

**Policy Process Steering Committee (PPSC) Working Group Model (WG) Work
Team (WT)**

TRANSCRIPTION

Wednesday, 14 October 2009 18:00 UTC

Note: The following is the output of transcribing from an audio recording of the Policy Process Steering Committee Working Group Model (WG) Work Team (WT) meeting on 14 October 2009, at 18:00 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-ppsc-20091014.mp3>

On page:

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

(All MP3's and transcriptions can be found on the calendar page).

Present:

J. Scott Evans - IPC Work Team Chair

Avri Doria

Cheryl Langdon-Orr

S. Subbiah - Individual

Iliya Bazlyankov

Jonne Soininen

Alexei Sozonov

Alexey Mykhaylov

Staff:

Marika Konings

Ken Bour

Glen de Saint Gery

Gisella Gruber-White

Absent apologies:

Nacho Amadoz

Caroline Greer

J. Scott Evans: Hi, this is J. Scott Evans, chair of the working group work team. If we could have Gisella give us a roll call please.

Gisella Gruber-White: With pleasure. Good morning, good afternoon, good evening to everyone. For today's call we have J. Scott Evans, Cheryl Langdon Orr, Jonne Soininen, Alexey Mykhaylov, Iliya Bazlyankov, Avri Doria. From staff we have Marika Konings, Ken Bour, Glen Desaintgery, myself Gisella Gruber-White, and apologies, we have Caroline Greer and Nacho Amadoz

. If I could also kindly please remind everyone to state their names when speaking for transcript purposes. Thank you.

J. Scott Evans: First thing -- this is J. Scott Evans speaking -- is I noticed that Iliya and Alexei are not on the Adobe (unintelligible) where we have the documents posted. Is that bec - Alexei has just joined us.

Alexey Mykhaylov Yes, it just took me time to connect.

Coordinator: Excuse me, Mr. Subbiah has joined.

Subbiah: Hi.

J. Scott Evans: Hi Subbiah

So for the record (Savaya) has just joined the call, and he is signed on to Adobe. So the only person we're missing is Iliya, and I'm not sure if that's because you can't do that but that's where the document is actually posted. But it's also on the wiki so if you can get to the wiki, you can look at the document on the wiki that we'll be discussing.

Housekeeping issues, as I pointed out earlier to the group before the recording started so just get it on the record, in reviewing documents this morning, I found a typo in Paragraph 1.4. It's the second in the (unintelligible) accounts and reviews where you determine that it is wood. So that's where it's - there's just some awkward wording that needs to be cleaned up.

And then again at 2.1.4.2 the one that I was looking at which was the Word version because the PDF posted on the wiki had cut off the beginning of the sentences, there was still a - in the second line "liaison may fulfill," fulfill is misspelled.

Woman: I've corrected those.

J. Scott Evans: Okay. So having given those, I wanted to bring up to the group - I know we passed through this section but I want to bring up to the group in 2.2, Team Member Roles and Responsibilities. I find this section - this paragraph that begins after all the roles a suggested procedure to conduct elections can be sort of awkwardly placed....anybody agreed, disagreed?

Jonne Soininen: Yeah, this is Jonne. It's not completely logical that it's there. A little bit difficult to maybe understand how you end up either finding another place for that (much) probably would be good.

J. Scott Evans: I mean it just seems awkwardly placed. We go through all this and it just seems it comes out of nowhere. And I don't know if maybe Marika and Avri because you all do - if that might be better suited placed before you discuss the particular roles and just say as a general broad brush this is how you could do elections, oh, and here are the things you can elect. Any thoughts, concerns, disagreements? Cheryl agrees.

Okay. Marika if we could just look at maybe putting that in a different location, maybe preceding the actual roles. It just seems awkwardly placed.

Marika Konings: Okay.

J. Scott Evans: Also I noticed in reviewing the earlier revisions that we had done that in the section that talks about appointment of a chair meaning election of a working group chair. I think Avri had mentioned -- and somewhere I think we had agreed and I didn't see it -- that somewhere there needs to be a statement that the working group's work should begin immediately. It shouldn't be waiting on hearing back from the charting organization on the chair.

Woman: J. Scott that sentence was added just above Section 2.3.

J. Scott Evans: Okay, let me get there then. I just missed it.

Woman: But I'm happy to place it in another section if the group - I thought the group (unintelligible) have it there but I'm happy to put it somewhere else if that's...

