

## Transcription ICANN Buenos Aires CWG Framework Operating Principles WG

**Wednesday 25 June 2015**

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John Berard: For the record this is John Berard. Do we have anybody remotely? Is that (Dee) back there?

(Dee): This is (Dee). You mean it's that simple?

((Crosstalk))

(Dee): You mean it's that simple?

((Crosstalk))

John Berard: ...you promote me. So shall we get started? Okay. Thank you Mary. This is a meeting of the Principles of Cross Community Working Group, I love saying that. It is a small but committed band. And I think we are closing in on some final recommendations, suggestions that we can forward to the community

certainly by the time we get to Dublin. I think we should be -- we should have kicked the dust from our sandals on this thing.

I want to thank Steve for powering through on the decks that he put together for our review. Those members of the community who are not here, many of whom I have heard from, with their endorsement of what was included, so I appreciate that.

Mary, I appreciate you dogging this and keeping us on point because I think that leads me to my first conclusion this morning is that there is so much of cross community working group working right now at ICANN that it may seem to many that there is no -- that we have lived past our usefulness.

I would suggest however, that based upon some comments and criticisms that I have heard from individuals in just a few days that I have been here in Buenos Aires, that there are some aspects of the cross community working group that probably need to be highlighted, if not resolved finally by this group.

And in fact what I would like to get agreement on common consensus on from those folks here at least, is that we will focus our attention on creating an executive summary that can be put on top of the deck that will serve as either a recommendation guidance or consideration in terms of varying degrees of you need to when putting together or considering a cross community working group.

I'll set this up by saying that we did agree in the past that we were talking about guidelines because it is up to the working group to determine the methods by which they can and will work but there are some, I think, a mutable aspects to a cross community working group. And for my purpose I

would say that those are that the sponsoring SOs and ACs would be agreeing to a single charter without a change in punctuation or preposition.

That the sponsoring SOs and ACs would commit to house members participate in whatever method the working group/drafting team the charter lays out for them to participate. And that the SOs and ACs would endorse or reject essentially an active vote on the output of the cross community working group.

Those would be the three a mutable aspects; the size of it, the pace of it, the other aspects I think are far more variable. One of the things that I have been thinking about recently is how do we ensure that all SOs and ACs are aware of all the potential working groups emerging out of all SOs and ACs, so any consideration about that would be great too.

So I will open a to my colleagues here, Edmon, Cheryl, Chuck, Steve and Mary, if you want to jump in and, (Dee), whoever you are, if you want to jump in please feel free. So who's next?

Chuck Gomes: This is Chuck Gomes. John, I want to go back to what you said about the need for this. And by the way, I should say I'm not an actual regular participant of this group but because I pushed for it way back when I was on the Council and the need for this, and I still believe that, I think you're absolutely right that we do need some documentation of the guidelines.

And the fact that there are so many cross community working groups going on as we speak that's actually good because we can get feedback -- I think it'd be good for this group to get feedback from participants in those groups, if we can get some of them to review the document and suggest things that maybe

would be good to add in terms of the guidelines I think we can take advantage of that and do that.

But I do think it's important to have these guidelines as a basis. And I like what you said, there are few in mutable things with regard to all of them but there needs to be lots of flexibility. And you mentioned members. I think in very large cross community working groups, and I'm curious to what the rest of you think on this, I think in very large cross community working groups that has shown to be helpful to distinguish between members and participants.

But it's really, in my opinion, it's really only when you need a consensus call that it's very important because really even a participant, if they're coming from a particular group, could bring forth statements that that group stated. So it's mainly when you have a formal consensus call, if it's needed, and it's not always, that you need that -- you need somebody that formally represents the group. So I would just say that's not immutable either, that you have to have members and participants. Okay.

Cheryl Langdon-Orr: Thanks. Cheryl Langdon-Orr for the record. Following Chuck, as I am want to do and agreeing with him, which is not always the case in our lives, I was particularly keen to see that we take some perhaps time to talk to the leadership teams that are currently running, the cross community working groups as well, because I think they struggle a little by not having some of what we would have had in place in a perfect world if things went along linear timeline, which they don't especially in ICANN.

But they're managed really, really well based on looking back on what's happened in recent past. I think the members and participants thing that Chuck just raised is absolutely essential. But I also wanted to particular expand on that.

