
ICANN Transcription

GNSO Standing Selection Committee

Thursday, 07 2021 at 13:00 UTC

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ANDREA GLANDON: Good morning, good afternoon, and good evening. Welcome to the Standing Selection Committee meeting being held on Thursday, the 7th of January at 13:00 UTC.

In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you are only on the audio bridge, could you please let yourselves be known now? Thank you. Hearing no names, I would like to remind all participants to please state your name before speaking for transcription purposes, and to please keep your phones and microphones on mute when not speaking to avoid any background noise. As a reminder, those who take part in ICANN multistakeholder process are to comply

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with the Expected Standards of Behavior. With this, I will turn it over to our chair, Carlton Samuels. Please begin.

CARLTON SAMUELS: Good morning, good evening, good afternoon, everybody. Welcome to the GNSO Standing Selection Committee meeting. I hope everyone is feeling better after the break.

The agenda is on the screen in front of you. There are just four items on the agenda. Can ask if anyone has any objections to the agenda or would wish to see additions to it? Okay. Hearing no requests, do we have any SOI updates? Hearing no request, can we then move to the second item on the agenda?

Discussion of the poll results and the candidates. This is the poll for the GNSO Nominated Fellowship Program. I'm going to ask staff to just go through the highlights for us. So, Emily, if you could lead us in this discussion, please? Thank you.

EMILY BARABAS: Hi, Carlton. Hi, everyone. This is Emily Barabas from staff. Happy new year to all. You should be able to see on screen now the results of the poll. This includes eight responses. Eight of nine members responded, which is great. And hopefully you also saw that Marie sent by e-mail her feedback as well. So this chart that was circulated with the agenda does not include her feedback, but hopefully you got to see that as well and I'll try to incorporate that as we go through.

I won't review all of the individual comments. I think that'll take too long and hopefully you've seen them. But I did want to just look briefly at a couple of the summaries, specifically around the—Marie, it's no problem at all. Of course, this first week back is a challenging time to get deadlines in. So there's four candidates here. As you all know, this first question, Question 3 was about whether SSC members viewed the candidate as being qualified for the position. As you can see, all respondents felt that Farrel Folly was qualified. There was sort of equal level of support for Desara and Vivek. And for Hago, there was the lowest level of confidence in his qualification, sort of equally those who felt that he was and was not qualified.

Then I wanted to just also briefly touch on the final question about ranking of the candidates. This is on page 14 of the summary. So you had five members stating that they felt that Farrel Folly was the most qualified candidate, although one of those responses said that they—oh no, I'm sorry. One stating that Vivek was the most qualified candidate, although taking into account Marie's feedback by e-mail, there were actually two. Two members favor Desara, and none favored Hago. I did want to note that one of the folks who put Vivek as ranked first said that they felt that Farrel and Vivek were pretty equal.

And then I'll just leave it here on some of the final comments. I did want to note that one respondent said that they felt that none of the candidates appeared to have the necessary skills, so that might be something to touch on for the group. I don't know if someone wants to speak to that comment but that might be

something to cover further. Unless there are any questions, I'll hand it back to Carlton. Thanks.

CARLTON SAMUELS: Sorry about that. Thank you, Emily. You've heard the comments. You've seen the comments, especially in the Question 13 comments. The person who thought that none of the candidates were really qualified, matching skills as they say, for the Fellowship Program, maybe we could have a conversation about what that person saw. Is it possible for the member to weigh in here and let us know what the thinking was behind this position? I'm not seeing any hands. I'm presuming that we're accepting as a group that Farrel Folly is best positioned to become the mentor. Are there any objections to that assertion? Any objections? Nope.

Can ask the question in another way? If given the requirements, the skills and attributes that were presented for the candidates to match, does anyone see any holes in the skills and attributes that were judged to be relevant or required for this candidate? Are there any holes? Do you think we could have improved the requirements' definition for the candidate?

Okay. Can I ask the final question in this then? Oh, Naveed and Jothan are not on this call. Okay. Well, we might be missing the person who would have made a comment. It would have been interesting to hear from this person what they thought was missing from either the candidate or the skills and attributes set that was judged to be required for the position. So it's either the position, the skills and attributes set was not relevant or had holes in it, or the candidate themselves did not meet what is supposed to be on

the existing set of skills and attributes. So we probably will not know that. Maybe the person who is listening to the call afterwards from the recording, maybe they would want to chime in by e-mail. Given that we have two councilors missing—Sophie, you have your hand up.

