ICANN
Transcription
Standing Committee on Improvements Implementation (SCI) meeting
Wednesday 6 March 2013 at 21:00 UTC

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http://audio.icann.org/gnso/gnso-sci-20130306-en.mp3

On page:
http://gnso.icann.org/calendar/#mar

Attendees:
Ronald Andruff – Commercial and Business Users Constituency – Primary - chair
Anne Aikman-Scalese – IPC Primary
J. Scott Evans – IPC - Alternate
Avri Doria – Non Commercial SG – Primary – vice chair
Thomas Rickert – NCA -Alternate
Amr Elsadr – NCUC – Alternate
Mary Wong – NCUC – Primary
Jennifer Standiford – RrSG - Alternate
Ray Fassett – RySG - Primary
Wolf-Ulrich Knoben – ISPCP – Primary
Alain Berranger – NPOC Constituency – Primary

Apology:
Angie Graves – BC - Alternate

ICANN Staff:
Julie Hedlund
Julia Charvolen

Coordinator: Excuse me, everyone. This is the Operator. Just need to inform all

participants that today's conference call is being recorded. If you have any

objections you may disconnect your line at this time. And you may begin.

Julie Hedlund: Thank you. And, Julia, would you mind doing a roll call for us?

Julia Charvolen: Yes, sure. Do you want me to do a roll call with the affiliations as well?

Ron Andruff: Please.

Julie Hedlund: I don't think that's necessary, just the names should be fine.

Ron Andruff: No, no, please I would appreciate that. Would you please enter that into the record? I would appreciate that, thank you.

Julie Hedlund: Thanks, Ron.

Julia Charvolen: Yes, sure. Good morning, good afternoon, good evening. Welcome to the SCI meeting on Wednesday, 6 March 2013. On the call today we have Ron Andruff from BC; Wolf-Ulrich Knoben from ISPCP; J. Scott Evans from IPC; Avri Doria from NCSG; Thomas Rickert from NCA and Alain Berranger from NPOC Constituency. We have Anne Aikman-Scalese from IPC who will be joining later so as Mary Wong from NCUC.

                    From staff we have Julie Hedlund and myself, Julia Charvolen.

                    May I remind all participants to please state their names before speaking for transcription purposes? Thank you very much and over to you.

Ron Andruff: Thank you very much, Julia. And thank you, everyone, for getting on the call today, much appreciated. We have a shorter agenda today so we have a little more time to actually get into the nub of some of these things. But let's get started with our statements of interest. If anyone from the Standing Committee have any changes to their statements of interest for the record?

Hearing none we will duly note that in the record and we will move on to Agenda Item Number 3 which is approval of the agenda. I would like to ask if anyone has any comments or any other business they'd like to add please do so. Hearing none I thank you for that.

And we move now directly to Agenda Item Number 4, termination and suspension of a PDP. This document has been a very good example of excellent work done, in my opinion, by the SCI and its members. It was a very difficult issue in so much as it was a bit about peeling back the layers of an onion to get to a resolution that we found was a good solution to a very important topic.

Now I understand that picking up on the list that two of our members have not had a chance to circulate it to their groups. That would be, as I understand it, the IP Constituency have not had a chance to review this and I also understand that the NCUC, If I'm not mistaken. Julie, I see your hand up. Is that a correct for me?

Julie Hedlund: Ron, I think - and if you don't mind I will check just very quickly here - that those comments related to the circulating of the resubmitting a motion item.

Ron Andruff: Oh okay very good, very good, excellent. So then thank you for that. Unfortunately - and Julie is aware of this - I lost all of my mail in my SCI box, it got corrupted for some reason and so I've - I'm a little bit behind the 8-ball here in terms of being on top of it today. Thank you, Julie, for that correction.

So in that case I think that this was, then, the last submission of this language for us to review. And I think we're pretty well in agreement on submitting this back - I'm not sure, Julie, if we need to put this out for public comment or it goes straight back to the GNSO with our recommendation? But I'm - maybe you can clarify that for us?