In one of the cross community working groups that I'm involved in at the moment, I'm involved in a couple, the ability for lower case or even upper case, P - participation - has been vital to continue and maintain GAC input.

Now this is almost unprecedented. With the Stress Test Working Group in the CCWG, I'm going to lose my voice again now, we've had consistently no less than three or four and up to five, six or more GAC members who are comfortable to join the subteam activity and to contribute.

That's only because they're participants, they're not capital M, members. And I think this is a really, really good thing to get earlier engagement and none of these all we've all suffered with in the past coming in very late in the process, hang on, we don't understand and we don't know what you're doing.

And I agree as well, Chuck, the numbers of times that you actually have to go to a consensus call or even take the temperature of a room with a ballot, is quite low. But I will note that what I'm observing is in things like ballots and polling, in other words anything sort of a consensus call or a decision point, participants are also, at least in the ones I'm currently engaged with, welcome to make their vote or ballot contribute.

And I think that's probably an important thing to pick up as well. I'll stop there because I won't have any voice shortly.

John Berard: Mary.

Mary Wong: Thank you. This is Mary Wong from ICANN staff. And I want to thank you all for coming at this strange hour especially as we have folks who are very well experienced with the recent cross community working groups.

I think one of the things that the support staff for this group has, we've not quite struggled with it but it's almost more a framing problem, and Steve is going to kick me if I get it wrong. And I want to say for the record that Steve did most of the work.

What are the principles or rules that are actually immutable. And John, I think you've stated some of that but I think nobody would disagree with. You know, there must be a charter and the charter must be the same one and it's got to be, you know, passed by all the SOs and ACs.

But when we come to the participation - and I'll just use the word participation in the small P without using members or whatever it is -- when we started I think this was one of the things that may have (unintelligible) somewhat earlier, cross community working groups. And it cuts across a few issues.

One is something common John, you mentioned when we were speaking informally this morning. There's membership and there is representation or representativeness of each of the groups. And that's sort of coming into the group and maintaining that diversity and representativeness as it goes through its lifecycle.

Then there's the stuff that comes at the end which is -- that didn't sound so good that it? Which is, Cheryl, something that you referred to and Chuck too, this whole idea of a consensus call, this whole idea of whether you have a boat or something.

It seems to be less important now given recent experiences than when we started. So then that brings me back to what are the immutable rules versus what are the more flexible recommended guidelines.

John Berard: All right so this is John Berard. So if the first immutable rule is that the charter needs to be a single charter approved by the SOs and ACs a second one, and we talked about this from the very first meeting, is that there has to be an active decision to participate or not.

So yes, you could decide if you were in SO or AC that approved the charter and then didn't feel that you needed to compel membership that you would live with -- you would have to at least say that this is what we have decided. So that's one of the things we're trying to, I believe we're trying to squeeze out of the system is the decision by inaction. Right.

I mean if you're involved then it's because you have said you're going to be involved, not because you walked into the wrong room one morning. If you're not involved it's because you said we don't need to be there, we're confident that others will handle this for us and it's not something that at the end of the process you're going to stand up at a meeting and say hey, we were cut out of the process. So active decision making is a part of the cross community working group as well.

And that of course then leads to the backend, the third immutable one, would be that the results of the working group would either be approved or rejected by the sponsoring agencies. And one of the things we haven't talked about is that if there's a work product from the cross community working group and the two of the three supporting organizations accept it but one of them has -- offers an amendment you know, that then triggers -- could trigger, you know, a review, you know, going back to the other SOs who have supported it and said, are you okay with this particular change in the work product?

I think we should accommodate that of course cannot say it's either you accept it or not and it's done. But that then adds a layer of administrative responsibility to the whole thing. Chuck.

Chuck Gomes: Thanks, John. I thought of something as you were talking there. And it relates I guess to membership and participation but it seems like one of the -- and this may be one of the immutable things is that it's -- I think it's critical that there be participation from the sponsoring SOs and ACs which should minimize the chances of you getting to a situation where one of them rejects it.

And that doesn't necessarily guarantee it but it should really help mitigate against that kind of a problem. And so I think in the cross community working group if you have one sponsoring SO or AC to has no participants you're increasing the chances of problems later on. So I think that's almost has to be an immutable requirement that there needs to be a sponsoring AC and SO participation going forward and if that somehow falls by the wayside that should be dealt with during the working group.

