

**GNSO – ICANN Nairobi Meeting
GNSO Wrap-up Session
11 March 2010 at 13:00 local time**

Note: The following is the output of transcribing at the GNSO Wrap-up Session held in Nairobi on Thursday 11 March at 13:00 Local time. 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.

(Participants list at the end of the Transcript)

Coordinator: This call will now be recorded. Please sir you can go ahead. Thank you.

(Stephan): ...just said that it's on record. I'm welcoming everyone to this wrap up session. Can we start with a roll call please Glen?

Glen DeSaintgery: Certainly

(Stephan): Is everyone still there?

Glen DeSaintgery: Are you on the line?

Woman: Hello.

Glen DeSaintgery: Hello.

Woman: I am now here, yes.

Glen DeSaintgery: Have we got anybody from Reston on the line.

Chuck Gomes: Yes we do Glen. Chuck is here. (Kristina) is here. And (Caroline) is here.

Glen DeSaintgery:Thank you.

(Tim): And (Tim) has dialed in remotely.

Glen DeSaintgery:Thank you (Milton).

(Tim): No, (Tim).

Glen DeSaintgery:And (Tim).

Rafik Dammak.

Mary Wong.

Mary Wong: Here.

Glen DeSaintgery:(Debbie).

(Debbie): Here.

Glen DeSaintgery:Rosemary Sinclair are you perhaps on the line? No.

Andrei Kolesnikov.

Andrei Kolesnikov: I'm here.

Glen DeSaintgery:Jaime Wagner.

Jaime Wagner: Here.

Glen DeSaintgery:Wolf-Ulrich Knob. – here -

Zahid Jamil.

Zahid Jamil: Here.

Glen DeSaintgery: Have I left anybody out? Bill Drake. Sorry Bill. And (Wendy). Have I left anybody out?

(Olga): Glen.

Glen DeSaintgery: Yes. (Olga).

(Olga): This is (Olga).

Glen DeSaintgery: Welcome. Thank you. Anybody else? Have we perhaps got (Edmon) on the line? Thank you. (Stephan) over to you.

(Stephan): Thanks Glen. And I believe (Han Xuan Li) is on the line as well just to mention that.

Glen DeSaintgery: Thank you. (Han) then I'll put you down.

(Stephan): And I'll ask at this point if anyone wants to amend the agenda in any way? Bill.

Bill Drake: Hi. I'm just looking at it now and do not see, unless I'm missing it, you can tell me. Do we not have a (unintelligible) vote for the review team?

(Stephan): That is Agenda Item 4 unless I'm...

Bill Drake: Is it - did I miss it? I'm sorry. Oh, It's not bolded. That's why. I just missed it, sorry.

(Stephan): Is that okay Bill? Great. Any other comments? Hearing none. Let's start with Item 2 then and the action (unintelligible) organization PDP and the very

fruitful debate that we had yesterday. And I want to start off by echoing Mary's email yesterday and thanking everybody for their involvement and their help in getting resolution on this.

So just to - perhaps I should just give a quick update of what the working group that was passed by the Council with working on this PDP met yesterday for (straight up) with the Council meeting for its first meeting.

What we have on the agenda at the moment first of all is making sure that the working group is actually brought together. So I have asked Glen to put out the call for volunteers, Glen can you just let me know when that call is going out? Glen said it will go out...

Glen DeSaintgery: It will go out sometime today.

(Stephan): Thank you Glen. So there's a call that's going to go out sometime today. I would ask all of you please to forward that to your groups so that we can make sure everybody who wants to be on the working group is aware of their need to contact Glen at her usual email address and say that they want to be on the working group.

I have set a deadline of next Monday, not this coming Monday but the one after that. That would be Monday the, let me just check...

Glen DeSaintgery: Twenty-second.

(Stephan): ...thank you very much, for volunteers to request to join the working group. And the next item on our agenda is to work on refining Objective 5 in order to meet the Council's request for the working group to come back with a definitive version of the charter or two alternative versions of Objective 5 and then let the Council decide that that should be done by the next Council meeting. So we have three weeks to do that.

The group has been made aware of that, that is duly noted and that is a deadline we are set to meet. I am acting as Council liaison to the group. So I will be providing the Council with regular updates. And as such I am acting as interim Chair. And once the group is constituted, the first item on that agenda then will be to nominate a different interim Chair.

Are there any other comments or questions on the PDP working group?
Chuck, you've raised your hand.

Chuck Gomes: Yes. Thanks (Stephan). Just wanted to share a comment. I think it would be helpful if you as interim Chair when you make a call for volunteers or however you approach it to communicate that following the anticipated guidelines for working group that you note that it would be helpful to get someone who is relatively neutral.

I don't know that we ever get anybody perfectly neutral but I think it would be helpful if you included that in however you (approach it). Thanks.

(Stephan): Chuck, can I just ask you to say that last part again? We're having some - the sound isn't as good as it was and...

((Crosstalk))

Chuck Gomes: Is this better? Can you hear me now?

(Stephan): Yes.

Chuck Gomes: Okay. I'm real - leaning over the (Polycom). Just - I'm just suggesting that however you put out a message with regard to selecting a Chair and maybe even seeking volunteers, note the working group guidelines, the draft working group guidelines, that emphasize the neutrality of the Chair. Again, I don't believe we can ever get perfect neutrality but we should strive to get someone who is relatively neutral in a Chair position.

(Stephan): Thanks Chuck. That was clear. I (didn't) intend on putting a call out, a written call out for a Chair, but to try and - I've asked for a conference call to be organized, not next week because everyone's traveling back obviously but the week after. And that would coincide with - that would be past our deadline for calls for volunteers.

So we would then have a constituted working group. And I would like the first item on the agenda for that call to be the selection of the Chair. And I fully agree that the Chair needs to be neutral. It's what I tried to do in the drafting team and it's certainly crucial that the Chair be as neutral as possible in going forward to the working group.

Can I just say that the technicians here are telling me that if you're able to not use the (Polycom) but a personnel handset, that would be helpful for the sound level here.

Chuck Gomes: There are no personnel handsets in this room.

(Stephan): Okay. Well make do with what we have. Thanks Chuck.

Chuck Gomes: And (Stephan) just one follow up. Essentially what I'm saying is make the point about a relatively neutral person to Chair before any activity happens on that too so that people are aware of that before they start making nominations or volunteering.

(Stephan): That's taken (on board). Thanks very much. (Tim).

(Tim): Yeah. I'd like to even maybe go a little farther with that suggestion in that I don't think that it would be a good idea have either a registrar or registry representative be Chair. I think that would be a difficult argument to make that they would be neutral.

And then one other suggestion I would make is that it might be good for the working group if, whether it was someone from the General Counsel's office of ICANN or someone else who actually very early on gave the working group some advice as far as, you know, discussions that might cross the line in antitrust matters.

For example in the U.S. or, you know, with competitions, rules or regulations that might, you know, come into play within the EU or just in general so that we don't -the working group doesn't lead itself own a path for discussions that will get participants in trouble or making it possible for certain participants to even fully engage.

(Stephan): Thanks (Tim). I think that's an excellent suggestion, the second one and I'll hand it out at (Margie). I just want to say before I do that on the first suggestion that's duly noted and so I will not in that case be putting myself forward as candidate for Chair of the group. If other members of the group feel strongly about the fact that they shouldn't be a registrar and that I would not be sufficient in (unintelligible). (Margie).

(Margie): Thanks (Tim) for that suggestion. We'd actually already concluded that and we were thinking of perhaps one of the first calls having maybe (Amy) from legal department giving us kind of a talk, you know, overview on what the antitrust limitations are and what we can and can't talk about. So we'll try to schedule that very early on in the process.

Man: (We actually) - we've done that before and (unintelligible) did a great job of that, so appreciate that.

(Stephan): (Zahid).

