

**GNSO
Operations Steering Committee Community (OSC) Constituency Operations Work
Team 16 October 2009 at 13:00 UTC**

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<http://audio.icann.org/gnso/gnso-ops-20091016.mp3> <<http://audio.icann.org/gnso/gnso-constituency-ops-20091016.mp3>>

On page:

<http://gnso.icann.org/calendar/index.html#oct>

Participants present:

Olga Cavalli – NCA work team chair
Michael Young – Registries – vice chair
Rafik Dammak – NCUC
Zahid Jamil - CBUC
Chuck Gomes – Registries
Krista Papac - Registrar
Victoria McEvedy - IPC
Claudio Digangi - IPC
Tony Harris – ISP
SS Kshatriya - Individual

ICANN Staff

Glen de Saint G ry - GNSO Secretariat
Julie Hedlund – Policy Staff

Coordinator: The recording has been started.

Olga Cavelli: Thank you operator and good morning, good afternoon, good evening to everyone. Glen could you please roll call?

Glen de Saint Gery: Certainly, Olga . Good morning, good afternoon, good evening. On the line we have Rafik Dammak, Zahid Jamil, Olga Cavelli, Krista Papak, Chuck Gomes, SS, Claudio Digangi, Michael Young, (Victoria McEvedy , Tony Harris and for staff we have Glen de Saint Gery and Julie Hedlund Thank you Olga .

Olga Cavelli: That you very much Glen. I don't know if you've had the chance to the agenda I send yesterday afternoon my time. I have not received any comments about deleting or adding or modifying anything so I will start with Point 1.

We - I would like to ask (Esef). I had some doubts about the draft version that was sent to the (unintelligible). Just to clarify and comment that I want from you and about some e-mails we exchanged yesterday and the day before.

Is there a document already reviewed by your sub-working team that it's ready for the working team to be checked or you need further time for your sub-working team for preparing your draft?

SS I have sent this final draft to working team and this (unintelligible) consensus that (weren't) able for Monday, 19 October and thereafter I'll put final draft (unintelligible).

Olga Cavelli: Okay. So the document it's for the whole working team revision, right?

Man: Olga ?

SS What I have sended (sic) only for sub-team not the working team.

Olga Cavelli: Oh, this is what I want to clarify.

SS But (unintelligible) will be five days from now that will be to the whole working team.

Olga Cavelli: So we still have to wait until you tell us which is the last version of the draft document; I'm okay - this is correct?

SS Yeah, that's right.

Olga Cavelli: Okay. And this would be Monday/Tuesday next week, right?

SS: Yeah, Monday I'm getting the - Monday's the last day to get the...

Olga Cavelli: Okay.

SS: ...consensus report and there after maybe it'll take a day or two.

Olga Cavelli: Okay. Thank you for clarifying.

SS: (Unintelligible).

Olga Cavelli: Thank you very much (Esef). I wasn't sure if we already have that draft version from your sub-working team already for working team revision. Any questions to any comments to (Esef) about his draft document or something that somebody wants to add?

Chuck Gomes: Olga , would you put Chuck in the queue, please?

Olga Cavelli: Go ahead Chuck.

Chuck Gomes: I would just like to request - and I think we're in agreement on this but I want to make sure that when we get documents for review by the full working team that it clearly states the names of the participants in the subtasks and the level of support for the document and if there are specific issues where there's different levels of support that that be identified. Thanks.

Olga Cavelli: Thank you Chuck. I think it's a very useful addition and comment. Any other comments to (Esef)?

Claudio Digangi This is (Claudio).

Olga Cavelli: Great, (Claudio). Go ahead.

Claudio Digangi Yeah. I'm going to have some more comments for (Esef). I commented on the last draft and I saw the last version that he circulated and there are still - there were questions I raised in my last set of comments that I don't see addressed in the latest draft and there were also other comments that my view is different than what is in the draft version right now. And I don't see that variation reflected so maybe that's just what needs to happen before it gets sent up to the full work team.

Olga Cavelli: (Claudio) let me ask you - you're in the sub-working team with (Esef)?

Claudio Digangi Yes.

Olga Cavelli: Oh, great. So could you work (Esef) with (Claudio) to try to find a wording that suits the needs of the sub-working team during this day?

SS: Olga are you asking (Esef)?

Olga Cavelli: Well both of you if you just try to find a...

SS: (Claudio) now what is making this not to (unintelligible) that is he's invited to (unintelligible). (Unintelligible) there are all members in the sub-team all will have different (plans). If I - or any (unintelligible) come and put all my (plans) together it won't go. So I mean he'll be free to comment on that. That is what will be his comments (unintelligible). And what Chuck has just said (unintelligible) report what I have sent. I have sent all those things and (unintelligible) be doing that.

Olga Cavelli: (Claudio) let me ask you did you already send this comments to (Esef)?