SOPHIE HEY:

Thanks, Carlton. I suspect what you're about to say but maybe we can take as an action item to send an e-mail out going there were no objections on the call, which I believe is standard practice but also note this comment and ask if whoever made the comment would still be comfortable despite making that comment or something like that, but explicitly noting that someone had reservations about all the candidates in general.

CARLTON SAMUELS:

Thank you, Sophie. That's where I was going. I thought what we'd do since the two persons are not here, we would use the e-mail to ask for a consensus. This is a channel for a consensus call. We might even note in the consensus in the e-mail that that question was raised and whether or not there is any requirement of clarity or greater depth in the skills and attributes set that was required of this candidate. So, maybe as an action item, we will use the e-mail channel to put it out to consensus. I don't know—how long does it take? To a week, to three days, Emily? Can you help me here?

EMILY BARABAS:

Hey, Carlton. Typically what has been done in the past is that those attending the call have tried to come to a sort of preliminary

agreement of a candidate, if they can, for a recommendation, and then put that to the e-mail list. Given I think typically it's been 24 hours for members to respond and object to the designation. You could stretch out longer if you wanted to. You could say Monday, for example. The motion deadline for the upcoming Council meeting is Monday, but it is possible to put in a placeholder motion that doesn't include a name and fill that name in a little bit later if you would like to give people more time to weigh in on the mailing list. Thanks.

CARLTON SAMUELS: Thank you, Emily. I think we should allow people some time to make the objection. So what we'll do is we'll take that in this meeting, at least the members present here, believe Farrel Folly is as qualified to become the mentor. And we will put it out an e-mail list. We'll have a placement for the Council meeting without the name in it, and members have on until maybe next Monday afternoon to respond on the e-mail. Otherwise, after that we will update the placer in the meeting and place Farrel Folly's name as nominated, selected to be mentor. Are there any objections to that? Seeing no objections, can we move to item number two?

EMILY BARABAS: Hi, Carlton. Just a quick point of clarification before I move on. That's Monday, the 11th this coming Monday, is that correct?

CARLTON SAMUELS: Yes.

EMILY BARABAS: Thanks. I'm sorry about not raising a hand because I'm doing [inaudible], I'm not able to do that.

CARLTON SAMUELS: That's all right.

EMILY BARABAS: Okay, thanks.

CARLTON SAMUELS: Okay. So can we move to agenda item number two? Agenda item number two—number three, sorry—is we want to get a conversation about the GNSO Representatives to the Community Representatives Group for the IRP Standing Panel. Members will recall that we had a candidate and we had some preliminary discussions around the candidate. We feel it would probably be useful to think about how we're going to get around this. The original idea was that we should have been prepared to report a selectee by the end of January. It appears now from what we hear that we may have some time yet, a little longer to make this decision. It seems to me that at this stage, what we might wish to do is talk about the next steps to making the decision.

Staff provided a guide for the selection and members were asked to review the guide to see if there were any holes that we could patch or any additional thing that we might wish to include. We had a discussion at the leaders meeting yesterday and we thought

that there were a couple of things that would be required for greater in-depth review of the candidates.

For one, we believe a full detailed CV would be useful for additional information, especially for those members who are not so familiar with the candidates. It would be useful and important. That was one thing that came up. We also felt that there might be a role for an interview to be paid with more than one candidate. And we felt that we could develop a series of questions that could be asked of the candidate to elicit some information that will be useful for decision-making. As you see, it's right there on the screen in front of you. Can I ask if members here present have any additional ideas or thoughts on the way forward? I see Marie here. You have the floor.

MARIE PATTULLO:

Thanks, Carlton. It's not so much question on the way forward. It's a point of clarification, if I may. My understanding is that there has been one candidate who has come forward and I'd be grateful if staff could confirm to me when the close date is because if we have indeed only one candidate and the call is closed and that candidate is Heather Forrest who was the former chair of the GNSO Council, I don't think we need to be terribly worried about checking that she has the required qualifications and experience. Thanks.

CARLTON SAMUELS:

Thank you, Marie. Emily? Before Emily, Sophie, you have the floor.

SOPHIE HEY: Oh no, no. Emily's hand was up first. I defer to her.

CARLTON SAMUELS: Emily, you have the floor.