Cheryl Langdon Orr: Cheryl here. Because we've moved the suggested procedures up perhaps that sentence could be obviously moved up with it or alternatively moved up with it and not speak specifically just to elected chairs but the outcomes of elections.

J. Scott Evans: Yeah, but that's not the - I see here there's a sentence after that talks about the procedure. That's the section I was talking about. But Avri's point as I understood it on our last call was there needs to be a communication to the working group that the fact that...

Woman: (Unintelligible).

J. Scott Evans: ...provisional basis shouldn't hold up the work of the working group, that it should go right into its work. Avri was that not a point you had made?

Avri Doria: Yeah, that was -- this is Avri. Yeah, that was a point and it only applies to the chair because the chair's the only role that needs to get confirmed by the chartering organization.

J. Scott Evans: Yeah, and I was just saying there is a section up above that talks about the election of the chair at 1.4.(unintelligible). And I thought we had said somewhere we want to clarify that while this (unintelligible) it does go back up for charter organization review, that we need to have an affirmative statement that that is not in any way to delay the work of the working group. It should continue forward. So that's a sentence that needs to be placed in that section.

Does everyone agree?

Subbiah: I'm okay with that. This is (Savaya).

J. Scott Evans: And I see that I have here from Cheryl that she believes that's her understanding as well. Okay.

All righty. So I believe we're at 2.3, am I correct?

Woman: Yep.

J. Scott Evans: And I think - unless anybody's got any problems, I think this is pretty well done. Do I hear any concerns?

Man: No, looks good for me.

Cheryl Langdon Orr: Cheryl here. It looks fine to me. Just on reading it, and probably only because I'm reading it again and thinking about what we just said, we never mentioned with a subteam that an appointment within a subteam in a leadership role for meeting coordination is a good idea and (unintelligible) see above but the role is an actual chair and it doesn't need to be confirmed.

J. Scott Evans: Yeah, we - that's a good point, that the best practice would be to appoint a coordinator...

Cheryl Langdon Orr: ...lead role type thing.

J. Scott Evans: But we need to cover that. And I also think that last sentence should be bolded, the last paragraph which is just - should be bolded because I think that's very important. Does anyone disagree?

Woman: J. Scott I'm agreeing but I've actually put my hand up for a very good reason. And that is that depending on where you're coming from and what your - I don't mean philosophically where you're coming from, but experientially where you're coming from.

If you come from the incorporated association world in Australia, for example, you always make sure that you tell a subcommittee that it is only subcommittee for the life of the task that it's been put forward to and that its decisions are not binding on the larger group. Because sometimes they can be - you know, tell them so there's no deemed delegation, etc., etc. It may not be an issue here. I just thought of it as I was reading through and sort of did subteam, subcommittee, or is that the case in your world. Now I'll put my hand down.

J. Scott Evans: All right. Thoughts, others?

Man: Along the same line, I just picked up on what she just said that maybe it's worth putting in a couple of clauses or something to say that the subteams do have a life in the sense that they don't just - they may finish their work but they don't just sit there. That make sense? That should be in there. I've known of subteams going on for years when even the original issue has already disappeared.

Woman: Yep...

Woman: That's what...

Woman: ...and hard to get rid of.

J. Scott Evans: Okay, so Marika as I've heard two additional points that need to be covered in here. One is that the - an appointment of a coordinator or leadership person that will serve to set up and (unintelligible) the logistics of (unintelligible) and that that doesn't need to be in any way confirmed or approved. Also that the life of the subteam, even though it seems logical, should be explicitly stated would last no longer than the life of the work group - working group. And then I suggested that the last sentence be bolded.

Marika Konings: Okay.

J. Scott Evans: Okay. So we're moving on to Section 3 now? That correct? Everyone ready?

Woman: Yep.

J. Scott Evans: Any comments or concerns or wordsmithing that someone feels that needs to take place in this section?

Hearing none, going to move this on to 3.2.

Man: Nope, fine.

J. Scott Evans: (Unintelligible) anybody have concerns? Okay, 3.3.

Man: Nope, fine.

J. Scott Evans: How about - everyone else okay?

Man: Uh-huh, looks good.

J. Scott Evans: 3.4?

Avri Doria: That looks like I had some comments in that one. This is Avri.

J. Scott Evans: ...comments Avri and they're in blue.

Avri Doria: And they're in blue. Isn't that pretty?

J. Scott Evans: That's (unintelligible) two. Would you like to...

Avri Doria: Sure.