Claudio Digangi Yeah. They were comments I made on the last draft that he circulated prior to this final version. The final version there were some comments that I raised where I raised questions and I just don't see the questions being addressed

or response to the questions that I raised about certain elements of the recommendations.

And then there were other recommendations where I just disagree - or, I'm sorry, there are other comments I made where I just disagree with some of the recommendations and I just think that needs to be reflected somewhere in the document that I, you know, I don't agree with what's in the draft.

SS: (Claudio) am I understanding correctly that some of your arguments are agree, some are not? (Unintelligible). I mean what you just said was just not clear to me. I mean is that some of your points have been agreed and those that are not agreed?

Claudio Digangi Right. Yeah.

SS: Okay.

Olga Cavelli: May I suggest something? (Esef) could it be possible if (Claudio) resent the comments to you and...

SS Yeah.

Olga Cavelli: ...and you tried to work with the document?

SS: That's what I have did Olga .

Olga Cavelli: Okay.

SS: My invitation to send that final draft is (unintelligible). So it's not the point to be discussed here but that point will come only when I have sent the final draft to the (unintelligible).

Olga Cavelli: (Claudio) that's okay with you?

Claudio Digangi Yeah, that works fine, yeah.

Olga Cavelli: Okay.

SS: Did - Olga (unintelligible) I'm talking about a (unintelligible). (Claudio) (unintelligible) final report and some of your points we can enter into personal discussion. There's no harm in that. We can do that.

Olga Cavelli: Okay. So (Claudio) will resend the comments to you (Esef) and you will try to find a text that fits both hopefully by Monday. Could you - could we say that that's feasible for the sub-working team?

Claudio Digangi Yeah, I could send him - I could resend him the comments by Monday.

Olga Cavelli: (Esef) so we keep Monday as a due date for your sub-working team?

SS: Yeah, that's work. Yeah, I'll (unintelligible).

Olga Cavelli: Great. Thank you very much. Any other comments to (Esef)?

Zahid Jamil: This is Zahid

Olga : Zahid go ahead.

Zahid Jamil: Hi. Thank you. I think if what - if I'm not mistaken the document that we're talking about right now is the recommendation subtask one which was prepared by (Esef) of October 2, 2009 for on which I think (Claudio) made some comments.

Olga Cavelli: Yes.

Zahid Jamil: I was just wondering in my position would I be able to send comments as well as (Claudio)?

Olga Cavelli: Let me ask you something (Tahid). Are you in the sub-working team with (Esef), (Claudio) and myself?

Zahid Jamil: I'm not in the sub-working team. I - if (Julie's) on the phone she can clarify. I don't think I am. But if I'm not I'd like to sort of take part - participate in that which obviously begs a question with regard to participation which we can deal with subsequently in general about me because some objections have been raised. But if I am allowed to participate can I (unintelligible) on this subtask team?

Olga Cavelli: Let me tell you what we have been agreeing and - but I put this questions to the whole working team. What we agreed is that the documents would be reviewed by sub-working teams and then once the sub-working team had agreed in a certain text it goes for the whole working team revision.

But I would like to open the floor and (Tahid) is willing to participate in the sub-working team. I would like to hear what other members of the working team think.

Zahid Jamil: Actually if it - just to clarify if it is going to come back to the larger group then that's fine; I'll wait until then. That sort of (unintelligible). Thank you.

Olga Cavelli: That's the procedure we have been using but if you want to participate in the sub-working team I'm not the one to say yes or no. I would like to know what the working team thinks. So you tell me if you want to wait for the whole document or we can check if you can join.

Zahid Jamil: If I'm able to give comments at the later stage when I - as a member of the larger team I'd wait until then if I'm able to. I just - sorry if - there's been some confusion on the (unintelligible) as to opening up issues. And if I can raise my

concerns at that stage I'd be happy to wait until then. I just need to know whether I can raise those concerns at that stage or not.

Olga Cavelli: Oh, yes. You will be able to read them and comment as a member of the working team. So is that okay with you (Tahid) that you wait for Monday and (Esef) (unintelligible) the...

Zahid Jamil: Absolutely.

Olga Cavelli: Great. Thank you. Thank you very much. Any other comments?

Chuck Gomes: Olga just a clarification.

Olga Cavelli: Yes.

Chuck Gomes: I think if I heard (Esef) say he will need a little bit of time after Monday to pull everything together after he gets the comments. So I don't think we should expect to get the document for the working team on Monday. Is that correct (Esef)?

Olga Cavelli: Well...

SS: Yeah, you are right Chuck. You give me two more days so to Wednesday. By the end of Wednesday all - I mean before Wednesday closes I'll circulate that document to final one to (unintelligible).

Olga Cavelli: Thank you Chuck.

SS: But Monday I'll be receiving - Monday. I have given dates to sub-teams for Monday. I don't think it was clear until I mean we can discuss now everybody agrees Well if they sent it before that but and if - I mean if I get all the comments before Monday I'll send it before that. (Unintelligible).