Julie Hedlund: Yes. So this is Julie Hedlund. And there were actually substantive changes from the last iteration that went out for public comment. The version that you are seeing right now in the Adobe Connect room just shows the last change that we made - it was the cleaned up document and the last change that we made and put out for review after our February 20 meeting.

But in actuality there are probably 20 or so changes throughout that main paragraph. Certainly significant enough to change the text from what had previously been sent for public comment.

So procedurally we do need to send this again for public comment. And that would be an initial 30 days. And then if there are no substantive comments on it in the form then we could end the comment form there if there were any substantive comments then it would be followed by a reply period. But so that's the next step. I can put this out for public comment tomorrow and then do a summary and analysis when that period ends.

Ron Andruff: Thank you, Julie. Does any one of the committee members have a comment with regard to the document or Julie's recommendation? Please raise your hand.

J. Scott Evans: I'm trying to raise my hand but it's not - I don't know what's - there it is.

Ron Andruff: There you go, J. Scott. You're up and you have the floor, sir.

J. Scott Evans: I just want to raise the point that it was Anne who was most concerned about this paragraph or at least parts of this paragraph. And I do believe it was for her that this language was put in. So before we make that final decision I would want her to, you know, cede that she agrees that this should be put out for public comment because she was the one that was so concerned.

And I wouldn't want us to take action even if it's going out for public comment unless she's comfortable with it because I want this to be a final thing when it goes out.

Ron Andruff: Thank you, J. Scott. Julie.

Julie Hedlund: Thank you, J. Scott. I will certainly run this by Anne. I should let all of you know, just for the record, that before I put this final cleaned up language out to the list with, and in particular this last change that we had talked about with Anne at the last meeting, I actually sent her this version first and said, Anne, did I capture what you were talking about.

And, you know, before I send this to the list because I didn't want to send it to the list and have Anne say - she did agree but I nonetheless will, you know, will be happy to ask her specifically and copy the list if she is okay with sending out the version. And what I will send is the version that has all of the changes redlined because that's actually what people will see in the forum.

J. Scott Evans: Right. Okay, I mean, and she may join this call...

((Crosstalk))

Ron Andruff: Yes exactly, J. Scott, I was about to say that. What I'm going to do is just take this item, move it back to AOB and just to have that - you've brought up a good point and in interest of transparency it would be good to have her - give her blessing on this. I appreciate, Julie, you doing that offline but the fact is we may well see her in the next 45 minutes so let's pick it up there. And if not, Julie, then we'll, Plan B, you'll circulate that to her and get her approval. Thank you.

Moving on we will - I see we've had a few members join. Welcome, Jennifer, Amr and Ray. Thank you for coming on board. And we're now into Agenda Item Number 5.

And this is an item that's been on the agenda for some time but we haven't had a chance to really talk it through. We've asked all of the members of the Committee to go through and actually fill in the answers to questions themselves and get a feel for what this document looked like in terms of trying to gather data for future reference and to serve the GNSO Council in terms of the PDP process and so forth, working group process better said.

So now we have it before us and we have about 10 minutes to talk this through. So I wonder if we might just kind of start at the top and just roll down through these questions and comments. And when someone has something they would like to bring forward then we can certainly discuss at that point.

Julie, I see your hand is raised, please.

Julie Hedlund: I just wanted to - this is Julie Hedlund - just to clarify these comments - these are actually the comments that people embedded as they took the survey so they're not on the comment - they're not comments on the content of the survey but comments on the Guidelines themselves.

So, you know, the survey asked for people to comment on the Guidelines and whether or not they thought they were useful. So these are people's comments relating to the Guidelines as they took the survey.

There is, however, and I'm going to point this out right now and Avri mentioned it too in our meeting on the 20th. There is one comment that is actually on the survey, the content of the survey, and it's Comment Number 3. And it says, "I think it is a fine questionnaire for anyone who wasn't part of the work group subgroup but you can guess who filled out - filled in this form."