John Berard: So this is John Berard again. So I totally agree with what Chuck is saying but I'm also sensitive to the fact that my mental impression of cross community working groups is old, it's JAS, it's JIG, it's Vertical Integration. Right. And so those of you around the table who have more recent experience if you could just maybe drag me and maybe even chucked into the 21st century I'd appreciate. So Cheryl.

Cheryl Langdon-Orr: I'm happy to try and drag Chuck all over the place. That's, you know, in an affectionate way of course, Chuck. I disagree what you, Chuck. It is another one of those times when are going to have to agree to disagree perhaps. But, no, I don't think that's the case.



I think there is a distinct advantage on a topic of significant material interest to the wider ICANN community where all the ACs and SOs may feel there is a political strengthening to becoming co-chartering organizations. But that - for example, hypothetically something like an RSAC may not have the human bandwidth or intention to have active participants.

Now, I - so I don't think that we need to make - to mandate that a CO has to have a regular active participant. We could mandate that there has to be a liaison point which takes the pressure off, you know, four three-hour meetings 15 times a day or whatever happens in these things because it can - that's what the fear is with some of - for example, getting RSAC and SSAC members to get engaged is they just don't have the human bandwidth to commit to those regular meetings.

But we could look at ensuring that there is a formal liaison point that is tasked to ensure that the chartering organization is updated regularly with progress and has the opportunity to bring information and input back from that CO as and when it needs to. And I think that's the way to minimize da-da moments at the end.

But I do see would be occasions where we would want to have a unified front of ACs and SOs but recognizing that a couple of ACs in particular may not want to commit people to be front and present at all of the meetings.

John Berard: Before that, I mean, this is John Berard, we have our own example of course, Jim, who can't always be with us they get to participate as best he can on-the-fly. So, I mean, your point is well made.

Before we come back to you we haven't heard from Edmon or from Becky, you guys want to have your two cents?

Edmon Chung: Sure. I think - Edmon.

((Crosstalk))

Edmon Chung: How could I ever be? So it's Edmon Chung here. I think a couple of things, I understand I guess where Chuck was, you know, coming from in terms of getting the participation. But I think liaison or as kind of the point man is probably sufficient and definitely required almost, right? Because - or else why are you a chartering organization at all. So some sort of a point man would probably be useful.

And, you know, just looking at this, I'm sure - I'm guessing there are more. I apologize, I - I don't regularly participate, probably should more. But so one of the things that we keep talking about, you know, coming back to is the chartering part. You just said that, you know, here you say this is kind of adopting a single or same charter.

Of course that's a very important, you know, and unifying point. The drafting of the charter might, you know, we might want to give some attention to that as well because that's actually a very important part. And that might determine what exactly the membership and, you know, how things are actually done.

John Berard: Let me just ask you a question then, the drafting of the charter is a much more flexible process. So in my mind an individual SO or AC could initiate that then other SOs and ACs would see as valuable and say, hey, I want to participate in that.

And so the charter then could be the method that - the drafting of the charter is the method by which you bring together the SOs and ACs that do want to participate and then the charter that is done then becomes the single document. I mean, that's what my thinking was.

Edmon Chung: Right. Absolutely. I just mean that in this framework, you know, there might be some certain - we might be able to provide certain elements in, you know, that could be included in the charter that would be useful for, you know, for a CWG to work. And, you know, that's a liaison type something is certainly one of them.

The other thing that I think Cheryl mentioned is about the leadership of the CWG. I think that is certainly a very important part of it. And we might, you know, we probably don't need to be prescriptive but, you know, if we are producing document out of this, this - some - I shouldn't say guidelines even, some - maybe some experience from - might be useful for, you know, what type of setup would be, you know, beneficial for kind of a CWG.

John Berard: Thank you, Edmon. Becky.

Becky Burr: Becky Burr for the record. So this comes up very often in the ccNSO context when we are doing working groups with the GAC who will often sort of not participate in drafting the charter. And it's not exactly the same cross community working group that we're talking about here. But since they did participate in the charter for the CCWG and the CWG that may be something that they're more comfortable with.

But we clearly have had the experience where there has been actually no involvement from the other theoretically chartering organization and the

charter itself has been the mechanism that the GAC used to decide whether they wanted to participate.