J. Scott Evans: ...the group please?

Avri Doria: Yeah, as I say here I have real trouble with civility as a criteria. And I know that I try to be civil and sometimes I (affixiate), sometimes I fail. But I have real trouble with it as a criteria as it's not something that has an objective standard. And it's really the type of thing that allows people who are an authority to sort of condemn as uncivil anyone who disagrees with them or disagrees with them too strongly or disagrees with someone that they approve of.

And I think that the Liverpool statement you have later is a good explanation of do's and don'ts without using such a fuzzy notion of civility. So while I don't object to including objective criteria of proper etiquette, civility - and as I consider people who are unctuously polite and condescending uncivil but most people would consider that just a normal way of - for superior people to treat us inferior people. So I just have trouble with it.

J. Scott Evans: I see that Ken has (unintelligible) hand.

Ken Bour: Yes, hi J. Scott, Ken Bour. I just wanted to put this - all the language here in a bit of context in case we maybe have forgotten. I lifted originally all of this material, and it's in quotation marks, from the ICANN's expected standards of behavior. We also talked at least at one of our other sessions about actually not putting this language in the document but placing a link there so that somebody would go to the ICANN site where this language appears to read what those behavior standards are.

I'm not so sure that at this point, in all deference to Avri, that we have the - that we should be trying to do changes to this kind of thing since it is in fact ICANN standard, ethical standards of behavior.

Man: (Unintelligible)...

J. Scott Evans: Wait, wait, wait. I've got hands up. So if (unintelligible) aren't familiar so you'll know and help me out, on the bottom left-hand corner if you're in the Adobe room, the little fellow holding up his hand, if you will click that it will hold up your hand. So as I believe - I'm not sure if I've got these in the correct order but I think it's going to be Avri then Cheryl then Jonne. So Avri?

Avri Doria: Okay, yeah. I think it's problematic that it's listed elsewhere and that's a different fight for me for a different time and a different place. However, I don't see any reason why just because an ombudsman may have posted a set of rules about civility is any reason that we have to include that word in these prescriptions.

As I said the Liverpool the description is really quite explicit and you've got that in the document. And I'm not suggesting that that be removed. I'm just saying I consider people who talk to me in a professorial voice trying to tell me why I'm wrong to be uncivil.

J. Scott Evans: Okay, Cheryl?

Cheryl Langdon Orr: Thank you J. Scott. And in fact what I was planning on saying was I think now even more useful because I'm following immediately on what Avri said. I was going to propose what we do is from the point where you end up (unintelligible) sentence - or you begin, sorry, "members of the ICANN community should," that part of that sentence could be replaced with something such as "the link to other information provided by ICANN on this matter is seen at."

And therefore remove from this document the words "members of the ICANN community should treat each other with civility" -- a contentious word in some people's views, an essential thing in mine -- "both face-to-face and online." And remove it from being enshrined in this document, because as Avri says, these are arguments to have in other places and spaces but still do the link

back to whatever other documentation is more organizational wide. And now I'll put my hand down.

J. Scott Evans: Okay Cheryl. Jonne?

Jonne Soininen: Yeah, I was maybe on those same lines of Cheryl is basically that if this is something that is picked up from somewhere else, it's a great example why it should be as a link and not copied because then it's clear where it points you and where it comes from.

J. Scott Evans: Okay. (Savaya)?

Subbiah: All right, I - this is obviously a very tricky thing in terms of solving the real thing. Now I'm okay with making it a link and so on and so forth, but I want to address something else that there a lot of things in this document that don't really matter or their basis in future-looking groups (unintelligible) really most of you don't matter.

There are a few critical things that matter I think. And this is one of those because I think Avri's right. I mean, all of us probably have been on email lists and committees where some people get - you know, someone's or other opinion, you know, uncivil. And it can get to the point where the committee can't even function where people get so bad, they can't even function.

So there is a real problem that we should think in terms of addressing here if we really want to, that is that we can just say this is fine and just point the link and then just go forward. But we know there are going to be committees out there or there are going to be people out there, they are going to do this in the future. So the question then is what is civil and what is uncivil? I mean, that's a whole - as Avri said it's impossible to determine almost, right?

But perhaps more important is what to do when such a situation, whatever you define civility to be, arises where the working group can't even function

because there's somebody or a small group of people - if it's a majority, well, then, it doesn't matter. But if it's a small group of people or one person really makes it to the point where people are leaving the group or don't want to participate or it's just a real fight, I mean, when that happens, what do you do? Is there mechanisms to put an end to it, either close the committee altogether or get rid of that person?

