a change, number one, to capture what Greg was just saying, 'provide a clear understanding about the, of the potential goal, end stage and alternatives to the PDP and then maybe just move the parenthetical to the footnote or something like that. It's just there to provide context so you understand what the recommendation, I mean what this bullet means because it can be hard to sort of say, "What do you mean by goals and end stage without that additional context?"

Holly Raiche: Now, that's Jordyn. Thank you, that's fine, and I think I would be much more comfortable—I don't have my hand up. Greg, do you want to, did you want to add to that? Or is that an old hand or a new hand? Okay, it's an old hand.

All right. Now we might, I'll call on myself. Jordyn, I like your suggestion, which is to broaden out number one, the sentence itself so it encompasses the idea that we're talking about, 'as the term Greg used, 'PDP light or PDP' whatever, and somehow capture what's in the parenthesis but have, one, the more broadly drawn than it is at the present. And I think we're not going to draft here, but let's see, provide a clear understanding of—maybe 'the potential goals and end stage of policy developments including the PDP process and other policy development' or something like that as Jordyn said so? Mikey says no. Let's just see. 'For process provide a clear understanding of essential goals, end stage and alternatives to the PDP'. That looks as if you're excluding the PDP and I don't think we mean to exclude the PDP. I think we mean to include the PDP and everything else. That can go on the list. I think what I'm hearing is that number one probably needs a fair bit of redrafting; the intention's clear but picking up what Jordyn's saying and there's also the phrase 'alternatives to the PDP', which is another thing that should go in one, I think. I think we all need to think about all of our...

Alan Greenberg: Holly, it's Alan. Could I get in please?

Holly Raiche: Oh, sorry, I didn't see your hand. Yes, for sure.

Alan Greenberg: Yes. I think the phrase 'alternative to the PDP' is fine when we're considering how to, you know, what the outcomes might be. I would strongly object to this group trying to develop alternatives to the PDP. I mean the PDP—the bylaws right now are vague and I think deliberately so that they're—you know, if we're not trying to develop, capital 'C', consensus policy, we can use other methodologies. Yes, we seem to

have some problems with how the Board treats those and that has to be fixed, but I certainly wouldn't want this group to start coming up with alternative methodologies. I think anything that we come up with in terms of how to treat policy outcomes from the GNSO should refer to policy outcomes from a PDP or from alternative methods the GNSO may choose to use, but certainly...

Cheryl Langdon-Orr: I tend to agree.

Alan Greenberg: We should not be in the business of defining what those alternatives are. We have a complicated enough job as it is.

Holly Raiche: Yes. Cheryl?

Cheryl Langdon-Orr: Hear, hear, from Cheryl.

Holly Raiche: Thank you. Okay. Jordyn, your hand's up, go ahead.

Jordyn Buchanan: Yes, this is Jordyn. I'm not a hundred percent sure I agree with that but I am glad to defer to the wills of those people that are kind of the leaders of the policy development process a little bit more. I do think that it is imperative that we need to, if there is some alternative process to the PDP whatever it is, we need to be much better at documenting at a minimum and probably moving beyond documenting to sort of figuring out how we actualize the results of non-consensus policy. Because right now you've passed something that's not a consensus policy is utterly undiscoverable for anyone that wasn't involved in that work so there are a lot of things that people might think of the task that's policy. I think there would be debate over any of them as to whether they actually constituted policy or not because there is no process around them and certainly is the case that if I was someone like (inaudible) looking years after the fact I would have no clue whatsoever that such a thing existed until I did something and then somebody yelled at me for ignoring it because they're not documented anywhere. The consensus policy is (inaudible) and years after the fact when they finally get implemented but that's the only bit of coherent documentation that exists there, and I know that elsewhere in the list but I do think there has to be some notion of how do we decide that we're actually done passing something that's not a consensus policy.

Holly Raiche: Thank you. I trust you're going to add some of that language on the list, I hope. And Cheryl, can you actually see the chat?

Cheryl Langdon-Orr: I'm in chat, I can see up to Mikey. I just want to respond.

Holly Raiche: Okay.

Cheryl Langdon-Orr: (Inaudible), I don't know.