Zahid Jamil: Yeah. As Councilor in my first capacity I would like to say that I would have no objection if (Stephan) continues to Chair that working group.

(Stephan): Any other comments? Chuck.

Chuck Gomes: (Stephan) I could not hear the last statement. So if - speak a little closer to the mikes or whatever you have there, that would be helpful.

Zahid Jamil: Chuck, this is (Zahid). I'm saying I would have no objection if (Stephan) continued to Chair that working group. I understand the people have concerns. I'm just stating my own personnel opinion.

Chuck Gomes: Thank you.

(Stephan): (Alan).

(Alan): I have no great problem if a registrar or registry Chairs it as long as it's clear that they're on that group purely as the Chair and not representing special (interests) rather hard thing - which is a rather hard thing to do having tried it.

Moreover since the call for applicants for the workgroup is likely to attract people who do have interest, you may want to explicitly note in that call that the group will need a Chair who will be - act impartially whether they have interest or not. You may want to exclude (to detract it).

(Stephan): Okay. So I think both your and Chuck's suggestion is that we do put something out in the call with regards to the Chair. Glen, did you make a note of those? And I think we may want to include in the call just a short point about the Chair of the working group and the fact that we will be actively looking for a Chair as soon as the deadline has past and that that Chair would require - would be required to be neutral but that should do it.

I will then explain at the next meeting exactly what we discussed here. And I do agree with all the comments made about the need for neutrality. It really is something that I set out to do in the drafting team itself where I refrained from

personnel comments as much as possible because I understand that this issue really does require some neutral leadership.

(Alan): Just a follow on comment. In a working group where there is not quite as much at stake including financial matters at stake, one can accept having two hats and switching them. In this kind of one I think Chair has to wear only one hat. And as I said, I don't mind who it is as long as that person acts squeaky clean (when doing it).

(Stephan): Zahid.

Zahid Jamil: The feedback I got from my members in the (BC) was that despite (Stephan) and, you know, no personal - intended that you're a registrar, but they felt that you were extremely neutral and that was a good comment that I got.

I understand that people have concerns with regard to antitrust and I think that's about a valid concern. But if we are going to choose that, you know, (Stephan) shouldn't continue, I would suggest that we make a special note that he has acted in a very neutral manner so far. I just wanted to make a special mention of that. If we are going for other purposes, maybe legal purposes choose somebody else, that's fine but I just wanted to make that mention and I'd like that recorded.

(Stephan): Thanks very much Zahid. I appreciate that. (Tim).

(Tim): Yeah. Stephan, just to be clear, I never intended to imply that you weren't. That wasn't my intent at all. I am just concerned that a truly neutral Chair is leading this group. That's it. Thanks.

(Stephan): Thanks (Tim). Any further comments on this? Hearing none, let's move on to Item 3. And - sorry, was someone on the line there?

(Edmon): Yeah (Edmon) joining.

(Stephan): Sorry, who was that? Oh (Edmon), welcome.

Man: (Edmon) (unintelligible).

(Stephan): (Edmon) we can hear you. Can you hear us?

(Edmon): Yes. I just joined the call.

(Stephan): Great. Thanks. Welcome. So we will move on to Item 3 and the additional discussion on the prioritization model. And Jaime I think you're reaching for the mike.

Jaime Wagner: Would you like me to do a PowerPoint presentation again? There are some slides that were not presented in the open meeting. But I will be glad to talk about it and without the aid of slides.

(Stephan): Jaime if you think it's going to be - it would be useful for us to see the slides, then by all means let's do so. If you'd rather start the discussion without slides, we could do that as well.

Jaime Wagner: Okay. I think I can - did you pay attention to the presentation the open meeting, yeah? Okay. So do you remember it? Okay. So I won't take your time with that.

I would like to reinstate and to remember that the work of this group it seems is aim is not at the prioritization but to a model of prioritization to propose to this whole group and our main effort is to provide an efficient and effective way for us to do this exercise as a group.

And well, the work - the first (Beth) and (Cam) and (Liz) I think (brought also that) apart from that first brainstorm, they brought us two (access) models and one was value and the other one is difficult. Now it's okay? Well, after

long discussion we (defined it as) two (access) and we also had some discussion on the list of prioritized projects.

We also came up with a list of known prioritized projects and this is something that I will defer discussion here to another meeting. We (bid) the (exercise) in the group prioritizing in the two (access) models and I'm not following Marika, so. Okay. Okay. Well, I...

(Stephan): If it can make things more difficult than perhaps Marika you can just...

Jaime Wagner: It's okay. This is the two (access) models just to - it's kind of a illustration, okay. There's no actual project in this picture here but this is kind of the work we have done. But after we reinstated that priority was mainly value and this is what we will propose the Council to do. Is to - we propose only a second - only if there is a tie between two projects of value, then we will have a prioritization on difficulty as a tie breaker. This is our proposal.

The model also and now (Mike) I would like you to (belong). Well this is just a schedule, timeline of our progress. We have been having meetings every Tuesday and it's been a good work. Well, it seems we have been - we're having some problems here with...

(Stephan): Just bear with us for a minute. We're having some discussions with - if I understood it, they want us to change rooms which won't be convenient. So just bear with us.

But Jaime, sorry, just carry on and we'll try to handle it as an aside.

Jaime Wagner: Okay. If...

(Woman): (Unintelligible).

(Stephan): Okay. Turn off the speakers please. Is there anyway that we can hear Chuck and the others without having the speakers going through? Okay. Let's carry on. Carry on.

((Crosstalk))

(Stephan): And welcome to Africa.

Jaime Wagner: I was trying to eat my dessert while they (unintelligible). Yeah, okay. Don't speak in the microphone. Well I will - I whisper. I will whisper. Okay.

((Crosstalk))

Jaime Wagner: (Unintelligible) are you still there?

(Stephan): Just carry on Jaime for now.

Jaime Wagner: Okay.

(Stephan): And we'll work it out on the fly.

Jaime Wagner: Okay. Well what I have to add is how the - how we will present this (unintelligible). We will present a (unintelligible) but still require (unintelligible) only to do this prioritization. (Unintelligible) of the prioritized projects (a) description of it. Also (the) proposed (unintelligible) (scale of) (unintelligible).

(No wait?) They cannot hear me? Let's do this. Can I - can you hear me?

(Stephan): Can I take a break for just five minutes just so we can work this out because we're having issues here. I apologize once again to the rest of the people. Just please allow us a couple of minutes break (so that) we have (unintelligible) government officials to not have any sound (at all)

(unintelligible). Please just bear with us for five minutes here. We'll take a break here. (Thank you.)

Coordinator: Hello. This is the operator. Hello, excuse me, is there anyone there?

Man: Yes we're here and resting. We're just hanging out waiting for the room to get (closed out).

Coordinator: Yeah. I (do not) at the moment anyone on the meeting (deal with the) communicate too. However, the line is (unintelligible) (low) that seems to be very low we tried to adjust the volume and put it up but it looks like most people are talking from the same room. So if someone talks far away from the microphone that the voices appear.

Chuck Gomes: Actually what they're doing is moving to a new room...

((Crosstalk))

Chuck Gomes: The problem is it's right next to sit next to a state function and they've been asked to cut the volume down so I think everyone is taking a five minute break to find a new room.

Coordinator: Okay. That's brilliant. I will also - if you like I can edit the recording and just cut this bit of interruption.

Chuck Gomes: Okay.

Coordinator: So that it will be more at the end.

Chuck Gomes: Yeah. That would be terrific. Very good idea.

Coordinator: Okay then. So, yeah let's wait for them to connect again.

Chuck Gomes: Yeah.

Coordinator: Thank you.

Chuck Gomes: My guess would be five minutes, maybe 10 minutes.

Coordinator: Yeah, that's fine I will be on the line anyway. So I will retrieve the time when the call starts again and then I will edit the body of the file afterwards.