Olga Cavelli: Thank you (Esef). I think that's fine. So in the next step I'll consider Wednesday for the document to be ready for the whole working team but if it's ready first - earlier then that's fine also. So and (Tahid) you're comfortable with that? Thank you Chuck for the comment. Any other comments to (Esef)? Great.

(Victoria) could you tell us - I think you already sent a document yesterday maybe or maybe I'm wrong. I received so many e-mails yesterday that I'm confused about dates.

Victoria McEvedy: (Unintelligible).

Olga Cavelli: Sorry. I can't hardly hear you.

Victoria McEvedy: No, you're quite right Olga . I sent a document yesterday and that's a draft of - a current draft. Now what I've done is I'm going to try and work with the same timeframe that (Esef) is working to so I'll ask the comments back by the 19th as well which is Monday.

(Mike) was already indicated that he will have some comments. There's one other issue that we need to deal with which we'll have to deal with in this round hopefully.

What I've done in Part 3 is I've indicated the issues where we didn't have agreements - so things that haven't made it into the compromised draft. (Mike) was made the point and I think he's actually right that I haven't accurately identified the number - the amount of support for each of those not accepted recommendations. So we need to work on that in the next round. So that's where we are.

Olga Cavelli: So you think Wednesday it's a date for maybe having the new draft including (Michael's) comments and suggestions?

Victoria McEvedy: We can - yeah, definitely we can wait until Wednesday.

Olga Cavelli: And that would be the document already reviewed by your sub-working team?

Victoria McEvedy: Well we've had comments from more than just sub-team members.

Olga Cavelli: I know, I know. But we still have another stage once you have that draft...

Victoria McEvedy: That's right.

Olga Cavelli: ...to be reviewed by the working team.

Victoria McEvedy: Of course.

Olga Cavelli: Great. Well the more comments you've got before the easiest way the document will have in the working team.

Victoria McEvedy: Sure.

Olga Cavelli: Okay. Thank you (Victoria). Any comments to (Victoria)?

(Tony Harris): Olga ?

Olga Cavelli: Yes?

(Tony Harris): Yeah, this is (Tony Harris). Can I get in the queue please?

Olga Cavelli: Sure. Go ahead (Tony).

(Tony Harris): Yeah, I'd like to thank (Victoria). I've just been reading the task one and subtask two report and I see there's a great effort there in including the comments we've all been making and thank you (Victoria). It's very good. The

only question I have is there is still a reference to Annex B which I particularly objected to and Annex B actually the - whatever the version is right now is not included in this document.

Victoria McEvedy: Now this is one of the issues we're - we need to deal with in the next round, (Tony). You're quite right and thank you for your constructive and help - nice comments.

(Mike) was made (unintelligible) to Annex B. Both you and (Claudio) don't support Annex B. You're not a subtask member formally so I don't know how we - anyway we're going to need to deal with Annex B.

But, you know, it's touching on the issue that kind of came up with - actually in my copy I do have it. I'm sorry if it didn't attach to the copy I sent to you but this is what we need to deal with in the next round but I think it may well be that there are - that the majority are in favor of it and/or with amendments, you know, to depend on the numbers at subtask level.

(Tony Harris): So I may not be a member of this particular group but I do believe that the final documents we all get a chance to have some input into. Am I right in that Olga ?

Olga Cavelli: You're totally right. Let me make a clarifying comment. We made an effort a month ago or this by the end of September - less than a month ago to finish our work for the time of our Board meeting. We couldn't.

In that time many of us had the chance to review different documents - not even - not being part of the sub-working team. So I think that there's value in those comments and I think that the more comments that each sub-working team leader receive before the better and the easiest way then for the working team. So let's try to find (Victoria) a way to accommodate (Tony's) comments because he already did them in the sake of having our outcome done.

Victoria McEvedy: I'm just going to be clear here because I think we do need to be clear. We're at subtask level. I mean either we're going to deal with things at the subtask level - I have already tried to accommodate all of (Tony's) comments but he doesn't have the majority of the subtask with him on this particular issue. And I have to write...

Olga Cavelli: Okay.

(Tony Harris): Do we know that for sure?

Victoria McEvedy: Yes, I do know that for sure and I can give you all the numbers if you want. And then I have to say this is an issue that's coming out with both (Claudio) and (Tony) who are expecting, you know, expecting - forgive me with some sense of entitlement that all their amendments get picked up. I mean obviously let's just, you know, just at this stage it does depend on the rest of the subtask group, you know, that compromise draft, right?

(Tony Harris): Olga can I respond?

Olga Cavelli: Sure.

(Tony Harris): Yeah, actually (Victoria) I don't have any expectation that all my amendments will be included like I'm sort of a, you know, wise man sitting in the Himalayas. But I do think that particularly this Annex B is calling for things which I did not see reflected in the concerns of the BGC. (Unintelligible).