Holly Raiche: Okay, that's fine. I'm just wondering if you're missing stuff. Okay. Greg, your hand is up again.

Greg Shatan: Yes.

Holly Raiche: Unless that's happened again.

Greg Shatan: I think that at least at a high level, maybe not a granular level, this group needs to look at the issues of if—us—if something is kind of contributing to the policy process or to some process that the GNSO or the GNSO Council is trying to move forward with and is trying to give a certain weight to that the process needs to be defined. Right now I think there is a lack of definition around these things and it seems to be causing difficulties as to whether a letter is a formal statement of GNSO policy, if it's just a letter that was written out of a meeting or two of the GNSO Council, for instance, and I don't think we can, that the group should shy away from these things. It may be that among the group's recommendations are, you know, I hate to say it, forming other working groups or subgroups of the...

Holly Raiche: Oh.

Greg Shatan: It could conceivably be a subgroup of the working group; that happened in one working group I worked on. To go forward on these things but I think at least needs to be part of the remit tick (ph) to consider the need for other structures or defined processes that are or are not going to be, you know, resulting in something that's either small P policy or some form of policy input because otherwise I think you'll get into some very lose activity. Thanks.

Holly Raiche: Thank you, Greg. Marika and then Alan?

Marika Konings: Thanks, Holly. This is Marika. So, yes, as I think exactly some people pointed out, we already have in the mission and scope talking about recommendations on the process for providing GNSO policy guidance, and I think exactly that is envisioned there for anything that is not consensus policy and there should be the option for the GNSO Council to use an alternative process if needed (inaudible) that is well defined, everyone knows what to expect and possibly have as well a kind of a mechanism where if it is official policy guidance that the Board needs to consider it in a certain way or come back to the GNSO Council and depending on, you know, if they would for example disagree with that. So I think as I send some information already to the list the GNSO PDP manual clearly foresees alternative mechanisms for when it does not concern or the outcome at—the outset of the issue is not intended to result in consensus policy that the GNSO Council should consider alternative mechanisms for drafting the issues as a PDP may not always be the appropriate mechanism for addressing policy related questions that are not intended to result in consensus policy. So, I think I'm also of the perspective that definitely within the (inaudible) of this working group to look at that and provide recommendations. Although, of course it's also (inaudible) to say, well we think there should be an alternative process but we don't think it should be asked that someone else should be looking at this or this is only a process that we believe should apply to implementation related guidance but we strongly suggest you all to look at all the processes that relate to policy discussion. So, I think there are

way different outcomes that could result depending on the working group discussions but I definitely don't think it's, at least from what we've discussed and also the discussions that have been had at the GNSO Council level, that those questions or suggestions will be off-limits.

Holly Raiche: All right, thank you. We've got now Greg and then Alan.

Greg Shatan: Old hand.

Holly Raiche: Greg, go ahead.

Alan Greenberg: Greg said it was old hand.

Holly Raiche: Oh okay. You're a new hand.

Alan Greenberg: I'm a new hand. Well, (inaudible).

Holly Raiche: No comment.

Alan Greenberg: We won't comment. I think it's perfectly within the scope and a reasonable expectation for this group to set some criteria for things that we consider policy processes that is setting a certain level of transparency and ability to review, to understand and to demonstrate that it was a multi-stakeholder process as opposed to three people getting together in a room and deciding something. I'm afraid that it's not just non-PDPs that are not subject to that right now. I recently had occasion to try to look into some old PDPs and the process or find out what actually happened as a result of them, and I dare say it's not easy and in some cases impossible. You know, you find marvelous pointers to social text, Wiki, that hasn't existed for several years without a clue where it might be, if it still exists, and in some cases certain policy processes not, you know, are—web resources don't even admit they existed. So, we have a problem and I think we need to make sure that if we have future policy processes that they meet some minimum standards, but I don't think we want to tie ourselves into trying to build those ourselves. And as an example, if you consider a policy, which in under my own definition today I do, the drafting team that formulated some of the Red Cross IOC recommendations to the Board, you know, was not a PDP, but certainly I think we could defend the process it went through and the fact that it was involving the community. So, you know, there are other processes and I think we need to have flexibility going forward but setting minimum criteria certainly is a reasonable thing to do. Thank you.