Chuck Gomes: Terrific. Thanks very much.

Coordinator: Thank you.

Man: There it is. One, two, three, four. Yes. Hello, hello, hello. One, two, three. Hello. One, two, three, four, five, six, seven, eight, nine, ten. I learn to count English. Testing, testing. One, two, three, four, five. Okay, do you people can hear us?

(Stephan): Let's try it and pick up the meeting again. Sorry once again for that. Jaime, over to you.

Jaime Wagner: I would like you (unintelligible), which is the main thing. We have the project list as I said. We (unintelligible) the other (factor) (unintelligible) there's (unintelligible) to (access) will (unintelligible). But I would like to (say more) (unintelligible) session was okay. Well now (unintelligible) - yeah. It's good now. Okay. Yeah the problem is that if I speak louder then the other room will...

(Stephan): Yeah Jaime, just carry on. Let's pick it up there and speak loud enough so the others (unintelligible). If some guy comes in with a gun, then we'll stop.

Jaime Wagner: Okay. Depends on the size of the guy that comes in. Okay.

(Stephan): Actually it's the size of the gun that matters but...

Jaime Wagner: Okay. So the prioritizing session we (unintelligible) it will run like that. Every Councilor will receive a (Excel) sheet prepared with seven point seven scale from one to seven to rank each project against each other. And then we will run a Delphi session. That means it's in Adobe Connect with a (pointing) feature.

For each project there will be a ranking for all. And we will - that will show the median and how many votes were for each of the seven (unintelligible), seven points in the scale. And if this deviation, the median deviation is below two, there will be no other round of prioritization.

If the median is below two, then we would have another round of prioritization. But before that (unintelligible) I would say that the person that received the lowest or person that gave the lowest value and the highest value would have each three minutes to (discuss his) (position) and then we would have another prioritization (round).

And if this time the (unintelligible) three times most (unintelligible) probably this is something that we will discuss still. So if we will extend or not the range of median values for each round.

So (unintelligible) conclusion on which will be (unintelligible). So I can't speak loud now. Well we (extend) for us it took seven minutes - for us it took seven minutes for each average for each ranking - for each round - for each project I mean.

So we are confident that with one session, one prioritizing session we will be - we will reach a first ranking of all the projects we have. (Just second) - the second round will run much faster (unintelligible) that they are (unintelligible) meeting of ICANN (unintelligible). So if needed, okay, well I'm glad to take questions if...

(Stephan): Thanks Jaime. There are some questions. (Kristina) you had your hand up earlier on. I don't know if that's still the case. Okay, let's go to (Olga).

(Olga): Thank you (Stephan). Just wanted to thank Jaime. I wasn't able to hear everything because the audio was going back and forth. But I think you made a very detailed explanation about the test that we went through in our working team. So thank you Jaime and thank you (Stephan), thank you working team for this. Thank you (Stephan).

(Stephan): Thank you (Olga). I might just add at this stage that the meeting next door is now finished so we're back on full audio so you should be able to hear us fine now. (Wendy).

(Wendy): Yes. I just had a question - thanks very much for the presentation. Had a question about the time commitment that while running the test took seven minutes. I imagine the preparation time for participants to learn about all of the ongoing initiatives would be considerably more time. So this exercise in fact will take quite a bit of time and attention from (Council)?

Jaime Wagner: With the prioritized project's list, it's being prepared for the - for all the Councilors. There will be some - not only the list but a short description of which projects but also description of how to run the individual - but I think it's something that (on the go) from a personnel experience you'll learn (on the go) and participating in this prioritizing session.

We'll give - because I don't know at least for me but I think it would be even for the more experienced Councilors. I don't know if everybody had a thorough understanding of all the projects going on.

So I think this view of all the projects together with a description of them and even discussion during the Delphi session this will come to seven minutes -

this will come to a (median comprehension). They tend to go to the center.
That's where a fear of also. So that all of the (wait) would come to the...

(Wendy): So I didn't mean to suggest that it wasn't worthwhile time. I do think it is worthwhile for Councilors to learn more about all of the projects since I just also wanted to, you know, (unintelligible) significant time commitment.

Jaime Wagner: Okay. I think and I want to alert all the Councilors that the first round will take a whole meeting, a whole call and not one hour. It would be at least one - an hour and a half in my opinion.

(Stephan): Thank you. Are there any other - any further questions or comments on this?
Okay. Jaime (with us)?

Jaime Wagner: Okay.

(Stephan): Yeah. Good. Thanks. Let's move on to Item 4 then and the (ASC) (unintelligible). They've obviously all been extremely busy with this during this Nairobi meeting. I don't think that the process is over for everybody at this stage. And I know we have a call and it's scheduled on Monday about this.

But if anyone would like to speak to it now - I see Wolf has his hand up.

Wolf-Ulrich Knoben: I wouldn't just to talk about process maybe at this point (unintelligible) to do that. I have two things to say. The one is that the conference call on Monday, I don't know - I don't remember how it came to that date because we both from the ISP there's extreme (unintelligible) at hand.

I myself - well it depends on my flight, you know, back to (Germany) again. And I raised that point, so maybe. If I am not on time, so I cannot participate is one. And Jaime cannot participate at all Monday. So if there is a chance well to shift a little bit of this call so I would like to ask for that.

The other thing I would like to talk about is the process how to - how the Council is going to vote on that. That means the question are we going to vote on one candidate after the other for example or are we going on a bunch of candidates? How to do that. That's was on my part. (Unintelligible.)

(Stephan): Okay. Let me just take a moment. First the scheduling of the 15th was done by the staff having done a doodle. Maybe Glen is gesturing at me - maybe...

Glen DeSaintgery:Yes. This is Glen. The scheduling was done after doodle, which was very, very difficult to find any time and in consultation with (staff) and the Chair, it was decided that that time was in fact the only time that fit in with the schedule. Very sorry about the ISP.

(Stephan): I'm not quite sure what the resolution will be for you. We'll try and see what we can do. But remember part of why we were talking about the 15th was that in the case that we - in the event that we had to do any work in the evaluation team based on the first round results from the standpoint of diversity. Because we have - we're supposed to turn in our final outcome on the 17th, we were trying to keep the 16th free.

There's also the possibility that if somehow things go bad then we would have a little wiggle room. But I don't really what the option is for you Wolf. You address that and then I can talk through the other points that people have to know.

Wolf-Ulrich Knoben: Just in case. So I will try my very best to attend this call but I cannot promise. So just in case if it's - if it would fail - so is it possible to send an alternate from the (ISP)?

Chuck Gomes: Let me jump in. This is Chuck.

(Stephan): Chuck, go ahead.

Chuck Gomes: To bend the rules on this one. We've been forced into a situation that violates everything we do. Okay. And what I would suggest as a first step is - Jaime, are you going to be able to make that call?

Jaime Wagner: Not at all.

Chuck Gomes: You can't make it. So neither one of you can make - may not be able to make it from the ISP constituency. Is that correct? And Wolf you're going to try but there's a possibility - you have no control over - it's kind of like me tonight. I'm flying home and I have to make sure I get home in time to call in for the Board call. So if there's any flight delays, I'll probably have to switch flights.

But the - I'm okay if you send an alternate. I'm just going to stick my neck out now. Is (Margie) there or (Liz)?

Woman: Yes, we're both here.

Chuck Gomes: Am I sticking my neck out too far? This is - I see this as kind of an informal process. We need - we're endorsing candidates. We're not performing elections. And I'm assuming that in the case of the ISP constituency for example, and maybe it's true of the whole commercial stakeholder group, that you guys have, you know, come to some decisions or will have come to some decisions before this meeting.

And so what we really need is the input from your stakeholder group and as constituencies if that's applicable for your stakeholder group. So - and I don't know - (Liz) and (Margie) if you have to discuss it with the General Counsel's office, but my inclination unless told differently is to be flexible on this.