Is there - it's not a question of defining civility and non-civility and all that is but rather what do you do in that situation. For example a drastic - I don't know whether it's right but a drastic thing could be there could be a vote of everybody on the committee including the chairman and everybody and they say, "Look, we cannot work with this person," or something along those lines and then send it up to the chartering organization (unintelligible). I don't know. I'm just throwing something up here.

J. Scott Evans: Okay. I believe I saw Cheryl's hand go up next.

Cheryl Langdon Orr: Thank you J. Scott. (Savaya) I hear what you're saying and in fact I definitely agree with your concerns. But I actually see what you've said as the need for a control mechanism to feed firmly back in with some of the conversations that we had about what you need as a chair or even as an independent chair. And certainly what you need to perhaps be (unintelligible) some of our chairs with this is all about how a meeting manager sets a culture and a tone and what is or is not acceptable.

And it's very much towards the early intervention in a most productive manner by a leader at the time where anything that is felt to be potentially heading into a disastrous or train wreck direction needs to be intervened. I don't think - yes, I think you need to have those - some form of controls and a recognition that there will often be situations where people join working groups to do nothing but be destructive and perhaps totally shut down the system.

But we can't build for that expectation. We need to recognize it as a risk and we need to put in risk management tools, but I think that's a matter of tools you give to the chair maybe in training, maybe in fall-back positioning. But I'm not sure it hinges on having it enshrined here in this document.

And I'm happy to give you several examples of where a chair without fear of failure can do that.

J. Scott Evans: Okay. Avri?

Avri Doria: Yeah, hi, I absolutely have no disagreement with Cheryl on the need for a chair to keep the energy going but in a controlled and positive sense.

In terms of making reference to anything that's on the Web site, I think if it is a board-approved policy or rule that has gone through community review, of course it's okay to include it by reference. I think if it's an artifact of for example an ombudsman role, which is something that is external in a sense to the community but a review of the community, then I think it's highly inappropriate to include it. Hand down.

Subbiah: Yeah (Savaya) here. No, I (unintelligible) that the chair should control it and all of those things. But I think that you are going to certainly get cases where the chair will be faced with a situation and he can't do nothing or he tries but he can't.

And if I was a chair and something was happening and I realize it's getting out of control, I would really like as a chair if I were to have a - to be able to go to some document and say, "Here's the line. This is what tells me how to take care of the situation," and, okay, call a vote or whatever. Something that is specific that I can go for. And this way I look really neutral when I take care of the situation. Right? That's what I was looking for but I guess it's not easy. So I'm just going to leave that and, you know, whatever.

J. Scott Evans: Okay, Marika?

Marika Konings: Yes, this is Marika. Just to Avri's point, these expected standards of behavior are actually taken from ICANN's accountability and transparency framework which was adopted by the board and Senor (Unintelligible) on the 15th of February, 2008. I mean I don't know the history, if it was put out for public comment and (unintelligible) things like that, but it is a board-approved document with this in it. Just to clarify.

Avri Doria: This is Avri. If we want to include a board-approved document, yes. But to include this document that has that plus all kinds of other ombudsmen stuff that's very superior and supercilious I find problematic.

Marika Konings: Are you referring to the second part of it?

Avri Doria: I'm first of all referring to the word civility. And then I'm referring by reference to including the ombudsmen, you know, civility (treaties).

J. Scott Evans: Okay. As Chair, I have a couple of comments to make. One is not chair oriented. It's a position that I - my opinion.

I disagree that we should with Avri, that we should put words in here that are different. We have to have some sort of standardization.

It's when we get in - this is one of the biggest problems at ICANN is that there are 17 different words depending on who put it together. And then everybody wants to argue about the fact that one says civil and one says cultural and one says this and it never gets resolved.

And then that's where we get with (Savaya)'s point is. Then the chair feels like they don't know what to do.

And the whole point of this is to grant an outline or a basis of a document for someone to get something done.

So and I think that Avri disagrees with my position. But that's my position. But I of course am a neutral chair. I just wanted to put my position out there to the group.

What I would suggest we do with this section, Marika, is do a little homework with regards to this and find out if it is a board adopted position or if there is a board adopted position.

I know that in all the charters that are being rewritten and approved by the staff as they work through this reorganization process, they are making the - each organization put this type of wording into their document, into their charters. At least they did for the IPC. And it was I think a standard thing that they did.

So that's it. I see that I think Marika you're next and then we'll go to (Savaya) if his hand is still up.