Holly Raiche: Thank you. Now, Eduardo, how—I've completely missed your hand. How long have I ignored you, sorry. Go ahead. There's a—no, he's...

Alan Greenberg: I don't see a hand up.

Holly Raiche: No, no, you're right. It was just (inaudible). Is there anybody who's got any more comments at this stage because I think we might have come to, we might have spare five minutes. Where we're up to (inaudible) is we sort of agreed on the mission and scope pending the next version and

pending the changes that we talked about. We need to finalize that on the list if at all possible because I hope we don't have to go back and spend a lot of time on this. We are on the objectives and goals. We've had a recommendation on rewording of number one in particular, but we actually have to go through one to six and finalize that next time. And I'm just—Mikey had his hand up and he withdrew it very quickly, right. The task I hope we can get to but it's not going to be—hopefully it'll be next week. So, with about five minutes left, could I ask that people go through and mission—I'd like, also I'd like to—Marika, do you want to go ahead?

Marika Konings: Yes, this is Marika. What I can do basically tomorrow morning my time is send out a revised version based on what we discussed at today's meeting, and then again I think encourage everyone to share any suggestions and would really be helpful, like your concrete changes, that makes it easier to develop new drafts and I think as well move the discussion forward so that hopefully by the next call we're far away along to actually getting to a final version that everyone can live with.

Holly Raiche: Excellent. Yes, I know, that'd be great. Thank you. And then the objectives and goals, we've had some suggestions on, particularly on redoing number one, taking into account some of the comments that was made about clarification process as well, and hopefully if people could start to look at the working group tasks as well and remembering that the key questions that Mikey suggested are going to wind up in number four of the working group tasks. So we've got a very busy meeting next meeting, and Marika, that will be, if you could send out the notice to everybody for next Monday your time, that'd be great. Is there anything else anybody wants to say or can we give ourselves a five minute early mark?

Cheryl Langdon-Orr: Holly, it's Cheryl here. Just looking at the chat and providing I'm a tacit recipient in is (inaudible) touch anything I seem to be (inaudible). Re our second meeting possibility next week, I'd say the merit of perhaps scheduling that in our diaries but I would request that perhaps it might need to be just from a personal point of view slightly earlier than today if we do...

Holly Raiche: Yes.

Cheryl Langdon-Orr: I...

Holly Raiche: Why are you doing this to me?

Cheryl Langdon-Orr: Well I'm doing it to myself as well, Holly.

Holly Raiche: Mm-hmm.

Cheryl Langdon-Orr: Because I probably need, I'm meeting with Senator Conroy next Wednesday morning and you know how long it will take me to get to the City, so.

Holly Raiche: Yes.

Cheryl Langdon-Orr: If it's the same time I may be only be able keep a small amount of time. If it was slightly earlier, that might be—and yet, two hours on Monday is not a bad alternative to my—because my Wednesday is going to be, well, my Wednesday's going to be crap trying to get in for an early morning meeting, you know, (inaudible).

Holly Raiche: Do we want to do this then for, say, two hours? Are people comfortable with a two-hour meeting or would you rather have two one-hour meetings?

Cheryl Langdon-Orr: (Inaudible).

Holly Raiche: Nobody is—Alan?

Alan Greenberg: (Inaudible). I am comfortable with two hour meetings. Please, when you send out the announcement make it really clear to people because otherwise there's an expectation that it's only an hour typically.

Holly Raiche: Yes. Well...

Cheryl Langdon-Orr: Sorry, there seems to be some pressure for two one-hour meetings being more productive. Clearly these people don't have my calendar but I'll go with the flow. I apologize.

Holly Raiche: All right. Two one-hour meetings. Well, this is just about the worst possible time for me.

Cheryl Langdon-Orr: Yes.

Holly Raiche: So really (inaudible) two one-hour meetings is more productive. Marika, can we set a one—what about one hour on every—the same time for...

Cheryl Langdon-Orr: My question (inaudible) was, you know, is a day other than Wednesday better, and the short answer to that is, absolutely yes, with the exception of Thursday when I have a competing (ph) meeting on at this time. But basically if you take any other day other than (cross talking)

Holly Raiche: Or what about we just do a doodle (ph)?