EMILY BARABAS: Thanks, Carlton. Just to respond to Marie's question, that's correct. The Expression of Interest window has closed. That closed in, I believe, early December. There is only one candidate. The candidate is Heather Forrest. And there is a guidance document that the SGs and Cs provided with some additional guidance about how the SSC should go about evaluating the candidate. So I think the question here is, the EOI didn't request a lot of specific information from candidates. It was a general call across the SOs and ACs. And you can see on the private wiki, the candidate statement is fairly short, although a lot of you already know Heather from your own experiences working in the GNSO. So I think the question, as Carlton said, is basically, does the SSC feel like it can conduct a rigorous enough process to evaluate Heather with respect to the criteria that are included in the guidance document as particularly important—I'm just clicking ahead here. In highlighted text, you can see the sort of key qualifications that the SGs and Cs felt were important to focus on. So if you all feel like based on your experience and based on the materials provided, you can confidently say as a group, by full consensus, we believe Heather should serve in this role, then the processes is essentially complete. But if some of you don't have

experience working with Heather or don't feel like the materials are sufficient, there is an opportunity to request either additional written materials, a CV, or something else to help make that decision. So I hope that that helps to clarify. Thanks.

CARLTON SAMUELS: Thank you, Emily. Sophie you have the floor.

SOPHIE HEY: Thanks for that. As Marie says, Heather being a former student of hers, I'm not particularly worried about having enough information to make a decision on whether or not she is appropriately qualified for the role. It's about this is the first process of identifying a Community Representative Group. And bearing in mind that after we've done this, we'll be asked to do a report on whether or not we think the process is appropriate, and also recognizing as a first process for appointing the Community Representative Group. This is going to create some kind of precedence for future ones. So I think what we should be looking to achieve and asking, not just "Is Heather qualified?" but is this enough from any given candidate to be making decisions? And to be clear, I don't think interviews are necessary or useful for the SSC. However, I do think that one thing we should be looking at is whether we want to ensure that there's a built-in flexibility for future processes and indeed if there's a second call for EOIs for the Community Representative Group, whether there's a replicable trustworthy and reliable process for appointing candidates. So that's just my perspective and some of the insight that may or may not be helpful for whether or not we do ask for extra information from Heather. Thanks.

CARLTON SAMUELS: Thank you, Sophie. Tatiana, you have the floor.

TATIANA TROPINA: Hi. Hello, everyone. Well, first of all, I know that I'm here ex officio so I'm not contributing to the selection probably, but I can definitely say that if Heather is not qualified, I don't know who is.

So getting to what Sophie said, I agree with her that this process in general is a trial for any kind of such selections, but also I think that looking at what we have right now—and I do believe that this group might be in large consensus to confirm her straight away. However, I also think that even without asking Heather for any further information, you can provide recommendations for such appointments in the future. Like for example, we are asking for Expression of Interest. However, it might be worth for the future to also ask for the full CV, for the outline how qualification and skills actually fit, because if it would be any other candidate, perhaps there would be other considerations. So I believe that without asking Heather for this information—because if we can take this decision without going through these hurdles, it's fine—we can still recommend improvements for the future. So they do not necessarily have to be tied to Heather as an applicant. I don't know if it makes sense but I think that it might. Thank you.

CARLTON SAMUELS: Thank You, Tatiana. So what I'm hearing is that—Marie, is that a new hand? Do you want to have another thing? Thank you. So what I'm hearing said here is that most people believe that

Heather is really fully qualified. I do. Most people believe that what is really at stake here is for us to lay down the tracks for this kind of appointment by ensuring that we do collect, if possible, gather information we need to make a decision about the candidates, especially if there are multiple well-qualified candidates. The feeling here is that we could make a decision on Heather as is but then when we put, we ensure that this is the additional we lay out, outline all of the additional things we should do as part of the process. So in one sense, this seems to be emerging consensus that Heather should go forward. And then in the report we are required to produce, we make sure that we outline that future exercise of this nature should include more information like from the CV, as you may, and we could have questions that require detailed responses.

I would think that's a reasonable thing to do. I have to tell you that I served on Board's Compensation Committees and Recruitment Committees many times. When you have candidates that are closely linked and qualified, I believe that you should not [write out] a conversation step where you get to meet the person directly and have a conversation first. I feel that in many situations where you have multiple candidates, unless you believe that you will not have—you couldn't possibly have multiple well-qualified candidates, equally qualified candidates vying for the same role. I really do believe that the conversation is actually important in those situations to enable people to make up their minds fully. So I personally would want to see as part of this exercise, given the circumstances, some space that is left for a candidate. We believe it's so important. I think it's important to have that, at least have the opportunity to have that step. I don't say that it has to be

always exercised. But to the extent that it is available for use, it is one of the tools in the box that might be useful.