We've also had plenty of working groups where the GAC did point -- appoint liaisons and they were totally in lurk mode as opposed to, you know, active participation mode. We do seem to have a bit of a (unintelligible) change going on in that, although I would note that it's not across all of the members of the GAC who are participating, we still have plenty who are in, you know, watch and listen mode as opposed to active mode. Still important.

((Crosstalk))

Becky Burr: Yeah, I know, didn't think it was sufficiently -- I thought it might be like too, you know, too American to translate from the transcript. So you have all kinds of motives and you just have to accommodate the group in that's what the group is and how they act turns on the issue being undertaken.

John Berard: We'll go Chuck and then back to Cheryl.

Chuck Gomes: Great discussion. And good points made I'm not making it mandatory but having a liaison. I think that could work. But I think in your document it should be stated I think in a context where participation is strongly encouraged to avoid the situation where the working group works for months and maybe years to produce something and then one of the sponsoring organizations comes in at the end and makes significant changes.

So doing it in the context of that particular statement I think would probably work. And I appreciate the need for the flexibility and you've given some good examples -- several people have given some good examples to where

that might need to be the case. So I'm okay with that. So we don't need to make that an immutable thing.

But I would recommend that you put it in the context like I just described so that, again, we try to mitigate the problem where a working group does tremendous work over a long period of time and then one of the sponsoring groups comes in without having participated and you retrace your steps.

John Berard: Cheryl, before you go just Steve, you had a point you wanted to throw in here?

Steve Chan: Thanks John. This is Steve Chan for the record. And just a little more context around why the document as developed the way it is, and it is not obvious I have a more operational background and so consistency...

John Berard: So over-architecting is in your blood, is that what you're saying?

Steve Chan: Exactly. And so maybe -- but developing consistency and repeatability and transfer knowledge -- transfer of knowledge -- order right -- I think is really important and that's why I can at least in my head, and went directly to something like this.

And so recognizing that it's not supposed to be common you know, prescriptive necessarily I think something like membership that you guys are talking about I think it's ideal where everyone is participating in its more of an exception where it has to be a liaison.

I guess the way I would look at it there's a lot of places in this document where you could have best practices, not necessarily prescriptive but this is the way that, from our experiences, we recognize that this is probably - from

our experience is a good way to approach drafting teams, membership, operating procedures, decision-making. And so there's a lot of experience from the community that we have some ways that are good that we recognize as good to do - yeah so.

((Crosstalk))

John Berard: Thank you, Steve. Cheryl.

Cheryl Langdon-Orr: Thanks. Just coming back to your - Cheryl Langdon-Orr for the record.

Back to your point, Steve, of course one of my attractions to the - capital L - liaisons is of course back to when we put together the guidelines for GNSO working groups anyway. And having the definitions there of the - capital L - liaison, who had the mandate of making sure they were a conduit between parties that said they had a vested interest in the activities and that were actually engaged in the activities was a mechanism. So there's sort of precedent there which I'm very comfortable with.

But there was a point raised earlier where we talked about the leadership of a cross community working group. And whilst I would think it is recommended and desirable, I don't think it needs to be immutable either that all the chartering organizations provide a leader, right? I actually think that it's okay if one or more of the chartering organizations say - and we choose not to contribute a co-chair.

So I don't think it's okay that they don't contribute some firmly tethered point in and out to the working group.

John Berard: So this is John Berard. So that would be - so if we're creating two categories of guidelines here, immutable and suggested, then an immutable clearly that

consistent charter suggested is participation whether it's as a point person or as a member or as an observer however, the working group may determine its rules, right, because we don't want to step on that. But recommended is that there be participation because we see the problem that could arise down the line when a work project is completed the lack of participation may cause anxiety or concern with that work product.

And to the earlier point, it's amazing how fast these early hours go especially when you start late.

Cheryl Langdon-Orr: I'm sure that's my fault. I apologize.

John Berard: No, no, I think except for Chuck, Mary and Steve, you know, we were all late. What I guess we are working towards here is creating that list, that executive summary that we would, for our purposes, put on top of the work product so far. But then we would ask leaders of current cross community working groups to respond to what we think we have put our finger on in an attempt to get that current take on our recommendations. Is that where you are, Mary?