And if neither one of you can make it, I suggest that you communicate. Now in the case of just the - in the case of the registry constituency, which I can speak to more directly, the kind of direction we've given our Councilors we could give to the Council in advance.

You know, I don't know if that's possible for other stakeholder groups; probably not. But to the extent that you can do that, we don't want to exclude anybody on this. And so just assume that - identify someone who can participate just in case you can't make it Wolf. And as far as Jaime not being able - if you have a constituency position on various candidates, I'm comfortable with whoever's there communicating that position.

((Crosstalk))

Chuck Gomes: Now I'll wait - and (Liz) and (Margie) if you think I'm way off base, say it now. Otherwise I'll wait until somebody tells me differently.

(Liz): It's (Liz). (Margie) stepped out for just a moment. I will check to verify and get back to you. I'll try to do it now. But I do not think a non-Council member can vote under the bylaws.

Chuck Gomes: We are not taking a vote. We're just determining who we're going to endorse.

(Liz): Then yes, I think it's fine.

(Stephan): Zahid wanted to say something and he has to leave, so.

Zahid Jamil: Sorry. I'm sorry to inconvenience. It's just that I'm on a panel next and I'm already about seven minutes late. An important question which might just want to get clarification on is that Slot 1, 2, 3 and 4 are basically determined slots already by the different SGs, that's fine.

By the (6th), when the voting takes place on these, is it a possibility that if there's only one candidate they could go through - I'm sorry Bill to ask - or do we have to vote for those candidates and then they go through? So anyone who's going to fill those slots has to get 60% of both houses and that's a question.

Chuck Gomes: Yes. And in fact part of the - part of the difficulty here is that we don't know the recommendations from the evaluation team yet. They're meeting later today I think. And - but if there is - if it is that simple on the one seat, we could actually do an email process like we do in other situations.

So that makes it easy. The problem is in this case we're going to - we may have some rounds of voting and that doesn't work very well for that.

Bill Drake: (Stephan), how long do you have?

Man: So I'm happy to get an answer...

Bill Drake: Can I just try to do this real quick with you? There's three things - there's three things we have - this is Bill. There's three things that (unintelligible), okay. First it would be good if people could take a look at the list candidates. All the candidates are up on the Web site.

There are 12 people who submitted applications. One, Eric Brunner-Williams we are holding aside because he prefers to be considered for the security and stability team. That means there are 11. My understanding right - as of right now is that three of those will be allocated to the allocated seats by stakeholder groups.

We probably (unintelligible) - the evaluation team will be meeting right after this meeting. I'm guess that we, just guessing formally, that we will have two candidates for the unaffiliated slots, five candidates for the open slots. And what I was suggesting in the email I sent to the list was as follows.

We talked some time ago about the whole notion of what endorsement mean, right. An endorsement initially in the thinking of a lot of people we were expecting a big pool that we were going to have to (winnow) down. So we were saying okay, each stakeholder group cannot - can endorse up to two

people for the open competitive slot which would mean we'd have a pool of eight which presumably would be manageable for the Council to vote on.

As it has happened because the pool is small and because people have had concerns about having names withdrawn from the process through whatever mechanism, bottom up or not, what I suggested in the email to you all a couple of days ago and which several people replied and said that's fine is that we just view the endorsement as essentially a sort of stakeholder group saying as a signaling mechanism these are our preferred candidates. But everybody is in the pool to be voted on.

So if that - so the people who have replied to my message have said that that's fine with them. Nobody has contested it. I don't think we have to pass a motion to do this. It's just an implementation issue. But then (unintelligible) simply this Zahid, if that scenario is correct, you would have two lists. You'd have a list of five people for the open slots. You'd have a list (unintelligible).

(Unintelligible) introductory comments about (unintelligible) indicate their preference (unintelligible) vote. They name one candidate that they think could be the candidate (for that slot). After that time if anybody's got (unintelligible) the majority of both houses.

If there is no majority of both houses (unintelligible) to the second round in which hopefully some people would maybe shift their votes for somebody (unintelligible) get over the hump and then we'd go ahead and do that.

If after two rounds (unintelligible) majority (unintelligible) slots (unintelligible) one of the slots (unintelligible) it'll be stopped because we can't just go - you know, go through cycle after cycle after cycle. In that case then, just the three allocated people or if it's one or two of the voted people would be (unintelligible). Okay.

So that's basically what I suggested in terms of what the endorsement process is and how you're voting. You're voting for the one person out of a fairly small list that you think is most qualified.

And if we don't get simple majority of both Houses we do a second effort. And if that doesn't work then we bag it.

Then if that's the case, and this is my last point, the diversity language that we wrote presumed that we had gone through a round and come up with a complete slate, you know, four allocated candidates, two voted candidates.

And we were going to look at that and say okay, is there more than one from each geographical region? Is there, you know, are there enough (slots)?

If it turns out that we have a smaller pool, if nobody gets simple majorities of both Houses on those two voted slots and we only have the allocated position, I don't think we have to go through a diversity exercise. The language that we accepted did not say that no matter what the pool is that we're passing, we're going to subject it to a diversity analysis.

It said if there's a round, a complete round and there's a full slate that's been voted and allocated that we would do this.

So the point is we could avoid the trouble of having to go through this tortuous Evaluation Team led effort to rebalance things if the vote goes well or if the vote isn't conclusive, it depends.

But as of right now as I understand it the allocated positions and then I'll stop, I mean I'm - I might be talking out of school too. I know not everybody's announced.

But it looks like we'll have three allocated candidates from three different continents. So that's the geographical diversity. We just won't have the gender.

But given the language says unless the applicant pool allows and the applicant pool is (small), and we only had two women. I think we can have some flexibility in interpretation.

(Stephan): Thanks Bill. Chuck are you in the queue?

Chuck Gomes: I am. Just some clarity from Bill; now you are assuming that we - each stakeholder group would have a selection, right, there'd be four selections. And out of that you're assuming that there would be three continents recommended based on unofficial information we have right now. Is that correct Bill?

Bill Drake: I'm actually assuming that only three stakeholder groups are going to be allocating candidates...

((Crosstalk))

Chuck Gomes: And which stakeholder group are you thinking will not, because I may have newer information for you?

Bill Drake: Okay, well I don't know that I'm at liberty to say...

((Crosstalk))

Chuck Gomes: Well let me just say this. I have just confirmed with the Chair of the registrar's constituency that they will be providing a candidate.

Bill Drake: Okay, that's different from what I was told the other day.

Chuck Gomes: I understand. The Chair is in the room with me here.

Bill Drake: Okay...

((Crosstalk))

(Tim): Yeah and that's what - this is (Tim), that's what I expressed on the Council Meeting yesterday as well.

Chuck Gomes: Yeah, that's what I understood.

(Tim): That we were going to follow the process and come up with somebody.

And I think we're pretty close...

((Crosstalk))

Bill Drake: I'm sorry (Tim). I didn't understand, follow the process meant that you were not - I had been told that you were not actually going to endorse so that's fine. Then there's four allocated candidates, two of whom I guess would be American, two from two other continents. That would be all right.

And then we have to see what happens with the two voted slots.

(Stephan): Thanks guys. Jaime posted a question. Jaime, do you want to speak to that?

Jaime Wagner: I posted a question and I have no answer to it in the chat. It's if we could pick a second meeting for Tuesday that would happen only if needed. That would be of a great help at least for me.

Chuck Gomes: (Stephan) if it's okay.

(Stephan): Yeah.

Chuck Gomes: I'll respond to that. Unfortunately the doodle on Tuesday wasn't much better than the one on Monday. So but that doesn't mean we couldn't set a backup meeting. I'm really hoping, I mean first of all for the unaffiliated slot there really - we don't have very many choices. I don't think that one's going to take very long and I think we'll - and we'll do that one first I think.