So that is, as far as I can tell, but we will certainly go through these specifically as you noted, Ron, but that was the only comment that I could tell

that actually was about the content and the questions in the survey as opposed to the Working Group Guidelines.

Ron Andruff: Okay, well that's very helpful. So if actively what we're seeing then - what my take away from that is that all of those who took the survey found it to be adequate. And so these questions are other questions around the process. So why don't we just have a quick look through these if no one has any disagreement and we'll just address Question 2 right from the start.

"If you responded note to the previous question please explain other measures to get familiar with the relevant roles." And so Comment 1, non-voting NCA midstream, no information provided. That's a very valuable thing. We talked about that a little bit in the past about creating a primer or having the GNSO Council present a primer to newcomers to the Council so that they're familiar or working groups as well working through participants so that's an interesting point.

Second comment, "What's disturbing and finding the most current version of the G-Council Operational (croft)." I'm not sure exactly. But G-Council is a word my chair uses often. Avri, would you have written that? And if so do you have any thoughts to clarify that?

Avri Doria: Sorry, which one are we on? I wasn't listening.

Ron Andruff: Comment 2 at the very top of the page. It says, "The thing I found most disturbing..."

Avri Doria: Oh yeah...

((Crosstalk))

Ron Andruff: ...is to find...

((Crosstalk))

Avri Doria: Yeah, (croft) would be mine. That's pretty...

Ron Andruff: What is a (croft)?

Avri Doria: Yeah, that's a pretty identifiable word. Yeah, and I think that that's a general
                comment is whenever - and I know I've got various copies on my system
                because I keep downloading it. But whenever I want to quickly check what is
                the latest rule on, you know, in the Operating Procedures I have a devil of a
                time finding it.

                You know, usually I ended up finding it in a - duh - that was an obvious place
                but it's never immediate obvious - immediately obvious to me. So if I,
                someone that's constantly rummaging around these Websites, have that
                much trouble finding the Operating Procedures, at least at that time - I
                haven't checked where it is now - I just wanted to mention that these should
                be things that anybody can find any time.

                They should be so at hand for any G-Council member - yeah, that's the other
                thing that would identify me isn't it...

Ron Andruff: That was the identifier I called you on, Avri, actually, the G-Council...

Avir Doria: Right, it's that one and (croft) both of them are - I have to be careful not to
                use them if I want to be anonymous.

Ron Andruff: Yes.

Avri Doria: Not that I was trying to be anonymous. So they should be so at hand. We've
                seen, you know, we've talked before about maybe we need to train people
                better. I think a first step is just making sure that that stuff is so in your face all

the time that you can't avoid knowing exactly where to go. So that was my comment as I was reading it.

Ron Andruff: Thank you, Avri. Avri, may I impose upon you to perhaps synthesize this down to two or three sentences? And what I would do, when I'm making the brief in Beijing to the Council I would just bring this on the table as another element that needs to be - that we would love to suggest that the Council tighten up that they can give an instruction to whomever that is to make sure that we - it's much more easy to find.

I think your comment is very valid. And again it's about transparency, easy access. So this is a good example of that so if you wouldn't mind?

((Crosstalk))

Avri Doria: Comment 2 there is already one sentence, so you want something longer than one sentence but shorter than the bit of prattle I did...

((Crosstalk))

Ron Andruff: Well just what you described because they may want me to circulate my comments and therefore I would just give a little bit of - just a little more background on that, a little more meat on the bones. And if you can send that to me I'd be grateful. Thank you.

((Crosstalk))

Avri Doria: Meat on the bones...

((Crosstalk))

Ron Andruff: Thank you very much. There you go. Question 4 is - we don't know the question and it was kind of a non sequitur. Question 7, areas that are missing

or need improvement; provide further details. Comment 1, "Simplify the language to avoid conflicts and little (unintelligible) like instantiation." That's an interesting one; I don't even know what that word means.

Avri Doria: If I can. This is Avri again. Instantiation is a normal word and it means an instance of doing something.