Marika Konings: Yes, this is Marika, because just to clarify, and maybe it has cross-confusion because, you know, by putting in two different things in this chapter, the first part that basically goes up to the yellow highlighted section, that's all taken from ICANN's accountability and transparency framework which was adopted by the board in 2008.

The second part below the yellow highlighting, that is something separate that I put in there for something for the working group to consider as another framework that has been put forward or has been used or referenced in past discussions in relation to, you know, how to communicate and what kinds of norms to expect.

So I would maybe go back to - propose that the group treats those two things as separate elements in deciding on whether they would like to keep it in or reference or link it and not treat them as one and the same.

So I mean, I apologize for that confusion, but those are two separate things and separate sources. So...

J. Scott Evans: So I personally have heard several people - Cheryl, (Savaya) and (Jonas) - Jonne all say that they believe the best practice here would be to say that persons of the working group are expected to meet these standards of behavior which are outlined in this. And here's a link to that. Is that correct?

Cheryl Langdon Orr: You read my mind J. Scott.

Jonne Soininen: Yes, this is Jonne. I mean like as long as it's board approved and it's kind of like ICANN standard, yes that's fine.

Cheryl Langdon Orr: Cheryl here again just pointing out that the reasons that you will find and for very clear biases now when you hear who's speaking to the matter that the Liverpool developed communication respectful online communications is enshrined in at large and the ALAC world ROPs is because it's an example of external to ICANN best practice.

And we would like to aspire to not only following best practice models, but internationally recognize best practice models. And we will change to a better best practice model whenever it exists.

And from that I go back to my AC/DC, my Australian commercial disputes resolution (training), not within the world of ICANN.

J. Scott Evans: Well what I would suggest to consider is that we put this in or we put this link, and that would cover that.

And then perhaps we give some guidance with regards to perhaps some of the concerns that Avri has. And then we also give them this outside document that might give them some further insight on how to deal with these issues. Does that sound...

Subbiah: Yes, (Savaya) here. I think that sounds okay. I mean you say look, you know, over and above this you go look at other best practice documents.

But it still doesn't solve a - you know, I mean I don't think it's going to solve it yet. But I just want to point out that it still doesn't solve the central problem of if I'm the chair, and somebody's misbehaving, I see this document, I see the ICANN board document, I see the Liverpool statement, I see all of these things.

But how do I still decide whether what somebody did is uncivil or civil? That's, you know, I mean the whole thing.

I mean I have this document in front of me, but how do I go about actually deciding myself? You know, that's still not (so on) but it's the best we...

J. Scott Evans: Well I guess at some point that common sense has to come into play...

Subbiah: Okay.

J. Scott Evans: ...at this point. You can't script everything.

Subbiah: Okay. Okay.

J. Scott Evans: And the problem to me is not really what you decide. It's going to be where you go.

Subbiah: Yes.

J. Scott Evans: That's the check right?

Subbiah: Yes.

J. Scott Evans: Whether you're misconstruing this or not is...

Subbiah: Yes. But here's maybe...

J. Scott Evans: Go ahead.

Subbiah: Maybe - I just suggest something. Maybe the way out to the chair would be to say look, if the chair comes to some conclusion right, and maybe talks to a few people on the committee - whatever - but he comes to some conclusion and he's going - you know, he's going to go through the usual steps of saying don't do this, don't do that. That's private. But it doesn't - it's not going anywhere.

Then you come to the point where you have to decide where to go with this right?

At that point in time would it be worth saying the chair should go or is recommended should go to the liaison of the chartering organization to - you know, and confer with them before going to that next step? Is that a way of giving...

((Crosstalk))

J. Scott Evans: If you go down in the document and you go down right above...

Subbiah: Yes, okay.

J. Scott Evans: ...3.5, it's really not a chair decision.

Subbiah: Okay.

J. Scott Evans: And it's written, it's a working group member that would go to the chair because...

Subbiah: Right.

J. Scott Evans: ...they feel like they've been abused.

Subbiah: Right, right.

J. Scott Evans: The chair and the liaison based on this concern being raised...

Subbiah: Okay, good.

J. Scott Evans: ...would address the issue at the working group level.

(Savaya): Okay.

J. Scott Evans: If affected individual or their perceived...individual believes that that has not resolved it...

Subbiah: Right.

J. Scott Evans: They go to the chair of the chartering organization.

Subbiah: Okay.

J. Scott Evans: It's really not - as I see it written, we...

Subbiah: Okay.

J. Scott Evans: ...not in any way recommended that the chair become the babysitter where he or she is saying I writing sub - side notes saying your behavior is uncivil.