And then let me come back. Bill your suggestion is to go - once we eliminate the four candidates selected by the stakeholder groups and we've moved (Eric) to another slot, if we then decide on the unaffiliated candidate because that's the easier one, are you suggesting then that we just go one by one in the remaining applicants and take votes?

Is that what I understood you describing?

Bill Drake: Again, whether there's one or two unaffiliated depends on the Evaluation Team conversation that will happen in an hour.

But I'm guessing that there'll be two in which case there would then be four, two candidates for unaffiliated, four candidates, five candidates - no, four candidates, I'm sorry, for the open slots. And we would simply put the names on the board and people would express their vote.

And we see how the numbers line up, that...

((Crosstalk))

Chuck Gomes: Okay...

Bill Drake: ...(the candidate) votes.

Chuck Gomes: ...what I was getting at, each person votes once out of the pool of four or pool of two depending on which one we're talking about.

Bill Drake: Oh yeah, sure.

Chuck Gomes: Or okay. No, that's - you know there's...

((Crosstalk))

Bill Drake: ...want to. But I don't think we really want to, do we?

Chuck Gomes: No.

(Tim): And this is (Tim). Can I ask a question here or two?

Yeah, is the vote - when we say vote are we talking about the vote of all Counselors?

Bill Drake: Yes, (Tim), the - I mean...

(Tim): Okay.

Bill Drake: ...as Chuck pointed out, vote is not quite the right word but express a preference, it's just the Counselors.

(Tim): Okay, because that's - because I'm just getting confused between what Chuck told (Liz) and then what we're talking about because there's - it's that we're - we communicate clearly so we don't get - have issues later.

And then the other thing I just wanted to express was that in the ET Meeting today (Adrian) cannot make it so I was going to substitute for him if that's okay. And we may have to do that on Monday as well.

He's still getting used to a new baby in he house so.

(Stephan): Yeah (Tim) I think you can actually count on doing that on Monday as well. I spoke to (Adrian) last night.

(Tim): Right.

(Stephan): And I don't think he'll be able to make it. I just want to draw the Counselors' attention to the message that (Kristina) just put on the chat in case not everyone has seen it. And well here's her question.

Yes, so what I understand is so that the Counselor is going to vote on Slot 5 and Slot 6 in the same manner.

So first round (in posting votes round and should you) - there may be also majority votes and then after that a simple majority or represent (too clear) for me, represent one question.

And the other question is related to the Evaluation Team. So what is the task for the Evaluation Team? It seems to be only in this respect for Slots 5 and 6 to find or to allocate people or applicants to those slots.

Bill Drake: Wolf as a member of the Evaluation Team, I think you probably could answer your own questions.

But there's three functions, right, to the Evaluation Team. One is to - because when we put this together the assumption was there's going to be - that we needed some means of assessing ranking recommending, okay.

So we have a small pool so it'll be a fairly easy task. We're going to look at basically six names and we're going to sort of (prop) - indicate to the council having read more carefully into these people's backgrounds which one we think is if we can reach agreement which one we think is most qualified for the slot. If we can't reach agreement we can record exactly how that played out.

Wolf-Ulrich Knoben: Yeah.

Bill Drake: I'm sorry.

Wolf-Ulrich Knoben: Okay.

Bill Drake: Do you want me to stop for a second or should I...?

Wolf-Ulrich Knoben: Go ahead.

Bill Drake: Okay. A second function of the Evaluation Team is to allocate in the case of any ambiguity the people to the slots. We have basically two cases where there's some ambiguity as to how one might allocate but I think from my conversations with people on the ET we're reaching kind of agreement on how those should be handled. And so I think that that should be a straightforward thing at least I hope so. We'll find out in an hour.

And then the other function of the Evaluation Team if it were to come to us is that if we want to, if we're going to follow the procedures that we've specified for our self which I think it would look kind of weird if we didn't, if we went through the first round vote and ended up with a non-diverse group we - the Evaluation Team was supposed to try to lead an effort to negotiate some solution that might increase the diversity.

Now again as I said in my view if not - I mean and I don't mean to say I'm suggesting this. If nobody were to get simple majority of both Houses for those two slots, I don't think that the Evaluation Team would be required personally to then go back and do that with regard to the allocated slots because that isn't the way we wrote the language.

If on the other hand we ended up with a full complement of six and there was an adequate diversity, we'll have to decide. Now we can of course try to be a

little more flexible given the pool and based on the language we have about the pool whether or not we feel we have to be very rigorous in doing that. I hope very much as I'm sure everybody does, that we will not have to have that process kick in.

Chuck Gomes: Bill this is Chuck. (Tim) do you know when the registrars are going to be able to decide their candidate?

(Tim): Can you hear me?

Hello?

(Stephan): Yes, we can hear you.

Man: Yes, we can hear you.

(Tim): Oh okay. You know I don't know. I mean it's as soon as the Executive Committee I guess feels comfortable that they've got the information they need to make a call. I don't think it's far off. But I can't say it will be today or tomorrow necessarily.

Chuck Gomes: Yeah, the reason I ask - thanks (Tim). The reason I ask that is once we know the geographic diversity and gender diversity on the four stakeholder candidates, that may in fact really help us narrow down the open and once we know the affiliated seat, I think our - it's quite possible that for geographic diversity the open seat might be determined by that criteria.

But again until we know a little bit more information it's hard - we can't know for sure.

(Stephan): We're working hard anyway to get some results.

Chuck Gomes: Yeah, I understand that. I'm not trying to pressure you guys. I just - once we've decided the affiliated seat, once we know the four stakeholder group seats, we can very easily look at gender diversity and also the geographic diversity and that could very well narrow our choices down for the open seat assuming that there's a simple majority of both Houses.

(Stephan): Thanks Chuck. Can we bring this to a close or are there any more comments on this?

Okay, let's move onto Item 5 the follow-up discussion on Board Seat 13 election. And I will hand it over to Chuck at this point.

Chuck.

Chuck Gomes: Okay. Sorry about that. I was having a side conversation. The - with regard to the Contracted Party House election of Bruce Tonkin, we did learn some things. One of the things and you guys may be ahead of us on the Non-Contracted Party House, I don't know, because I think you guys meet together some. We're used to meeting together.

But we didn't really have a process for doing this. How do Counselors vote in a House that's kind of a - on paper House instead of a functioning body? And how do you involve the Nom. Com. appointee who's part of the House as well?

And one of the things we're going to need to develop is a timeline and a process for doing that. It doesn't have to be a very elaborate process.

But we learned some lessons in that regard. And we did finally get the NCA vote in the House and as it turned out it ended up being unanimous support for Bruce.

But it was a little bit awkward because we didn't really have anything in place to do that.

And I'm only sharing all of this for all of our sakes. Again on the Non-Contracted Parties House you may be ahead of us in this regard. But those are things - those are factors that are important in making that happen.

And if somebody has questions I'd be glad to try and answer them.

(Stephan): Thanks very much Chuck. Well are there any questions on this please?

None in the room; sorry, Wolf is just making his way back to his microphone.

Wolf-Ulrich Knoben: Chuck well I would appreciate also if that is what you are doing in your House or planning to do with regards to kind of process of this could be made available for the other Houses now because we do face the same problems for the next year's round.

Thank you.

Chuck Gomes: Yes. That's a good idea Wolf. And we'll try and do that. We're going to be, I don't know, probably in the next few months working on process because we also have a process with regard to election of Vice Chair, right, that will need to happen later this year.

So absolutely, I think it's - it'll be good for us to share. In the meantime if you guys get any good insights please share them with us.

(Stephan): Thanks. On Item 5.2 is there - who's the point person for the (GKO)? Who's the liaison for the council for that, you?

Wolf-Ulrich Knoben: Well unless you mean - liaison, so I'm a member of (GKO).