Victoria McEvedy: I know that you don't support them. (Tony) I know that you don't support that.

(Tony Harris): (Unintelligible) not specifically as you've...

Olga Cavelli: (Victoria), (Tony's) talking.

(Tony Harris): ...written it out. And the other problem I have is that next Wednesday I will be traveling to Korea which it takes me about three days to get there so it's going to be a little complicated commenting on Wednesday or Thursday. But once again please rest assured I do not expect you to take all my comments as written law, okay?

Claudio Digangi Olga this is (Claudio). I just wanted to also to state that I don't have that sense of entitlement. I just want to see the concerns I raised reflect in the document even if it's just reflected as a minority position. That's all I'm looking for.

Olga Cavelli: Thank you (Tony), thank you (Claudio). (Victoria) do you want to respond to (Tony) or (Claudio)?

Victoria McEvedy: No, I think that's good. I think its good just to air that (unintelligible).

Olga Cavelli: So I didn't get clear. Are you going to produce the document and then the whole working team will review it including (Tony) and other not members of your sub-working team? Is that the next step?

Victoria McEvedy: No. The next step is everyone. I've already sent out the final yesterday, okay?

Olga Cavelli:: Okay.

Victoria McEvedy: So the comments have to come into me by end of Monday.

Olga Cavelli: Okay, okay.

Victoria McEvedy: (Tony) hopefully you can get something in on the next round if you want to do that. And then I'll re-circulate on Wednesday and it really will be final at subtask level hopefully.

Olga Cavelli: So if the document is for the whole working team revision (Tony) you have the chance to make your comments now and perhaps before Wednesday that we have this long, long way from South America to (unintelligible).

Chuck Gomes: Olga did I understand you correctly there? Did you say...

Olga Cavelli: Yes. Go ahead Chuck.

Chuck Gomes: Did I hear you say that the full working team should be looking at this document now or I did misunderstand?

Olga Cavelli: That's what I'm trying to clarify and that's my question.

Victoria McEvedy: Not yet.

Olga Cavelli: Not yet?

Chuck Gomes: Thanks (Victoria).

Victoria McEvedy: Not yet.

Olga Cavelli: So you're working on the text among your sub-working team, right?

Victoria McEvedy: Yes.

Olga Cavelli: Okay. And then you will let us know when it's ready and then maybe (Tony) has the chance to make comments or (Tony) can make them before?

Victoria McEvedy: (Tony) can make them before because he's been effectively an ad-hoc member and I have no problem with that.

Olga Cavelli: Okay.

Victoria McEvedy: It's up to (Tony).

Olga Cavelli: Okay.

Man: Okay. Thank you very much.

Olga Cavelli: Thank you (Tony). Thank you (Victoria) for the flexibility. So once (Tony) has sent his comments and perhaps you have the chance to accommodate that you will share the document with the whole working team (unintelligible), right?

Victoria McEvedy: Yes.

Olga Cavelli: Great. Any other questions or comments to (Victoria)?

Krista Papak: Olga it's (Christa). I have a clarifying question for you.

Olga Cavelli: It's (Christa)?

Krista Papak: Yes.

Olga Cavelli: Okay. Go ahead (Christa).

Krista Papak: Just in respect to sort of (Claudio) and (Tony's) comment and again just a clarifying question for myself. When there is a minority position whether at the subtask level or the entire working group level those comments are typically - in the form of a question are typically included in the paper but positioned as a minority position or, you know, stated or, you know, one or two members or whatever that feel differently and here's their thought. Is that typically how it's handled or...

Victoria McEvedy: Can I jump in? I - that's what we did. That's what I've done (Christa). I don't know if you've had a chance to look at my document but in Part 3 on Page 7

and it will probably improve it but - and (Michael)'s got further comments on it, I know. But I've actually included all the minority perspectives on particular issues that aren't yet agreed at subtask level.

Krista Papak: So I'm not on that distribution list and I don't need to be; I'll wait for the document. I'm just - I'm more asking the - Olga as Chair just from a process perspective since I am new to the process that is typically how it happens and you do - if everybody - if you don't have consensus then you do annotate somehow with the minority and the majority decisions are, correct?

Olga Cavelli: Well what - when you work on a document you try to find the common text but if you cannot you can - yes, you can include some other opinions and other visions. I don't know Chuck if you want to add something to that. Perhaps you have some other experience about it?

Chuck Gomes: Well I would just think Olga - I would just - I wouldn't say you can as if it's optional. If you're unable to, you know, if there are minority points they should be communicated. It's not an optional thing, okay?

Olga Cavelli: Of course.

Chuck Gomes: So that we don't exclude anybody's view on this, okay?

Olga Cavelli: Exactly, so...

Chuck Gomes: And that's probably what you meant. I just wanted to make sure that was clear.