Ron Andruff: So exactly and I agree, I agree. So this is something that - and again my understanding this is not on the - this is not the survey language but rather this has to do with the Guidelines, correct?

Avri Doria: Yeah.

Julie Hedlund: Ron, this so Julie Hedlund. That is my understanding. This relates to the question about specific content in the Working Group Guidelines and so this person is saying within the Working Group Guidelines the language is - it should be simplified.

Avri Doria: Yeah and this...

Ron Andruff: Very good.

Avri Doria: ...yeah this is Avri again. And it certainly isn't my comment because I'm probably the one that's to blame for the word instantiation.

((Crosstalk))

Avri Doria: ...in the Guidelines.

Ron Andruff: Thank you. Thank you, Avri. Okay another good point.

Avri Doria: Another one of my words.

Ron Andruff: Yeah, thank you. That's another good point. And, Julie, if you can capture these, these are the comments I will bring to the table when we sit down with the GNSO Council in Beijing.

Comment Number 2, "Method for determining level of consensus is a little bit confusing, suggest possible mechanism for better defining level of consensus. In general too many different categories." Oh, you scrolled a little too high. Could you go back down please? There we go.

I couldn't agree more. I couldn't agree more. The categories of level of consensus are a little bit much. We have five and we all seem to have to want to grasp to the highest level. That's part of the discussion we're having with the Charter Revision Drafting Team. And so that's something I would - I certainly feel strongly about as well.

Julie, I see your hand up again or...

Julie Hedlund: Yes. Ron, this is Julie Hedlund. I am afraid I am a little confused. And I apologize. I had thought that this survey on the Working Group Guidelines was originally developed in order to gather comments from the community and particularly from working groups who are using the Guidelines, you know, to see whether or not, you know, there are some overall changes that should be made.

And so I thought what we were going to do as the SCI as a first step was to solidify the language in the survey and then send it out as a test to perhaps one of the current working groups.

And I think the IRTP-C or D or whichever one is sort of current at the time could be a group or one that had just been working through, you know, using the Guidelines - could be a test group to be a wider group to take the survey to gather more comments on the Working Group Guidelines.

So I thought this was a survey - I mean, a community-wide survey not a method for the SCI to collect comments within itself on the Working Group Guidelines. And I'm sorry if - I apologize if I'm not understanding this correctly.

Ron Andruff: No, Julie, your understanding is correct. And what we are doing now is, as a result of having taken that survey and these are comments that effectively - this committee has entered - we're just reviewing them together to make sure that we understand what's being said and why it's being said.

And then once this exercise has been done then we will do exactly that; we will send this survey out to those working groups to gain the experience of that test.

Julie Hedlund: Just a quick follow up question then? I guess I don't understand why I am collecting comments from these comments to bring to the Council...

Ron Andruff: You're collecting those comments for my benefit so that when I'm sitting before Council I can bring up some of these issues that we feel are confusing or need to be improved from Council perspective because the Working Group Guidelines are - the Guidelines are coming from - and are being used by GNSO Council so if there's some elements that we noted when we were doing this exercise we should bring it to their attention.

Form there it's up to them to determine what they would like to do. All I'm asking you to do is just capture a few of these things for my benefit so I can put it to my script when I'm talking to Council in Beijing. Okay?

Julie Hedlund: Well okay I'll certainly do that. But then the survey of course will capture even more of these types of comments I assume that we will then continue to bring to the Council so this is a many-stage process is that my understanding?

Ron Andruff: Yes you have it correct.

Julie Hedlund: Okay.

Ron Andruff: J. Scott, please.

J. Scott Evans: Well I think I share Julie's reticence here. And so if we want to use these in Beijing to talk to the Council I guess it's going to be how we frame this information.

So, I mean, if we say we've developed a survey and we took it within the group ourselves and I can give you some interesting comments we've already collected from the SCI itself but we're going to collate this information along with the information we get from the rest of the community and we will provide you with a more formal report but here's a taste of the type of thing we're hoping that this will provide us so that you can act on it when we have compiled the entire information.