It takes a working group member to bring that forward. And I would assume if the working group member is the chair of the fields of views, they would go to the liaison.

And maybe that needs to be just to say if it's the chair that feels this way, they should go to whomever. What do others think?

Avri, I'm sorry, your hand is up. I apologize.

Avri Doria: Yes. No, okay. I just wanted to first of all say to Marika, yes she's right. I did go and look at the (accountability) and transparency guideline. And indeed the word stability does show up in there unfortunately.

So I think yes, it is reasonable to have inclusion by a pointer since that is a board level document to point to that.

I think anything else like other standards that people may or may not think are useful are certainly fine to somewhere to have as informative things that, you know, you can read this but certainly should not occupy anything that resembles a normative role in the document.

So, you know, we're stuck with the notion of civility because it is in - and, you know, we'll just have to start bringing (anxious) politeness as a civility claim to do something about that in the long run.

But, you know, in the short run because it does exist in that, I think including, you know, reference to has to behave according to the standards set in the accountability and transparency guidelines is a fine way out of this.

J. Scott Evans: Okay. And I think that though that the more important area is that guidance we give above your comment, that we tell them what the process is when somebody feels like that's been violated which is (my point) is to give everyone some idea of what do you do when you feel like this has been abused. Where do you go? What do you do?

And right now I think this is okay when it applies this is my opinion. I'm not - just I'll look to others to say.

But it seems to me that this is fine but we - there's one thing missing is what if it's the chair that feels the views? Because you certainly don't want the chair to have the power to resolve that situation. They need to go to someone else in my opinion. Thoughts?

Man: Yes, it seems okay.

Avri Doria: Well this is Avri again. People - I mean people that are chairing should be able to - I mean if it's an extreme case, then everybody in the group is going to see it.

But people that are chairing should have slightly I don't know, tougher skin than just to get upset about a little bit of incivility. But that's just me. And I've spent, you know, 25 years in the IEDF. And you just, you know, it's the way people are sometimes.

You know, but one of the things that I find is definitely missing from all our standards is a notion of tolerance that sometimes what we view is uncivil is just because somebody got frustrated and - or someone, you know, doesn't quite understand.

And we seem to have gotten so much in this civility that we've lost any notion of tolerance. And that's what really worries me. The more we say civility,

civility, civility, the less we say tolerating the foibles of others. And that has always upset me. But I'll get off my rant and stop talking about it now.

J. Scott Evans: Can be in...if here if we gave some guidance in that regard and to say these standards apply but in a - in looking at these standards you should consider those types of issues in my opinion.

I also believe that we need to handle this issue of the chair even if they have thick skin. Because remember, this document is supposed to help people who have not been as involved in the process and to give sort of a guidance.

That doesn't mean it will ever be used, but since it could be used, could flush it out.

Do people have any problem with Marika, Marika -- I don't know I keep mispronouncing her name today - Marika putting some - a sentence or two in that regard?

Okay, I see Cheryl says that's okay. So Marika as I hear what we're going to do is we're going to take out the wording that's in quotes and we're going to put in reference and then a link to those standards as they've been adopted by the board.

Marika Konings: Okay.

J. Scott Evans: Then we're going to set out, flush out this process a little bit more. And then Avri, were you saying you disagree with us putting any more guidance documents, in other words, the - everything below the yellow highlighted session or would that - should that just be a link or I may not...

Avri Doria: Yes. I would probably disagree with having it in line there like (a normative). If it was a footnote point or two, you know, here are three informative examples

that may aid people. And then if we can find something that includes tolerance to that example, then that would be fine. But not as normative.

I think the only thing we can as normatives are things that have been through community review and are board approved.

I think anything else is informative and - but has no normative value and shouldn't be inline. And that's kind of like my cut-off view on that.

J. Scott Evans: How about anybody else have a position?

Cheryl Langdon Orr: I'm happy to have it linked to or such types of documentation it's linked to.

J. Scott Evans: Okay, and I agree with the footnote comment, but I don't have a vote. So I'm going to ask do others believe that leaving it in as a footnote with this and maybe a couple of other examples, hopefully one that would talk about tolerance, are we in agreement with that?

Subbiah: Fine with me, Subbiah:

Cheryl Langdon Orr: Cheryl, yes.

Jonne Soininen: Jonne (unintelligible).

J. Scott Evans: All right, Marika, we're headed.

Marika Konings: Sorry, I'm - what did we just agree on?