Olga Cavelli: No. Yeah, that's the idea. The idea is to find the text but then if you cannot comply with all the visions then you have to reflect them all of course. And I think that (Victoria) is doing that in her document so that's okay.

Krista Papak: Yes, thank you. And again this is not about any particular document. I haven't even seen it on...

Olga Cavelli: Oh, I understand the question. It's a very good question by the way. Any other comments or questions to (Victoria)?

Okay. Number 3 minority report. We received on the list two minority reports - one from - and this is about sending subtask 1.4 as a single document without all the other parts of our outcomes for task one already one. And...

Krista Papak: I'm sorry to interrupt, this is (Christa). I think we skipped Number 2 on the agenda.

Olga Cavelli: Oh, I'm so sorry (Christa). Excuse me. Thank you for reminding me. Sorry - I'm sorry. My apologies. Number 2 - it's just I'm looking at the clock and we are really half an hour. This is why I was running.

Number 2 subtask 1.3 task document. I have heard no comments. No - any suggestions for changes or nothing? Any comments to that? Any questions to (Christa) or (Tony)? We have them in the call and this - anyone want to ask something or say something?

Krista Papak: Olga , it's (Christa).

Olga Cavelli: Yes.

Krista Papak: I'd like to make this clarification. So I have circulated the document. The subtask team does have consensus on the document. I don't think that that's necessarily reflected but I will add that per (Chuck's) earlier statement.

I did receive comments from Chuck which are not incorporated in the draft that was sent around but they will be. I was just waiting to hear from the rest

of the work team and I - the way I interpret your agenda, Olga , is basically saying we haven't heard anything.

Olga Cavelli: Oh.

Krista Papak: Is it safe to assume there isn't going to be anything else? And if that's the case I'll incorporate (Chuck's) comments and re-circulate a final document to the working - to the whole working team.

Olga Cavelli: So I misunderstood your previous e-mail. I thought you sent the comments sent by Chuck as a separate document Chuck for reference.

Krista Papak: Right. They're not incorporated in the document either.

Olga Cavelli: Okay. Okay, my apologies for misunderstanding. So perhaps you can send us the final document by Monday or Tuesday? Is that okay?

Krista Papak: Yeah.

Olga Cavelli: Or Wednesday which is the same date for (Esef)?

Krista Papak: Yes, I can. I just want to make sure that the working team - the rest of the working team has no comments and I'll take silence as a response.

Olga Cavelli: Great. Sorry for the confusion.

Krista Papak: No, no. We're (unintelligible) Olga .

Olga Cavelli: Thank you. Any comments/questions to (Christa) or (Tony)? Okay, now...

Claudio Digangi This is (Claudio). I was just going to say...

Olga Cavelli: (Claudio) go ahead.

Claudio Digangi I'll take a look at that again (Christa) and just confirm that I have no additional comments.

(Christa Pat): Great, thank you.

Olga Cavelli: Great. And Number 3 - now Number 3 minority report. As I said before this is about sending the subtask 1.4 draft document as a single document to the OSC or we have (rough) consensus and we received two minority reports already. The due date is today. Maybe we can give some more hours of the day that it's going so maybe if someone else wants to send a minority report that's fine.

I have a question for to staff and to Chuck as in his role of the OSC chair. Are minority reports to be commented because it's something that I was asked, sorry, by (Esef) and I have been trying to find some wording and some guidelines in our charter and the rules and I haven't.

So are just minority reports to be - can they be commented by chair or by other working tea members or just are part of documents that are added to the final report?

Chuck Gomes: Well I'll let (Julie) jump into if she's got anything to add. I - if I'm understanding your question correctly I don't think there's anything to prevent that. I think you want to be careful about getting into an endless cycle where let's say...

Olga Cavelli: Yes, I agree.

Chuck Gomes: ...if there's comments on minority reports and then will there be comments on the comments and so on?

Olga Cavelli: Yes.

Chuck Gomes: So I would advise some caution there. Hopefully if the discussions have occurred within the work team and within the subtask team if it's at that level there's already been opportunities discussed the pros and cons of different view points.

So I would think that it should in most cases be sufficient to just attach the minority report and then in the next level of review they look at the full document with the minority report and based on those. Now there's nothing to prevent going back and asking for more comments later but I think it should be sufficient to just have the minority reports attached.

But there's nothing, as you pointed out, that's real specific in the charter about this. If in fact there needs to be more discussion about the minority opinions - in other words the team rather it's a subtask team or a - the full working team thinks that that should be discussed some more then that's fine.

Olga Cavelli: Okay.

Chuck Gomes: But I assuming that when we get to that point where we're putting something forward is that we're already past there.

Olga Cavelli: Okay.

Victoria McEvedy: Could I just add something?

Olga Cavelli: Sure (Victoria). Go ahead.