Ron Andruff: That's it, J. Scott. That's exactly where I'm coming from.

J. Scott Evans: Yeah, and so I think it's - Julie, I share your concerns but I think if we frame it correctly as we are just informing you on a project and giving you a taste of the type of information we hope to collect and what we've already seen so far but we will be coming back to you with a more robust download of information based on what we hope to obtain from a wider community or universe of survey participants.

Ron Andruff: Exactly. You've exactly identified what I'm thinking. Thank you for that.

J. Scott Evans: Okay.

Ron Andruff: And so what we're doing now is we're just kind of going through it to see if there's anything that's screaming out at us that we really want to elaborate on. So Question 8, other comments, provided (unintelligible) any additional

comment to improve the effectiveness of the GNSO Working Group and we see them here.

"Section 6 has substantial repetition." Okay. Comment 2, "Generate form for interim status report in the event of suspension of PDP." That's what we've been wrestling with these last days so that's more or less covered. And Comment 3, "Since few people actually read stuff and maybe those who read few understand I'm not sure what would be recommended." Okay.

Question 9, one of the required elements for the working group participation is the completion of an SOI. In your view are the questions that need to be completed information to be provided still relevant of the GNSO Operating Procedures?

So comment is, "SOI is sufficient - sufficiently important that the purpose should be defined and questions should be incorporated in the main body of the Working Group Guidelines. Question whether the Working Group Guidelines should specify standards for this qualification from a poll of the working group similar to action taken by ICANN Board when certain directors step back from votes related to launch of new gTLDs due to conflict of interest."

This is a very important point because the statements of interest - and I was on part of that working group, Ray Fassett was also with me when we were working through this particular element. And one of the things that we felt in that working group that was really important was that we asked people when they make statements to actually state their affiliation and whether or not they had any association to the aspect that was being spoken to.

The SOI was a written confirmation of whether that was so. And the question about whether there could be any kind of punishment for those that did not respect or were not telling the truth effectively the idea we struggled with was how could one do that.

And so we more or less came to the point that it's really about should anything be brought up at a future point where an SOI is untrue then it would be the embarrassment factor and loss of credibility within the ICANN community would probably (those) punitive damage to that individual.

So it really is an important issue that people state their interests up front. That's why this meeting - all the meetings start now with a request to find out if anyone has a statement of interest change. And that's a step in that direction.

I don't know if others have a comment of this? J. is your hand up from the last comment or would you like to speak?

J. Scott Evans: Yeah, I'm sorry. I'll take it down.

Ron Andruff: No problem.

J. Scott Evans: I apologize.

Ron Andruff: No problem. Thank you. Would anyone like to speak to this comment about SOIs or are we all good with that?

So we move on to Question 11. "In your view are there any questions missing from the SOI which should be included?" Comment, "May wish to review this in the light of conflict of discussions at the Board and Council level." Good point.

Any thoughts about the SOI that were in general for all of you and all of us? We've all filled out. Do we feel it's comprehensive enough or do we feel that there should be more included in that? Just trying to get a sense of that committee's feeling on that.

Anne Aikman-Scalese: Hi, Ron. This is Anne.

((Crosstalk))

Ron Andruff: Anne, welcome.

Anne Aikman-Scalese: Should I raise my hand?

Ron Andruff: Please, go ahead, Anne.

Anne Aikman-Scalese: Thanks. Sorry I was late. I think that a bit of difficulty in SOI for those of us in private practices that it's difficult to say much about, you know, your client interests about breaching, you know, client confidentiality. So I don't know, you know, exactly how that can be properly addressed in SOI or even in other contexts within ICANN where it's private attorneys participating. It's a challenge.

((Crosstalk))

Anne Aikman-Scalese: I know for example my own SOI says - it asks me, you know, about my confidential relationships. And I say well, yeah, they are confidential. So, you know...

Ron Andruff: That you are able to name your client, Anne, or not?