J. Scott Evans: We agreed that the examples that you give below the yellow, rather than being in the text of the document, the full body text, we would make reference to those documents in a footnote as an informative...

Cheryl Langdon Orr: (Unintelligible).

J. Scott Evans: ...that they may want to consider.

Marika Konings: Okay, so but the only one that we have there for now is this statement on respectful or non-communication. Are there any others that should be mentioned there?

Cheryl Langdon Orr: If we can find them that say tolerance, Cheryl here. If we can find them and say tolerance as Avri pointed out, that would be very useful. But it might be a little research job though.

Avri Doria: Yes, and I'll help look for something but I - this is Avri again. I'm just concerned that we're losing the notion of tolerance in our world.

J. Scott Evans: Okay. We're going to look for perhaps another example that discusses tolerance. All right, 3.5. And this is going to be the end of it for today. Now this is the important one.

Cheryl Langdon Orr: J. Scott, I've stepped away for a moment but I'm still on the audio.

J. Scott Evans: Okay. This is the section that talks about the chair in consultation with the chartering organization liaison is empowered to restrict the participation of someone who seriously disrupts the working group.

Cheryl Langdon Orr: Yes.

J. Scott Evans: Each restriction will be viewed by the chartering organization, will be reviewed by the chartering organization.

Generally the participant should first be warned privately and then warned publicly before such a restriction is put into play.

In extreme circumstances, this requirement may be bypassed.

And Avri you have a comment.

Avri Doria: Me and my comments. I should just learn not to read stuff. Which one are we on, the rules of engagement?

Cheryl Langdon Orr: Six point five.

J. Scott Evans: Rules of engagement, .5.

Avri Doria: This thing keeps blanking out on me so I don't see what I'm looking at. I can't see my comment at the moment. Come on.

((Crosstalk))

Avri Doria: (Unintelligible) tolerate this tool. There it is.

Subbiah: This is (Savaya). May I ask a question? What - while she's reading it?

This requirement may be bypassed. What kind of extreme circumstances are we looking at, somebody burning the building down or something? I mean what are we...

Avri Doria: That was just a (work), yes. I mean just, you know, somebody that basically goes into screaming and throwing things at people and, you know, I mean you can imagine such excessive forms of behavior that you just...

Subbiah: Okay, all right.

Avri Doria: ...do it on the spot and then you go get permission.

Subbiah: Okay.

Avri Doria: But by and large you don't want to do it. But...

Subbiah: I understand.

((Crosstalk))

Avri Doria: ...if somebody starts throwing thing at...

Subbiah: So perhaps we should make that a bit - I understand it's ICANN wide. But my (theme) on this would be fine. In extreme circumstances the requirement may be bypassed, but there should be an opportunity that after that bypass is over that within a period of time the person who's creating the problem still has the right to appeal right? I mean...

J. Scott Evans: Right below. It's right below that...

Cheryl Langdon Orr: Yes, it's...

Subbiah: Oh okay.

Cheryl Langdon Orr: It is there.

Subbiah: Then put temporarily he's bypassed, but he can still go forward and within a, you know, a reasonable period of time has his say.

Cheryl Langdon Orr: Subbiah:Cheryl here. Believe me, when you had a meeting when punches have been thrown and a chair was about to be picked up, you want to...

Subbiah: Oh, okay, yes.

Cheryl Langdon Orr: ...get security in.

((Crosstalk))

J. Scott Evans: Yes, (Savaya), the way it's laid out now is that you have to go through the leave unless it's an extreme circumstance.

But if you look below in either circumstance as written...

Subbiah: Yes, okay.

J. Scott Evans: ...booking group member has a right to appeal to the chartering organization chair.

Cheryl Langdon Orr: And it has to be there, yes.

Subbiah: Okay.

J. Scott Evans: And I'm sorry, Avri?

Avri Doria: Yes the - my comment now that I've reread it, has to do more with the placement of the comment before.

We're in a section about chucking people from the list. And then we're referring to someone who feels they're being systematically ignored.

And what I'm saying is yes, that's a really good reason to appeal, but it doesn't seem to pertain to a section on, you know, where we're talking mostly about that.

Now maybe I'm wrong. Maybe it was just my reading it. As I said, this section contains procedures for any member who is perceived to persistently and continually obstruct.

And maybe I'm just misunderstanding that anyone who believes that his or her contributions are being systematically ignored or discounted should first discuss the circumstances.

So I guess when I first read it, I wasn't sure I applied - it applied and that it was in the right paragraph.