Victoria McEvedy: This is just a reminder and Olga you may be already aware of this but although (Esef) and I have submitted the rest of the minority reports I think (Rafid) also indicated the (descent). So I guess there needs to be a summary. I think were there four (descanters) in total, weren't there?

Olga Cavelli: Yes, I know but - and we already agreed - I think you agreed in a call yesterday and nobody complained about setting today as a due date. So we need to move forward. We have...

Victoria McEvedy: I just made - yeah. What I meant to say was that with people - I don't know if (Rafid)'s planning to submit a formal report but even if he isn't I suppose someone needs to just note that there were four and that two of them have been (unintelligible).

Olga Cavelli: Oh, of course. No - that's already noted and we have all the names and affiliations. Yeah, you're totally right and that's to be included in the final report but if people want to send the minority report that's fine but we should set up a due date for deciding what to do and move forward. So the date was - is today.

We still have some more work to - maybe we can extend it to tomorrow but we should receive them - you already did that and you complied with the due date. So in the sake of the people that did comply we should agreed (sic) in receiving this document to move forward.

I don't know if (Rafid) perhaps do you want to say something on - or maybe you want to - are you planning to send in a minority report about sending subtask 1.4 draft document as a separate document?

Rafik Dammak (Unintelligible).

Olga Cavelli: I can not hear you. I'm so sorry. Hello?

(Rafid Jimak): (Unintelligible).

Olga Cavelli: I'm sorry. I hear a voice very, very in the distance but I cannot understand what you're saying. I'm so sorry.

Rafik Damak: (Unintelligible).

Man: (Unintelligible).

Olga Cavelli: Could someone tell me (Rafid) said because I cannot hear him?

SS: No, it is not clear Olga . I'm (Esef) but I'd like to speak once the (Rafid) part is over.

Olga : Okay. Did someone else could her (Rafid)? I cannot hear him.

Man: I can't hear him either.

Chuck Gomes: Olga I don't think any of us can hear him but maybe as an alternative if he's unable to communicate via voice on this call he could send an e-mail to the list if he is online so that we know what his point was.

Olga Cavelli: Great. Thank you Chuck. Great idea. (Rafid) if you're hearing me I hear a voice but I cannot recognize what you're saying because it's kind of a noise in the middle. So if you want to send an e-mail right now to the list or to (Glenda) or (Julie) and we can know what you're saying and in the meantime if (Esef) you want to go ahead.

SS: Yeah, see my point was Olga that I was really charter a little more closely and it is related to due date today. In fact somebody has commented he's (unintelligible). But there are some (unintelligible) the charter so maybe - I mean if you don't mind I could advise that (unintelligible) to you have not submitted maybe you can mind giving them some time if it all fits into your lineup.

Olga Cavelli: So let me clarify your comment (Esef). You're asking we have more time for submitting minority reports?

- SS: No, I'm just suggesting. I'm just suggesting if you - because you are here chair you are (unintelligible).
- Olga Cavelli: Okay. You have a suggestion for the next due date? Do you have any idea of what would be a good, new due date?
- SS: No, I won't (unintelligible) with that. It is just for you to (unintelligible)...
- Olga Cavelli: Okay.
- SS: ...other (unintelligible) that you give little more (unintelligible) on this. That's also.
- Olga Cavelli: Okay. Any other comments about extending the due date for minority report?
- Chuck Gomes: Olga , please put me in the queue.
- Olga Cavelli: Go ahead Chuck.
- Chuck Gomes: If there's no objection I would like to comment as OSC Chair. Is there any objection to that?
- Olga Cavelli: No, there is no objection to that.
- Chuck Gomes: Okay. The OSC is meeting in person in Seoul on Sunday, the 25th which is a week from this coming Sunday and I sincerely would like to be able to give them the document with the minority report not later than this Sunday so they at least have them seven days in advance and have a chance to review them before our meeting a week from Sunday.
- So I'm fine with - if there's a need for an extension I don't think we've identified yet whether there's a need. If somebody needs more time they should ask for it but I would request that there - we not extend it any more

than one day, Saturday, so that Sunday the document with the minority reports can be submitted to the OSC.

Now that does not prevent - the OSC meeting will be open so that does not prevent anyone from, you know, sending information, you know, to our working team and I will see that and others. You will see it Olga and stuff like that.

So I assume you, Olga , will be representing the work team in that OSC meeting so you would be able to communicate something that came in later. But ideally it would be good if it was in a minority report in the document that could be forwarded to the OSC on Sunday.

Olga Cavelli: Thank you Chuck. Any comments about extending one day more the due date for sending minority reports? So due date would be Saturday like say 12:00 noon GMT, something like that - at the end of tomorrow, right? Anybody against that? Is that okay? Okay. Great. Thank you Chuck.