Anne Aikman-Scalese: No, under Arizona ethical rules it's certain. And I am admitted (also) as well but it's certain that the identity of the client without their permission is part of the attorney-client relationship. So I have permission from some clients, and not from others but it's, you know, depends - there's some stuff of course that's of public record, you know, let's say in the trademark office or whatnot, you know.

Ron Andruff: Right.

Anne Aikman-Scalese: So in those cases it might be easier. But sort of the general question of participation by private attorneys is a little bit difficult.

Ron Andruff: All right that's helpful information. And I think what you're highlighting is that different jurisdictions around the planet there will be different issues that one has to address. So I think for my part I'm going to just step back from the discussion on SOI and say that as it stands today it's an acceptable document and just...

((Crosstalk))

Anne Aikman-Scalese: Yeah, I think it is. I think it is, yeah.

Ron Andruff: Yeah. Yeah, thank you for that. All right moving onto Question 12, it's, "If you responded to the previous question "yes" please provide further details. Required disclosure of relationships applicants should disclose backend provider as registries."

I think these are all absolutely correct. You know, it's really about transparency and we should all be as transparent as we can. And even if we are in a situation, we being the royal we of the ICANN community, one could say I have a conflict I can't tell you exactly what it is but I'm just stating up front that I do have a relationship to this issue and then pull forth. That would be one step in the transparency direction.

Moving on are there any other comments or suggestions you like to share with the SCI? Be specific. Comment 1, "In general there's a lot of communication provided to assist newcomers." "There's not a lot of communication. Accordingly it takes additional time to begin to understand the scope and protocols."

This is something, again, we talked about this primer and we do need to have more discussion around that. And I think we're all in agreement that we really should make it easier for newcomers to understand ICANN. We already speak a language, ICANN-ese in acronyms, that is a nightmare to understand for newcomers. So it would be very helpful if at least we could have our guidelines and our charters and those types of things in a much more simple fashion - simplified fashion.

Comment 2, "Working Group Guidelines should deal with conflict of interest of issues. This has to be evaluated like the charter. It's likely that before any consensus call on a particular issue that chair should ask individual working group to declare any potential conflict of interest. In other words SOI is general to the working group that particular consensus calls may have specific considerations."

This is a very valid comment. And so this, Julie, for example is one that I would like to bring to the attention of the GNSO Council. All I'm trying to do with these ideas is socialize them so that at least some thought can be given to them prior to getting our final report. But these are very valid comments and I think things that could be very helpful to the organization as a whole.

Avri, I see your hand. Please.

Avri Doria: Yeah, this is Avri speaking. I see - almost see your point about these being interesting issues but I'm wondering if we're not starting - and I know we're just going to start talking at some point about our charter - if we're not starting to sort of expand the scope of this group in terms of have we actually been chartered to look at the working group instructions to decide whether they need to be augmented in any way.

Have we asked - been asked to look at the SOI and decide whether it needs to - now I realize that as part of our normal structure we could say periodically

we're going to set up a schedule and look at various things to see if there's problems. And within the context of that it would make sense.

Back to take all of these random comments on things that are not issues on our plate and bring them up to the Council as issues from this group, first of all it's not that we've hit any consensus on these it's just that one person mentioned them and you thought they were interesting. So it's not that these are consensus comments nor are these comments that come out of something that is a work item other than creating a questionnaire.

So I'm not quite sure I understand or feel comfortable with the notion of getting a whole bushel of issues to sort of dump on the Council and say here are these nuggets we've discovered or one person has discovered and I agree with that we think you should know about. Thank you.

Ron Andruff: Thank you, Avri. Anyone else have some thoughts or comments on this? All right so we moved into Comment 3. "I think it's a fine questionnaire." This was the comments Julie highlighted earlier. And then Comments 4, "Applicability to the Working Group Guidelines the Standing Committee and cross community working groups to be discussed."

Not sure if I understand the comment. I'm not sure if anyone on the call would - made that comment would like to speak to it? All right hearing none then if we are in agreement having reviewed these elements - if everyone is in agreement then we will have to resubmit the working group survey to a couple of working groups.