I could ask a question here. Again, we are missing some folks but can I ask if we agree that is the reasonable approach for the next steps? We could report Heather for a consensus call, write a report that says we would recommend including these additional steps and we'll plan the steps and with the rationale for adding the steps and move forward. Thank you. Julie, you have the floor. You're up.

JULIE HEDLUND: My hand is up for Emily. Emily, please.

CARLTON SAMUELS: Hi, Emily.

EMILY BARABAS: Hi, Carlton. The SSC charter for Cs for a typical SSC process—and of course this isn't exactly typical but I think the guidance documents said that we should try to follow SSC process where it's practically impossible to do so. In a typical process there's an opportunity for members to each sort of make an individual assessment of the candidates—or candidate in this case—before the group comes together and deliberates on the candidate. So I'm mindful that some members may have not had a chance to thoroughly go through the guidance document, thoroughly go through the Expression of Interest statement, and that it might be useful to do a very short poll to give everyone a chance and

ensure that everyone has thoroughly reviewed the materials before making a final decision. So perhaps a short poll just basically saying, "Do you believe that the candidate is qualified based on the available materials and your own experience?" Have folks fill that out. And then perhaps have another meeting next week, just to finalize the decision with a 24-hour e-mail follow-up or whatever is appropriate to make sure we have full consensus. I think that would be a little bit closer to the general SSC process and would help to ensure that everyone feels fully on board. So it may seem like a bit of a formality but that is a suggestion from the staff side. Thanks.

CARLTON SAMUELS: Okay. Thank you, Emily. Still noted. So we get back to that. Taiwo, you have your hand up so you have the floor. Taiwo, you're still muted. Taiwo, you have the floor.

TAIWO PETER AKINREMI: Okay. Thanks so much, chair. To retreat on what Emily just said, I will appreciate if individual assessment is done on the candidates and a poll is open for us to be able to access individually, that will go a long way. Okay. So that is just what I wanted to have. Yeah. Thanks.

CARLTON SAMUELS: Okay. Thank you. So the advice from staff is that we have a short poll to members. Members will then get an opportunity to have their individual responses recorded. Then after that, we would have another meeting, and based on the outcomes of the poll, we

could see whether or not we have achieved consensus and we would do the same with putting out a short consensus call via e-mail. Then make the confirmation if there are no further objections. In regard to the report, though, we are required to write a report. We agreed the basic outlines of the report that we'll [inaudible] the recommendation. The idea of course is that we will outline what the process was this time, but then making the recommendations for the further process, addition to the process, like the CVs and so on, going forward. Is that agreeable? Okay. I'm seeing no objection.

A question came from Marie. "Do we actually need a meeting next week?" Craig is supporting it. Well, in my view, once you put out the poll, the results of the poll could be circulated like we did just now. Maybe something might happen that will require and discussion. As Emily is pointing out, it is the usual practice that staff was recommending. That being the case, I think it's something that we should embrace so that the report that we put out show that we have not just done our usual process but that would extend the process a little further.

Emily is suggesting that, in that meeting when we create the report of the poll, we could then have a further discussion about the content of the report to go forward.

Not to make too much of this, the question was asked about the guidance note that was sent from SGs, and it's still something that members can look at and make comments on it. So if there's an opportunity to look at the guidance note again, I would recommend that you also add whatever you think is required and

basically will be useful just for the record, to make it as complete as possible.

Marie is saying that we should put a placeholder to see if the meeting is necessary. That's the Marie's comment on this. I could go with that as well, but I think just to stick with the traditional process might be useful in this case, and then to show that we would make some additions to our usual process for this specific or these kinds of considerations. I would say that we could have the meeting but we can make this as [inaudible] as possible, and then we can move on.

Are there any other comments on this issue? Okay. Seeing no comment and seeing no hands, can we move to the next item on the agenda, AOB? I'm seeing no hands. Can I just ask staff to— oh, Sophie, your hand is up.

SOPHIE HEY:

Sorry, still getting used to where it is. I just wanted to ask, I know we discussed that last time about the potential for the SSC to be whether or not there should be a second AOI for the Community Representatives Group. I was wondering—noting that we have time, I'm very sorry that you might not get all the time out, but an extra 25 minutes backed by me raising this—but whether or not we want to have that discussion now or if it should be deferred until later.