(Julie) I want - can I ask you something? Which - how could we - how are we drafting the final report? Are you in the case that we already have two minority reports in the case of maybe we receive two more which is the maximum that we may receive or more? I don't know. And which is the next step for preparing the report.

Julie Hedlund: Yeah, Olga , this is (Julie). I was actually going to offer to pool the minority reports - all of those that we would have by noon GMT tomorrow into the document with the recommendations and indicate who are those who assented to the recommendations and those who dissented whether or not they've submitted a minority report but to ensure that all opinions are recorded.

And then I would send that you and I think that properly it would come I believe from you as the Chair to the OSC.

Olga Cavelli: Okay. Thank you very much (Julie).

Julie Hedlund: You're very welcome.

Chuck Gomes: Olga , can I jump back in?

Olga Cavelli: Sure Chuck. Go ahead.

Chuck Gomes: And (Julie) just like I said at - early in the call with regard to the subtask team the same thing would apply to the report going forward from the full working team that it be very clear in terms of the level of support for the recommendations from the working team as well as the issue of assenting the report forward on the - independently of the rest of the recommendations.

So I'm sure you understand this already. I just want to make sure that when the OSC sees this they have a complete picture covering all sides on policy issues and recommendations and the issue of whether or not it should be the recommendation to move forward independently.

Julie Hedlund: Right, Chuck. This is (Julie). I will separate out those two issues indicating support for the recommendations and support or not support for sending the recommendations forward to the OSC ahead of the other recommendations.

Chuck Gomes: Thanks and you will CC the full working team so that they will be fully aware of what goes forward and can comment on our list and then Olga or anybody else for that matter who attends that open meeting could comment during the week.

Julie Hedlund: Right. I assume Olga you'll send the - once I send the document to you you'll send it to OSC and then...

Olga Cavelli: Yes.

Julie Hedlund: ...we'll copy the list for the teams?

Olga Cavelli: I will, yes. I will. I will, yes, I will. Okay. Any other comments about this issue?

SS: Yeah, Olga . (Esef) I have to say something.

Olga : Okay. Go ahead (Esef).

SS: See I have sent mail that about which you have already acknowledged that whether to send this - I'm (unintelligible) about sending this particular report at all. That if you (miss) on report but not subtask 1.4 I'll read out the charter - part of the charter.

That is decision-making is that the (unintelligible) shall function on the basis offer of consensus meaning that all points of view will be discussed until the Chair can ascertain that the point of view is understood and has been (unintelligible).

Now I'm underlining this part. (Unintelligible) report. Now anyone that did the minority will be invited to include a discussion that (unintelligible) report. The minority view should include the names and (associations) of those contributing to that part of the report. I'm stressing on that part of the report.

So in this case there are two plans which I bring to your notice. It starts off with the (blue key) report and not part of the report even if it is taken (unintelligible) report then minority view talks have that part of the report.

Here I want to (unintelligible) any part of the report (unintelligible) but the process of pushing it forward. So if it's not that (unintelligible) any part of the report and even send the report (unintelligible) don't send the report.

Not if you send the report then I don't think that - so (Mike) will (unintelligible). It just shows that he has ascertain the rules regarding this peculiar situation. And the solution is not that minority report (unintelligible) or part of the report but it's about the whole reporting (unintelligible). This process of sending is not a part of report but a process of - in sending.

So the exercise will serve two purpose - (no) purpose. Members will depend because the members are to take their views all those members will line up in the same and you will get the majority. So I don't think that - so what my point is not for the (unintelligible) but for you to be sure about the rules. That the chart rules applies to this peculiar situation. So (you'll) be sending the report at all. And once you are sure please go ahead. Am I clear?

Olga Cavelli: (Esef) I'm not sure if I understand it or - somehow I had some difficulties in hearing you. The sound was cutting in some parts but let me try to rephrase what you said and see - and you can tell me if I understood you.

SS: Yeah.

Olga Cavelli: You're saying that we shouldn't send the report?

SS: (Unintelligible).

Olga Cavelli: That's what you're saying? But that's your vision because we have other working team members that are agree - have agreed in sending it so this is where I think we have (reached) consensus.

Chuck Gomes: Olga can I try to help?

SS: No. I'm talking about the charter rules. I'm talking - Chuck please one minute. I'm talking about the rule part. So my - here my (trust) is that the Chair has clearly taken care of the rules (unintelligible) because charter is not talking about the whole process. It is talking about certain parts of the report.

If there is a (unintelligible) certain part of the report but it goes along with the minority report. Here (unintelligible) a certain process which is not covered in the charter. So please be little clear about this defense.

So that is we are not opposing any part of the task 1.4 - subtask 1.4 but we are opposing the process of sending it which is not clear in the charter. Now if you are sending (unintelligible)...

Olga Cavelli: Okay.

SS: ...have you made sure that, yes, you are doing right. That's my (unintelligible).

Olga Cavelli: Okay.

SS: If you have followed the rules (unintelligible).