Now rereading it, I could see how you could read it to sort of say I blew up because everybody's ignoring me. So what you're advising that person is don't blow up. First talk to your chair.

But I'm not sure that it's properly placed.

Subbiah: This is (Savaya). I also want to say one other thing is that I'm a little concerned about the fact that if somebody - no, I am all for, you know, practical and moving forward that somebody's difficult. You know, that we can bypass this and move on. I mean I'm really for it.

But on the other hand, it (sold) the rights to the person who has been, you know, set aside.

Now the question is if they have been asked to leave or, you know, in this process, my worry is that they have been temporarily asked to leave but they're sort of hearing with the chartering organization or whatever the way they can appeal.

If that process is dragged out for a year or two or three, you know, then it's - that's not fair either right?

So is there some idea or notion of a timeframe that an appeal will be - would be adhered to promptly, you know?

J. Scott Evans: What I would suggest is that we create a separate function under 3 that it deals with appeals by itself that sets out a process for appeals that would have some time associated with it as well.

What do you think?

Subbiah: It's okay. I mean for me it's fine as long it's there somewhere. And a separate section might be worth it too.

J. Scott Evans: Well it just talks about just generally appeals regards to these issues. So that would be my next suggestion Marika if we could maybe put in a three - it would probably need to go at the very end, because if you wanted to appeal anything it would, like...7, a new 3.7.

And it's an appeals process. It would apply to appealing with regards to anything. And we sort of need to think that through and flush that out. But that's what I would suggest. Do I hear others?

Cheryl Langdon Orr: Agree, Cheryl.

Avri Doria: Sounds reasonable. This is Avri.

J. Scott Evans: So it basically just says and then in each individual section it talks about the decision being made where an appeal would apply, we could say subject to the right of appeal as outlines in section blah, blah, blah.

So they just know that this decision is always subject to appeal. And that's spelled out for you as well.

Okay. It is 57 past the hour. I don't - I think the next one is a biggie. In fact, because it is so big, I suggest that we deal with this in our meeting and we do not have a call next week given that there may be different travel schedules for folks heading to Seoul.

So our next meeting would be the in person meeting, I believe that's going to be on Sunday. Is that something that everyone agrees that we should wait till we meet on Sunday to go forward?

Cheryl Langdon Orr: Yes, yes, yes...

Subbiah: (Savaya). I agree.

Jonne Soininen: Yes, sounds good.

J. Scott Evans: Cheryl agrees. Avri agrees. Wow, that's the most agreement we've had all day.

Avri Doria: The agreement to not do work. Yes, Seoul put it off.

J. Scott Evans: Okay, on that positive note...

Subbiah: On Sunday what time, 9:00 am?

J. Scott Evans: Hello?

Avri Doria: Hello? Oh what time is it on Sunday?

J. Scott Evans: Nine o'clock...

Man: Morning what - 9 o'clock. And anywhere particular location decided? No? We don't know.

Avri Doria: Yes, it is. I think it is decided but I'm not - I don't have the schedule in front of me at the moment.

Man: Okay.

Avri Doria: But it is in one of the two GNSO rooms. It'll be...

Man: Okay.

Avri Doria: ...probably you'll know them by heart by Sunday.

Man: Okay.

J. Scott Evans: Hopefully it'll be posted there.

Avri Doria: Yes, it's going to be published. Right, it's going to be published. I mean it's part of the regular schedule.

Glen Desaintgery: Hi Avri, it's Glen.

((Crosstalk))

J. Scott Evans: Hello?

Glen Desaintgery: Sorry, were you looking for something on the schedule?

J. Scott Evans: I was...

Avri Doria: Yes, what room is this in at 9 o'clock in the morning on Sunday?

Glen Desaintgery: On Sunday we've got Emerald and (Bellview).

Woman: It's in the Emerald Room...

((Crosstalk))

Avri Doria: Okay great. Thanks.

Glen Desaintgery: And it is direct scribing there. In the other room there is where they will be recording and a transcription afterwards.

J. Scott Evans: Okay guys. I'm getting...

((Crosstalk))

Cheryl Langdon Orr: Okay J. Scott, can you just - before you go, can you just note my at the beginning of that meeting I will be delayed because I have to start off my day...

J. Scott Evans: Okay.

Cheryl Langdon Orr: ...in the other room but I will be attending.

J. Scott Evans: All right, thank you.

Cheryl Langdon Orr: Bye all.

Jonne Soininen: Thank you.

Man: Bye.

Avri Doria: Bye.

Woman: Bye.

END