CARLTON SAMUELS:

Well, we did make the case that we would have the CV and we would have more details in the EOI for this specific thing. We did

make that case. I'm not sure I'm following. What else would you consider is missing from that?

SOPHIE HEY:

Sorry. Before Emily goes, I'll just quickly say before Christmas I raised the possibility of whether or not the call for EOI should be extended, given it was so short and just before Christmas and we only received one candidate. We discussed last night about whether or not, sort of an update that potentially there could be a second call for EOIs for the Community Representatives Group, given only one GNSO candidate and that that could run in parallel with the existing process. I was just wondering, and potentially that the SSC could be providing feedback on whether a second call for EOIs should in fact be open for the GNSO. I see Emily's got a hand up, though.

CARLTON SAMUELS:

Okay. Yes, I'm following you now. Yes, we did have that conversation. Emily, you have the floor.

EMILY BARABAS:

Thanks, Carlton and Sophie. I just wanted to provide a little bit of additional context for folks who might not be following the specifics of this conversation too closely. Sophie provided a little bit of context about the possibility of a second EOI process.

There's the possibility that there are up to two slots on this, the CRP group from the GNSO. But because there was only one candidate, only one candidate through this current EOI process,

only one slot could be filled. So, this discussion about reopening the EOI in conversations between the SG and C leaders would really be about, does the GNSO want to put forward an additional candidate for this additional slot? So it's sort of a parallel and separate question from the question about considering Heather, if there was a new EOI selection process. So I just wanted to clarify that. And my understanding of the status of that discussion is that the SGs and Cs are still sort of weighing in on whether that's something they want to do. But regardless, that shouldn't have an impact on the process that we were just discussing about evaluating Heather as a candidate. So I just wanted to provide that clarification. Thanks.

CARLTON SAMUELS:

Thank you, Emily. The question was asked by Sophie to the members whether or not you think it is something that we should, from our side, recommend/believe it is useful to suggest that they move forward with it. Where do we go? Any comments? Okay. We have no comments from members on whether or not they would weigh in on this issue or [inaudible] additional member and whether or not we could make any comment and a perspective for the SGs and Cs. Yes, this is our understanding as well, the SG/C individual. We're just asking members if they had any view on this and if they want to say anything on this. There'll be no suggestion here.

Can I ask for the last time whether or not there any other matters that members would wish to bring to the floor here? There's no other comment? Can we ask for the meeting to be adjourned? If that's the case, I think we're going to bring this meeting to an end.

Thank you all. Oh, before I do, can I just ask staff to see whether or not the action items that we have are known to everybody? Emily, is it possible for you to just kind of give you a minute to outline what would be the action items off of this meeting?

EMILY BARABAS: I'm going to defer to Julie who has been taking notes on this call. Thanks.

CARLTON SAMUELS: Thank you.

JULIE HEDLUND: Yes. Hi. I have been taking some notes. I have a couple of action items. For the discussion of the poll results in candidates for the GNSO Nominated Mentor for the ICANN Fellowship Program, I have two action items. The first is for staff to ask on the list if there are any objections to putting forward Farrel Folly as the candidate and also whether the person commenting on Question 13 that none of the candidates were qualified is willing to elaborate on the list. We'll ask the SSC members to respond to this request by Monday, 11 January.

The second action item is for staff to draft a placeholder motion (without the name of the candidate) for the GNSO Council meeting on 21 January. The motion and document deadline is the 11th of January. And that name then can be added in once we've confirmed that there is full consensus in putting forward the candidate.

And then on the next steps, GNSO's Representatives to the Community Representatives Group that will nominate the Independent Review Process Standing Panel. We have one action item and that is for staff to circulate a draft poll for review, open the poll, and SSC members will be asked to take the poll. Staff will schedule a placeholder meeting for next week for SSC discussion of the results of the poll with a 24-hour objection period to follow.

Are there any questions or clarifications with the action items? Then back over to you, Carlton. Thank you.

CARLTON SAMUELS: Thank you, Julie. So members, here are the action items. There have been no questions or clarifications required at this point. I think we're going to bring this meeting to an end. Thank you all for showing up. Thank you all for participating. Good morning, good evening, good night all. Take care.

ANDREA GLANDON: Thank you. This concludes today's conference. Please remember to disconnect all lines, and have a wonderful rest of your day.

[END OF TRANSCRIPT]