Cheryl Langdon-Orr: For Thursday. But yes, a doodle is not bad.

Holly Raiche: Let's just do a doodle.

Cheryl Langdon-Orr: Why don't we do the Monday call and see how it goes.

Holly Raiche: May I suggest we do a doodle for, assume it's a doodle for Monday and then a doodle for—I think everybody is agreeing with a doodle.

Cheryl Langdon-Orr: Sorry, Holly, (inaudible) we've all got it in our diary...

Holly Raiche: Right.

Cheryl Langdon-Orr: And actually we've all got it in our diary for 90 minutes.

Holly Raiche: Yes.

Cheryl Langdon-Orr: And sure, doodle for possible second alternative that week.

Holly Raiche: All right. I think we're just going to leave it, leave the time as it is and Jordyn and the goal should be to finish on Monday. I'm not sure that we're going to do that; we may actually have to have—but we've got one more meeting. Folks, we've got the possibility of a meeting on the eighth. So why don't we do—why don't we leave it since it's in everybody's diary, we'll leave it as one and a half hours on Monday, the first, with the possibility of the following week. We'll just see how far we go. All I can say is, the more work that's done on the list, the less time we meet in a meeting, so we'll try and get as much done as we can on the list but we will meet next Monday, same time, Tuesday morning for us in Australia and...

Speaker: (Inaudible)

Holly Raiche: If we need more time, then we can send out a doodle. I think that's the way to go.

Speaker: Okay.

Holly Raiche: If you're comfortable with that. Are you comfortable with that?

Cheryl Langdon-Orr: Yes, that's great.

Holly Raiche: Okay. Thank you, everybody for your time and we will—Marika, your hand is up.

Marika Konings: Holly, yes, Holly, just to, because I think getting a time in people's calendar later on will be harder on Monday so one suggestion would be that we—that I actually send a doodle pull-out together with the updated document so...

Holly Raiche: Yes.

Marika Konings: At least you can tentatively book a slot and then we can always cancel it because I think the other way round may be harder.

Holly Raiche: Okay, all right.

Cheryl Langdon-Orr: Absolutely agree, Marika, yes.

Holly Raiche: Okay, good idea. Thank you.

Cheryl Langdon-Orr: Thanks, everyone.

Holly Raiche: Thank you, everybody.

Cheryl Langdon-Orr: Marika, just before you go, can you let tech know that the Adobe rooms are becoming flakier and flakier if you're using a Linux (inaudible) operating system? (Cross talking)

Marika Konings: I'll leave that with (cross talking)

Cheryl Langdon-Orr: And basically, you know, I may as well not, absent the fact I can see people's chat, I've raised it with some of the tech people before. They should have had it also raised because of the issues that the Verizon people actually saw happening at our last face-to-face meeting; they were able to witness what was going on, so they should be aware of it, but someone needs to talk to Adobe on this. You know, ICANN is a serious client of theirs now and this is just appalling. Literally every time you try and activate through the dashboard anything, it disconnects you and it's just unbelievable. So, you know, I'm getting real (cross talking)

Marika Konings: I'll raise it with IT.

Cheryl Langdon-Orr: Thanks. I mean I'm not expecting an overnight solution but, you know, whoever's paying the bill to Adobe should be suggesting that there's this thing called, you know, customer service, some quality of systems. Thanks, mate. Because every time they update it they've left, they've kept up their—some operating systems they've kept up really well; they have left both Android behind significantly but they've left Linux behind massively, and that's just not good enough. That's not just right, Mikey, because the Verizon people have been looking at it for me. It's a crock of shit.

Marika Konings: I'll pass the message on. I'll pass the message on, Cheryl.

Cheryl Langdon-Orr: Thanks, mate.

Marika Konings: Bye, everyone.

Cheryl Langdon-Orr: But Mikey, they were watching me have problems when we were all together. I know it's still the wrong folks but they do have a slight amount of technical expertise and then went, "ooh, that's not good." So it's not just me as an inept user is what I'm saying. Bye, dear.

END