Olga Cavelli: Okay. Thank you (Esef). Chuck go ahead please.

Chuck Gomes: Sure. I'm just trying to restate what I think (Esef) is saying. I believe, and correct me if I'm wrong (Esef), I believe what he's saying Olga is that he's asking that you as Chair make sure you're confident that we followed the rules in our charter in terms of moving this forward. And if you are you should send it forward; if you're not you should not. Is that correct (Esef)?

SS: Yeah. You should not and before - if at all you want to send you make sure that you have taken care of your (unintelligible) from the concerned persons concerned about (unintelligible) that you are following the rules of sending the report.

The process of sending this (unintelligible) not as (unintelligible). And that Chair has - I mean because I find that we are (unintelligible) falling on this

charter, work plan, and (unintelligible) report. The (unintelligible) report I have not gone (unintelligible) to help this purpose whether it is silent or no.

So there should be something else so my only concern is that this process of sending the task 1.4 is as possible and the Chair has (subsequent) time with this. Also the Chair has (unintelligible) ensured that all that is there but just to like caution - (friendly) caution. It's not that I - since I'm submitting the minority report so I'm putting (unintelligible) is not there. It's just supporting the Chair in making decisions to (unintelligible). If not then we'll (unintelligible).

Olga Cavelli: Okay. Thank you (Esef). What I will do is I will review all the documents - all the exchange of e-mails in our list and I will check with (Julie) with staff if I miss some documents or something and once we receive other minority reports I will let you know in the list if I found some misunderstanding part of the process about (references) and all that and we'll let you know in the list. Let me one day more to review this as per your request and we also have one day more for receiving minority report. Is that okay?

SS: Yes, fine. Understood.

Olga Cavelli: Thank you. Thank you very much. Any other comments to Point 3 of the agenda? Okay. We have four minutes left until we reach one hour conference call which was expected to be half an hour. So I'm sorry for the delay but I think has been an interesting discussion.

Point 4 I included. I would like some feedback from Chuck in his role as Chair of the OSC about expected delivery date for our outcome. I would like - I think we have talked about this before but I would like to revise it again.

Chuck Gomes: You are correct. We have talked about this before so I won't be - take too long on it. But there are no set deadlines. Obviously the sooner improvements can be implemented the better, okay? But we should not

sacrifice quality just to rush things through and I think we came to that conclusion as a working team ourselves a few weeks ago as we were trying to speed things up.

So applying that to the subtask teams I would hope that the subtask we have teams are confident when they send their final draft the full working teams I hope that the subtask teams are comfortable that they've done as much as they can do to reach (rough) consensus and that it's now time to move it to the next round.

And if you need more time - for example there's been some tentative deadlines sent by the subtask teams one and two today for sometime next week. I would encourage you if you need a little bit longer it's better to make sure you're comfortable that you've done as much as you can at the subtask level and take a little more time than to rush it and then we have to revisit something later.

So I'm all for expediting as much as we can but the - and I think that the whole counsel is that way - but that - we shouldn't do that. If you need a few more days use it.

The same thing for the working team. Let's make sure that we're thorough so that we've covered all points of view and then - and let's keep it moving to the best we can but don't feel like you're under an obligation with any particular deadline.

Olga Cavelli: Great. Thank you for this comment. In Point 5, I would like to comment about two pieces of text that I included in my - in the e-mail went I sent the agenda about the consultations that I made about reopening an issue.

I made consultations with (unintelligible) staff and with the Chair of the OSC and (Victoria) has referred to a document - to part of a document which is not yet finished and it's under development. So it is not specifically included in

our charter. So this is already included in the e-mail and I know (Victoria) has made an appeal to the (general) counsel about this and that's okay.

I think she has already answered about it and so she has that appeal in her - with her for commenting with you (Victoria). And about the deletion of recorded participation that (Tahid) requested. (Tahid) it's a very rare situation; it's not frequent.

So what I included in the e-mail is the steps that should be followed to do that which is very unusual. So the thing would be that you would make a formal request to (Glenda), (Esef) the working team's (unintelligible) and she would do that but in consultations with the general counsel's office. That would be the next step. It's not asking (Julie) or me. It's asking them. Any comments about this?

Great. So it's one hour. I thank you very much for your active participation. We have some dates to have in mind. Due date for sending other minority reports is tomorrow. I will review all the (rough) consensus issues and e-mails exchange and the situation and I will let you know next step.

And we have some other suggested due dates to having sub-working teams document for next week. For those who are flying to Seoul have a safe and good flight. And we meet with some you in person in Seoul and virtually in our conference call on next Saturday - not next Saturday, the other Saturday.

Woman: Thanks Olga .

Man: Thank you.

Olga Cavelli: Thank you. Bye-bye.

Man: Okay. Bye everybody.

Man: Bye Olga .

Olga Cavelli: Bye-bye.

END