((Crosstalk))

(Stephan): Okay, yeah.

Wolf-Ulrich Knoben: So you want me to ask for recommendations?

(Stephan): Not necessarily but I think if we do develop a process, you know, through trial and error, I think Chuck's intent and he'll speak for himself in this agenda item is to make sure that the knowledge that we have developed here gets passed off to them.

Wolf-Ulrich Knoben: Yeah, sure. So we have - this is on our agenda (unintelligible) priority item as well. So clearly so it should be passed to them.

(Stephan): Okay, thanks, any further questions or comments on this one?

Let's move onto Item 6. And continue on discussions on the improvements progress.

Are there any additional comments on the Working Team progress?

Apparently not; Jaime you have a - okay, well go on.

Jaime Wagner: I just want to - do you have a notice on this - on the Non-Contracted Party House. Did the consumer constituency was - has passed or how is the status of this?

Does anybody have an idea?

(Stephan): You need to ask staff I think on that.

Jaime Wagner: On the non-consumer - on non-commercial.

(Stephan): You mean. Yeah, the NCSG Working Team, right?

Jaime Wagner: Right. The NCSG, is there a consumer constituency that was applying? I would like update on the status (of it).

Woman: I think it's still under consideration by the Board.

Jaime Wagner: It would not be considered in Nairobi?

Woman: No it will not.

Jaime Wagner: Okay.

Bill Drake: And sorry, just to clarify Jaime, you were talking about NCS. There are you talking about our initiative or the Board's initiative?

Jaime Wagner: A consumer constituency that was applying.

Bill Drake: Okay. We have an interest group in formation. I wasn't (sure what) you were asking about. Okay.

Chuck Gomes: And also there's a new statement of interest for a - what is it? A cyber café constituency as well so now that's really in the early stages. They've just expressed an interest. But there is the one that is already in the process and actually I think in the Board's hands for decision.

Is that not right (Liz)?

(Liz): That's right. It's - they just submitted the NOIF so that's in the very early stages.

(Stephan): Okay, thanks; any further comments on this?

Okay, let's move onto 6.2 and turn it over to Marika.

Marika Konings: This is Marika. I just wanted to report. We had a very disappointing turnout yesterday for a session we organized on the GNSO Working Group guidelines. Those are currently open for public comment.

So I would really like to encourage everyone to share that with your constituencies and stakeholder groups and provide input to the group as it is an important document and, you know, will form a basis for future working groups. So please have a look at that.

(Stephan): Thanks Marika; any comments on this?

Chuck Gomes: Just a brief one, the document has been shared in the registry stakeholder group and so there's a possibility of some comments there. I provided several inputs yesterday. And but again compliments to the group because they've done a really good job and put a lot into it.

Marika Konings: And just to follow-up, I just want to note. Those that were there really provided very valuable input so therefore I think it would be really helpful if others have a look at that as well because I'm sure just from other elements that, you know, the group might have overlooked or where you would think further details are necessary or that details might be appropriate. So please have a look.

(Stephan): Okay, thanks. And Marika you might as well keep the mic because this is your favorite topic.

Marika Konings: Favorite topic. We actually had a really good session yesterday. And I think we had about like 50 people in the room and also like 50 people remotely participating. So some very good discussions and questions and input on the report.

And this is also a report that's open for public comment I think until the 28th of March. So again, please, you know, share this with your constituencies and stakeholder groups and provide input so the group can take it into consideration when developing their final report.

And I don't know if there are any further questions following the presentation that was given to the Council on Wednesday morning.

(Stephan): Apparently not. Okay, no more questions on this. Let's move onto the Item 8 and I think there's a fair amount to discuss on this actually.

One of the things that obviously all those both here and in Reston or participating remotely know that we've - this whole week has been centered around topic such as the (EOI). I just wanted to bring the Council's attention an email that I just got from -- if I can find it again -- from Bertrand de La Chapelle on - I'm trying to find it, sorry so bear with me for just a minute.

Here we are. An email from Bertrand de La Chapelle who has, as some of you may know, been promoting the idea of categories in the new GTLDs and he has taken it upon himself to call for a birds of a feather meeting this afternoon on the subject of categories. He says I thought it useful to use a presence of community access to convene a bird of a feather meeting this afternoon. I've also copied various sectors from the community that have expressed interest in this idea and are welcome to participate.

I would like to share the proposed purpose of this group to explore further the concept of categories and all its ambiguities and dimensions and study its usability, usefulness in the new GTLD program. The group is intended as an opportunity for those who support the notion of categories to identify the various objections to this idea in order to respond to them as fairly as possible and to document the possible benefits it could bring in the development of the new GTLD program including drafting of the (DAG), organization of the application round and ulterior operations.

The group however is not convened to discuss whether there should be categories or not. It is a fair question but not the one that we'll try to address.

I have several questions on this myself. And I would like to put my questions in the context of the GAC Communicator Bruce circulated. I hope everyone's had time to see it. I was actually shown it yesterday and I know that the GAC have had some internal back and forth about their position on the (EOI). I will summarize that position. They feel that the (EOI) should not go ahead as proposed at this stage and that the Board should not go ahead with the (EOI) when it takes - when it comes to taking a decision on that in tomorrow's meeting.

So the GAC seemed to be very active in this area. I would like to suggest that the GNSO needs to look at this. I'm not suggesting that we necessarily, you know, become active or put forward a position although we really should at least be aware of what the GAC is saying and doing and pushing for because a lot of the stuff that they're doing actually in my mind to some extent conflicts with certain recommendations that the GNSO put forward when the initial new GTLD recommendations were put forward.

Chuck has spoken to this at some length during various sessions this week and one of the problems that we might have might be the communications period for example. There's a, I'm sure you've all heard, a lot of discussion around this. Some people suggest that the communications period should ramp concurrently to the (EOI) but that is not the model that is being proposed by ICANN at this stage, ICANN staff.

So there's a lot there. Let me open up the discussion there and see first of all the first question that I'd like to ask Council is what should we - what should our response be to the informal invitation, back onto the birds of a feather meeting which is happening this afternoon at 4:00 pm?

(Stephan): Mary.

Chuck Gomes: Is there somebody else in the queue (Stephan)?

(Stephan): Mary is just trying to get to the mic Chuck.

Mary Wong: I just want to ask maybe it might be a dumb question. To me, it's sort of fundamental baseline question.

The GAC statement and Bill I think talked about track differentiation between categories.

And but now today or this group is going to talk about categories of categorization. I guess my question to all of us is that is that the same thing, I mean, what does categories mean?

(Stephan): Let me try and clear that up and clarify that as much as I can. I've had extensive discussions with Bertrand. He's an extreme - he's - sorry. That was obviously a slip of the tongue and I love my government representative. So there's no problem there.

But he is very much in favor of the notion of categories as he sees it is there are different types of TLDs that can be applied for. So let me explain what he means there.

And, you know, if we want to go further into this we may need to ask informally to clarify his position or in one of these meetings but so I'll just try and summarize what I talked to him about informally.

He feels that there's already three categories in the bag as presented right now, a standard community and geographic names. He feels that more categories could be or should come out of this process for example corporate TLDs, NGOs for example, other I mean we can only imagine what types of -

so his approach to this is to say that different types of TLDs represent different types of processes and that you may not be able to deal with say an application from a developing country NGO in the same way as you would deal with an application for a commercial TLD from a corporate in America.

He suggests that different rules may apply to different applicants including obviously different rules of prices. That is basically his suggestion there.

There's a lot of hands up but I think Chuck you are next.

Chuck Gomes: The first thing I want to remind people or maybe even inform people of that weren't around then, at the early stages of the new GTLD PDP we spent quite a bit of time talking about a categorization approach. And the - it was rejected. So and the reason - some of the reasons that as I recall, maybe some others can remember better than me, is it creates a complexity. It creates a tremendous amount of problems.