In fact if you could bring that forward to us, Julie, in an email to which groups you're going to be sending it so that we are properly informed. And perhaps you can go out with a very short note from the chair saying that we have this and we would be very grateful if they would please respond so that we can get a sense of whether or not the survey makes sense.

If we can put that to the list and then everyone can have an understanding of that that would be very helpful.

All right could I ask if you're not speaking please put your microphone on mute. We're hearing a lot of background noise coming from shuffling papers or other things. Thank you all.

All right moving on then to Item Number 6. This is where I started at the top of the call and this I understand is still to be resubmitted. Mary had sent her note as had Anne about not having had an opportunity at to circulate it to your stakeholder groups.

So if anyone has any other comments we're welcome to take them at this time. Otherwise what I would do is postpone this to the first item as our next agenda and hopefully in the coming two weeks those documents will have been circulated and responses coming back.

Anne, please go ahead.

Anne Aikman-Scalese: Thank you, Ron. This is Anne with IPC. I needed a clarification because I had thought that we were to ask our leadership about the conditions specified as high level criteria where in 2b it says, "Set one or more high level criteria." And I had understood that the feedback that I would be seeking would be response to one or more of those high level criteria.

But then there was some discussion that indicated that the folks who have actually come up I think with these criteria thought perhaps that what we were requiring was set of three of the following high-level criteria. So I really just wanted to get a clarification as to what I am supposed to be seeking from IPC leadership in this regard.

Ron Andruff: Thank you, Anne. Basically what happened in this was we had asked a subgroup to go off and come back with some information that we could kind

of sink our teeth into as a committee. And when we got this back we talked about it a little bit and discussed the various elements.

And then the decision was taken to actually take it back, circulate it to our communities, you know, either our executive committees or the entire body of our stakeholder group so that they can could kind of give us their sense of what they thought, which way they were leaning so that we then as the representatives of the various stakeholder groups could work on this and come to a determination what made most sense.

And then from there send this back probably for public comment and then to the GNSO Council. So that's really the logic there. On our side I took this back to the Business Constituency and I specifically spoke with our councilors and our other members of the ExComm to get a sense from them what would make sense or what they thought would be appropriate.

So I have a sense from the BC what they would like to do and that's kind of what we wanted to do is to make sure that all of our representatives here in this committee had a good sense of the pulse of their stakeholder group. So that was the principle behind it. Hopefully that answers your question.

Anne Aikman-Scalese: No, I knew the principle and even though I missed the working group call - I'm on the working group - I just didn't understand because when we - the write up says one or more high-level criteria so...

Ron Andruff: Right, right.

Anne Aikman-Scalese: ...I was prepared to present...

Ron Andruff: Yeah, no that's right. That's been a sort of - an area of confusion I think for all of us. And I kind of left it at that from the point of view that I wanted to see how my colleagues would respond within the BC.

Anne Aikman-Scalese: Okay.

Ron Andruff: Whether they felt that the 2b, 1, 3 and 4 would be things that 2b, 1 and 2. I just wanted to see...

((Crosstalk))

Anne Aikman-Scalese: Do you mind if I ask - are you free to say on this call what the response was the received for that?

Ron Andruff: Yes, I'm happy to share with you. I think the general feeling is that it should not be left up to the chair; that it's better to have some kind of a process in place - policy in place for the process (unintelligible). And so the idea was it would be about which of those four, you know, made sense; how many of those four made sense (unintelligible) and 4 kind of connected.

So the question is, you know, I almost read it as 1, 2, 3a, 3b as opposed to 1, 2, 3, 4. And that's where the discussion needs to be had right now; how many of us believe it should be at the discretion of the chair? How many believe it should be high level criteria?

If the committee is leaning by a majority towards high level criteria then I would hope that we could determine what those are through our discussion and debate.

Anne Aikman-Scalese: Oh okay, thank you. That's helpful.