And maybe the best way to illustrate it in terms of more recent experience, most of you will recall it's the idea of an IDN GTLD fast track. As soon as that was brought up there was strong reaction by those who were planning to submit (ASCI) new GTLDs for fear that they would be delayed longer instead of the - if the IDN GTLDs went first.

So I think that's an illustration that categorization and by the way, Bertrand and I have talked about this on a phone call a few months ago. It's an illustration that there are awful lot of questions that have to be answered.

So if we categorize them do you - who goes first?

And then you're going to hit one category against another and it's the level of complexity that would probably cause delays to the new GTLD process of a year or so in my opinion because there are just so many unanswered

questions and it was considered, this is a long time ago now, but it was considered and rejected by the PDP Team.

(Stephan): Chuck if I make two comments from what you just said. The first is that obviously what you've said is inline with what I was saying earlier on that some of these suggestions may clash with the recommendations that we had, the GNSO had.

Secondly, as I understand it, Bertrand was not suggesting that anyone should go before anyone else. He's just suggesting that there should be different rules that apply to different types of applicants, i.e. he's suggesting that if you recognize the (DAG) that not everyone, you know, not all applicants are of the same kind, the same color and they should just all have the same rules.

But I don't think he's - his intent, in fact I'm pretty sure that his intent is not for some applicants to launch before others.

Chuck Gomes: My point is, is that as soon as you start lumping people into categories other than those that are already in existence questions like that come up. And what's the purpose of categories unless you're going to get different agreements. I have asked ICANN new GTLD implementation staff recently whether the intent right now is to for every new GTLD applicant for them to have the same basic agreement and the answer is yes.

Now there will be some exceptions for community-based TLDs in terms of registration restrictions and so forth.

You're right (Stephan), that going down this path would go against not only recommendations made by the Council and they rejected the idea of categories, but also the implementation plan that's in place and there would have to be major changes to it. Those changes would take a lot of time.

(Stephan): Thank you Chuck. I had (Debbie) next in the queue. Can I just remind people of my initial question which was should we participate this afternoon because time is running out to decide that?

(Tim): (Stephan) this is (Tim). Do you have me in the queue too?

(Stephan): Yes, I do (Tim).

(Tim): Okay.

(Debbie): Hi. That's what my comment was about. I spoke briefly with him about this whole idea of birds of a feather. And I had expressed to him that I had some interest in finding out more. I can't attend the meeting at 4:00 because I'm going to be participating in another event.

But I did tell him that I would be interested to hear more about what's going on with this group.

So to the extent I don't know that it's appropriate for GNSO to make an official response. I don't know that I agree with that.

If you're looking for someone to follow what's going on with that group, I'm more than willing to do that.

(Stephan): Thanks (Debbie). I think that the Council should decide whether it wants to get involved or not. It is a nonofficial thing. But we should decide and then obviously (Debbie) has volunteered if we do so decide to follow it up.

I have in the queue now (Alan), Jaime and (Tim) and (Wendy), sorry.

(Alan): Okay. A couple of things, first of all, I don't think there's anything that (anyone is) prohibiting an individual from participating in the birds of a feather even if the Council does not want to (unintelligible). It could be under either category.

I know not what I do.

From my discussions with Bertrand which have also been exhaustive on this is there is some feeling that the current process we're on, we're only going to keep on adding new and more and more overriding overarching issues and process will go ahead, will keep on going for a long time.

And categories may be a way of advancing some of them in ways that are non-conflicting with others.

And from my point of view we already have categories. We have at least two, certainly the community ones. They already have different rules of application and different post delegation rules. There's a separate (commitment) for it.

So we already have categories. We already have some different rules. The question is can we add some more differentiation in terms of price and timing for vertical integration, whatever. That's my understanding of what he wants. It doesn't quite match with what you read out.

So I'm going to go and find out.

(Stephan): I read out his email.

(Alan): And I was reacting to what was said prior to that.

(Stephan): Okay, Jaime.

Jaime Wagner: Well I would say much of (Alan) just said and that's my understanding too. I would add only that I understand that the effort that is being - that Bertrand is proposing to engage is to first to define categories in order to move the process ahead. Not to make any further delays to the process.

And they will only be agreed upon by anybody if this (prior requisite) is met.
And I think, well I think it's fruitful and like (positive) exercise to - that can be fruitful.

And I would not rule out from immediately and put forward like I mean somebody and I'm against or if we don't even know what we are opposing.

So we should pay some attention to just to understand the effort that others are making.

(Stephan): Thanks Jaime. Just to go back to what (Alan) was saying, I didn't suggest that the GNSO individuals should - individuals that sit on the Council shouldn't participate. What I want to be careful about because this tends to happen. I've seen it happen before. Is that you go along as individuals. You each get a call say, in a private email. No one shares this with the Council. We all go along as individuals.

And then what happens. You're introduced to the group as being on the GNSO Council. And suddenly you become official spokesman for the Council but no one, you know, there's no official Council position. So it's an obvious thing that any - on an individual capacity anyone can talk to anybody else and do whatever they like.

But if you just be careful that if there's no Council position, you're not seen as representing the Council, that's all I was saying.

(Tim) you're next.

(Tim): Yeah, I guess, you know, my feeling is the Council has already taken a position. And that is the policy development process that was engaged in that resulted in the new GTLD policy that exists. Categories, you know, are not as Bertrand is describing it and some others are not a part of that. I think that was even made clear by either and the staff during the open forum today.

And I think that's the way that that should be left. And if, you know, anyone on the Council wants to participate in this in a fiscal capacity whatever, that's fine. But I don't know if that the Council needs to take any kind of official position at this point.

And if at some, you know, future date down the road this comes to a point where, you know, it results in further policy work for the Council then we would take it up then.

But I think right now as given the priority work that's been going on and the good reasons for that priority work, the last thing we need to do is try to take on additional work especially in regards to something that's already been completed and hasn't even been implemented yet.

So let's just let this policy, new GTLDs run out, let's let this thing get started. And then, you know, we can revisit new ideas and concepts that might improve it down the road.

(Stephan): Thanks (Tim). (Wendy).

(Wendy): What (Tim) said, thank you.

(Stephan): How could you have your hand up like ten minutes ago and know what (Tim) was going to say?

(Wendy): I have no need to echo it since it has been said.

(Stephan): Okay, thanks.

Jaime Wagner: Same thing for me and (Alan).

(Stephan): Okay, any further comments on this?

Perhaps I can add a personal comment. I am absolutely convinced that Chuck is right on this. And that adding this discussion to the new GTLD debate at this point will only lead to more delays and more side tracking.

But that is a personal opinion.

Any further discussion on new GTLDs in general?

(Tim) have you got your hand up? No.

(Tim): No, my mouse went wild on me here for some reason. Sorry about that.

(Stephan): Okay, no problem. Thanks.

Okay, Item 9 and the Nairobi GNSO Meetings that we have had here. Now perhaps I can just open this up for any comments that people would want to make.

I think we've - as preliminary comments I might just say that I would like to personally thank both the staff, the Council, and the people working on the Remote Participation Systems because we wrote that in on Saturday. You know we - the Council had to because it is the first body within ICANN to work at these meetings, we work on the Saturday and Sunday. We always tend to break new technologies and systems and work habits in.

I think we've all found it to work extremely well so I just want to thank the people that handled that because personally I just felt like one of - it was one of our normal conference calls and that things went very smoothly.

I also want to say that I was extremely impressed with the way that the people participating remotely especially in Reston, people like Olga as well

were able to chime in and I know that meant that sometimes they work throughout the night.

So, you know, I think it really does need to be said. I wanted to say anyway that a big well done to the people who did have to go through that kind of a routine for a full week to be able to participate in our debate.

And with that having been said, I don't really want to go over every meeting and do an evaluation or recap of every meeting. We've all sat through them.