Ron Andruff: Very good. Now having said all that I understand that there's, again, coming back to the fact that the NCUC and the IP Constituency (unintelligible) had a chance to comment on this. So unless there's any other thoughts the committee members would like to bring to this topic I would then move on to the next one.

Hearing no comments we now put resubmitting a motion on the first - as the first agenda item on our next call. And we'll move on to the Charter Revision Drafting Team.

And I'd like to thank all of the members of that group. If I'm not mistaken it is Avri, J. Scott, I think James Bladel and Angie Graves and I'm missing someone. I think also Wolf-Ulrich Knoben was on that group. Is there anyone else on that sub committee?

Which of you would like to speak to the work that you were doing between calls? J. Scott, please.

J. Scott Evans: This is J. Scott. I was roped in to pushing this group along on - we had a call last week - last Thursday in fact. Unfortunately Avri had given apologies as it was not a convenient time for her; she was at a meeting and could not attend.

And so the only participants on the call were James Bladel, Wolf-Ulrich and myself. And that that call we decided the best thing for us to do was to - everyone to take a look at the charter and then propose their individual bullet point list of suggested areas where it could be revised or issues that needed to be dealt with.

And then meet on our next call, which I believe - Julie will have to correct me if I'm wrong but I believe it's Thursday, March 14 which is next Thursday and try and make an attempt at taking the multiple lists that each individual member has identified into a agreed upon master list of issues.

And then once that list of issues is finalized and agreed upon amongst the group then to work through those issues point by point. And so...

Ron Andruff: Excellent. Excellent.

J. Scott Evans: ...there was - an email was drafted and sent to everyone that had self-identified as wanting to serve on the sub team. We again copied the charter as with the proposed revision to the elections area that you see in front of you and asked to do exactly what I've just explained to you.

So that's where we are at this point is we are reviewing individually these and then going to identify areas where we think there may need to be some revision. And then our next task is to try to come up with one list - consolidated list that we all believe needs to serve as our guiding document.

Ron Andruff: Excellent. Excellent. Thank you very much for that. And thank you to all the members of that subgroup. This is not an easy thing but it's certainly an important thing to update our charter and keep it a relevant living document.

So thank you very much for that extra list. And we much appreciate it on behalf of all the committees so thank you everyone and we look forward to hearing your report back and on our next call.

So that brings us to any other business. But before we go into that, Anne, in your absence we started to talk about the termination or suspension of the PDP. And we have discussed that there was this last piece of red line in the document.

And while I think we're all in agreement within the committee that this is ready to go J. Scott properly made mentioned that you were not on the call at that point and that (we need) to get your approval because you have been one of the champions in this fight.

So would you mind letting us know your thoughts? Are you in agreement on where we stand right now or do we still have more discussion? A checkmark, that's perfect.

Anne Aikman-Scalese: It's Anne. Yes, I agree. Yes, I think it's definitely there. And I really want to commend actually the teamwork that occurred here because, you know, this draft has actually changed quite a bit since we first were asked to submit our draft, you know, from the IPC side. And I think everything was, you know, a good improvement. And I really want to thank everybody who spent time on this. And I think it's ready to go out for public comment.

Ron Andruff: Thank you very much, Anne. In fact those were my comments in your absence when we started talking about this. It really is quite a good feeling to, for those of us particularly who have been working within the ICANN community for a long time, it's a nice feeling to know that we can work in a very collegial manner and come up with very substantial changes and a fine document in the end. So congratulations to all and thank you very much for your approval on that.

Julie, you can go ahead and take the action that we discussed earlier in terms of circulating this out to the public.

So we're now at any other business and we have 10 minutes left on our call. Is there anything else that anyone would like to bring to the table at this point? Hearing none I will thank everyone for a very efficient meeting today and all of the good work that we're doing and look forward to speaking with everyone then in about two weeks and seeing a few things on the list in the meantime.

So thank you all for dialing in and take care. Bye for now.

Anne Aikman-Scalese: Thank you, Ron.

((Crosstalk))

J. Scott Evans: Thanks. Good-bye.

END