But so maybe I can just open it up for discussion there if anyone would like to speak to any specific points that we ran through this week.

Mary.

Mary Wong: Hi. So I'm going to go back to Saturday as a sort of general observation and as a follow-up from a discussion that as Council we had in (the fall) and that was the role of questions and comments by attendees at the Working Sessions of the Council.

And once again, I mean I'm not - obviously I'm not saying that only Council, they should speak, nor am I actually saying that it should be a priority although I think that was necessary and (Stephan) you handled that really well.

I think my sense is that sometimes the sessions defer; some of its discussion, some of its update by staff for example. And my feeling that when we have updates by staff to Council prior to those updates being presented to the public in the public session, it seems to me on occasion that non-counselors who are present at these Council update sessions got a chance to get their comments and questions in before others arrived or couldn't participate or something.

And I'm not in principle necessarily opposed to that but its something that I wanted to bring up for discussion as to whether that's something we care about, as to whether that's something we want to have rules for and so forth.

(Stephan): Thanks Mary. I think that's a very important point. I actually take some responsibility for what you're saying because I was coming into, on the Saturday session, I was coming into this whole thing and trying to get to grips with it.

And I was - I did move to try and give Council priority but not straight away. So apologies for that, I was trying to get to grips with everything.

I do feel that my personal feeling is that these sessions are open but that Counselors should be given priority. And that means that Counselors should speak first, that they should be able to engage with the people giving the presentations. I fully agree with the fact that if these presentations are simply, you know, repeat of the public sessions that we have on the Monday or the Tuesday afterwards then I don't really see the point.

If they are sessions where Council is able to ask follow-up, more specific questions, and get more specific information then they do serve some purpose.

So I do think that what you're saying is important. And I - my personal feeling is that that extends to, you know, seating arrangements in the room. I had to ask people to accommodate Counselors that were coming in maybe, you know, I mean it's a Saturday so some Counselors don't get here in the morning. They might get here in the afternoon. And they come into a room that's full of people with people sitting down at the table and there's no more room for them to sit down.

I would like to add that the people I spoke to informed me, none of them were opposed to the fact, you know, getting up for a Counselor. Their take on this

is that while there's empty spaces at the table why not occupy them. But if Counselors need them then they'll take them up.

So that's it really. (Kristina).

(Kristina): Just very briefly. I completely agree with you and Mary as to Council having some priority, certainly not exclusivity on the Working Sessions and the presentations.

I do have a couple questions but before I get to those a couple comments. From my perspective the and there may be no way to change this, but the GAC Council Meeting was really one of the more passive remote participation sessions that I've participated in.

Speaking just more generally about the remote participation, this - it was phenomenal particularly when I compare it to my last experience with remote participation which was for the Delhi Meeting. The improvements are just absolutely, I can't even begin to describe how significant they are and staff should really be commended.

I will note that huge thanks for my part goes to NuStar and the folks who organized this Reston hub because given the time difference there is no way that I would have managed to stay awake if I had been sitting at my kitchen table doing this.

So I guess one thing that I would just ask that ICANN staff considers that in the future if there are meetings or if it kind of becomes the habit now that remote participation is the quality is more improved.

But to the extent that there are meetings where you do have significant numbers of folks who would otherwise participate in person or, you know, or extensive participate heavily that there are going to be a number of people who need to do those remotely. I do think having hubs really will I think make

the experience better for everyone involved not only all the people who were participating remotely but also to the extent that we can make a contribution to those of you who are meeting in person.

I guess my only question is that I would love to the extent that it's possible to get one, just kind of a brief update as to the dinner with the Board in terms of to the extent that there were any kind of opinion. I know that (Avri) used to have everybody get up and kind of summarize what the table spoke about. I certainly don't expect to do that.

But if there are any kind of general themes that came out of that - those conversations I think I would love to know what they were.

Thanks.

(Stephan): (Kristina) that's a really difficult question to answer. We didn't do the - I mean I was sitting next to Avri so we had - actually I discussed it with her. And she explained to me that she had dropped that system a while back because it was difficult to handle. We certainly didn't do - I'm talking about the fact that one person from each table stands up and gives a summary.

We certainly didn't do it here. We had two dinner topic items which were distributed on the list and everyone knows about and then it was just, you know, private conversations so I think it would be difficult to give you a general feeling of what the - of the conversations that happened during that dinner. Yeah, I don't know if anyone wants to add anything to that.

But I find it very difficult anyway.

Chuck.

Chuck Gomes: Yes sir. Sorry, I was in a side conversation again. The - what was the question or request?

(Stephan): You had your hand up so I thought you wanted to say something.

Chuck Gomes: Oh yes, I did. I forgot. Sorry about that, I'm a little dazy here. The - yeah, you know, we have a history of allowing those meetings to be open. To the extent that we're able to do so I really personally like to allow people to participate.

But I do understand that when time's running out we have to give preference to Counselors. And we really should get Counselors, you know, around the table as much as possible.

So I hope we don't do away with the openness of those meetings. And I don't think anybody's suggesting that. In fact I think each of you made comments that we're well balanced in that regard.

I think it is important that we don't come across as the Counselors being an elite category. And I just think we need to watch our attitudes in that regard that we never portray that. The Counselors though do have a, you know, a responsibility so it's important that we can ask questions and make comments and interact.

So that's really all I wanted to say on that. The - I think that the situation when we were running out of time and giving some Counselors preference the way you handled it (Stephan) was handled well. And just like Mary said.

So I think that we can continue with the openness while at the same time tactically managing it. And I thought that happened that way on Saturday and Sunday.

(Stephan): Thanks. Jaime.

Jaime Wagner: Well I would - I won't repeat what Chuck said. But I think that (Stephan) managed well this problem.

And I would like to not only to - I don't know how to say - just compliment but also to thank (Stephan) for his great job he did in Nairobi because he had two challenges, remote participation thing, the awkward of some of our accommodations here. It was the first time. And so I would emphatically say that thank you (Stephan).

(Stephan): Very much Jaime. Thank you too.

Is there any other business?

In that case - oh sorry, Chuck.

Chuck Gomes: Well I had had my hand down. But let me take advantage of this and just say thank you to everybody and especially (Stephan) and Glen for their invaluable support this week. You all did a great job so special thanks from me.

Jaime Wagner: Well (Stephan) doesn't live with Glen. I was not mentioning Glen because they are part of the same body.

(Stephan): Yes. No, I don't live with Glen. Not yet.

But we do both live in France.

Jaime Wagner: But you don't live without her.

(Stephan): That is true. Thanks very much everyone. The meeting is adjourned unless there's any other business. Let's adjourn then.

Thank you everybody. See all of you very soon.

Chuck Gomes: Okay.

GNSO Council Wrap-Up session in Nairobi – Thursday 11 March 2010

GNSO Council attendees

Stephane van Gelder – RRSB GNSO Vice chair – (chaired the meeting)

Tim Ruiz – RRSB – remote participation

Chuck Gomes – RySB – GNSO Chair- remote participation

Caroline Greer - remote participation

Jaime Wagner - ISP

Wolf-Ulrich Knochen - ISP

Zahid Jamil - CBUC

Kristina Rosette - IPC – remote participation

David Taylor – IPC – remote participation

Rafik Damak - NCSG

Mary Wong - NCSG

Debbie Hughes - NCSG

Bill Drake - NCSG

Wendy Seltzer - NCSG

Andrei Kolesnikov – NCA

Olga Cavalli – NCA - remote participation

Alan Greenberg – ALAC Liaison

ICANN Staff

Margie Milam

Glen de Saint Gery

Liz Gasster

Marika Konings

Absent:

Adrian Kinderis – RRSB – absent apologies

Edmon Chung – RySB - absent apologies

Rosemary Sinclair – NCSG – absent, apologies

Mike Rodenbaugh – CBUC - absent apologies

END