Mary Wong: I think that's probably exactly where the staff would like to see this go and where we probably are at the moment. And this has been helpful so hopefully we can have these conversations, like I said, because everyone here is an experienced participant in more than one of these groups I think.

One question, John, Cheryl and everybody, with regard to the participation question John had said that maybe something the working group would decide. But that's probably something that happens even earlier, right, because that has to be in the charter.

John Berard: Right, that has to be in the charter and so it's a consideration of the drafting team. And so really the flexibility -- we're committed to the flexibility, where that flexibility is played out is I think your point is well made.

Chuck Gomes: Thanks. Chuck Gomes again. I'm not sure it can necessarily be in the charter because you really don't know the level of participation until you form the working group. And that may be a determining factor in that regard. But I throw that out. But also, and I can come back to this, but I do want to suggest a couple edits in the introduction there but I'll come back to that. Let's talk about the -- this issue.

John Berard: So, Cheryl, you want to comment on where that flexibility or those decisions come into play?

Cheryl Langdon-Orr: Thank you. Cheryl Langdon-Orr for the record again. I think there should be a minimal -- minimum level of, in inverted commas, capital P, participation, outlined in the charter, Chuck. But I do agree with you, you can't be overly prescriptive.

So, for example, this is where I would have the capital M - members - outlined. I think that should be encouraged to be drafted in the charter. So it's at that point that a minimum of one or one from each region or whatever. If you've got an -- a chartering organization, such as the ALAC - such as the ALAC which works as a five region body, I think it's only reasonable that it's in that drafting of the charter that the decisions are made does one have one from the ALAC - capital M - member at a minimum or - as a mandatory participant?

Or do we have five. Sometimes it might need to be one way or the other, it depends on the topic. And then also what the other chartering organizations



want, it may very well be that if there's five from the ALAC because it's something that's regionally interested, a geographic issue, for example, then it's probably worthwhile to have, you know, that same number from other chartering organizations whether or not they're geographically divvied up.

Because when and if you come to a consensus call gives you balance on your voting. And I think that does belong at that charter level. But beyond that I think we should remain highly flexible. And that's the advantage of the participants model that we've seen coming from the CWG and the CCWG where you have really not even equity, you got participants that are contributing far in excess then some members. And that's okay.

John Berard: Becky.

Becky Burr: I definitely agree with Cheryl on that. The participants have proved -- contributed as much as the members in some cases.

John Berard: So this may be where, Steve, your process and workflow expertise comes in handy great because I think we're all talking about wanting the same elements that the question is where in the process to those elements come in? Because I can envision -- thank you for doing that to me, Cheryl.

((Crosstalk))

John Berard: I mean, I can envision an SO or AC asking - creating -- authorizing a working group, sending a drafting team off to do the work. Is it the drafting team's responsibility then to socialize the initiative with other SOs and ACs? I mean where does the socializing take place? Where does the -- how does one SO alert another that something is ongoing?

The level of material that each of us is expected to review continues to grow, which means that some of what we are expected to review is going to pass by without our seeing it. And I don't really want to just layer on additional requirements without offering a method by which it can be implemented. You know, I don't want to create a burden here with cross community working group rules and guidelines. Yeah.

Mary Wong: I don't know that I'm answering your question at all but I'm just thinking through what could happen and what it is that you want. I think if I can be slightly not negative but being more cautious one of the potential issues is that as you want to get to the approval stage from every SO and AC and you may have a highly topical issue and everybody wants to get it done quickly and you've got four SOs or ACs, if the charter is and not specific enough, and maybe you get to approval quickly.

On the other hand maybe you won't read maybe then you get into a situation where somebody wants more detail or one of the SOs or ACs has issues with that. So I don't want to get too much into the weeds but I just want us to be aware that sometimes when you put in just very minimal requirements that that sort of thing could happen.

John Berard: Cheryl, if you have something you want to add?

Cheryl Langdon-Orr: No, I was just saying that that - well I did actually. Cheryl - oh my dear heavens. Let me see if I can start that again in some semblance of English. Cheryl Langdon-Orr for the record. And, yes, Mary, that's why I think a clear liaison point is essential because it should be mandated that someone has that job of continually updating the chartering organizations and bringing back information and any concerns throughout the process.

And it may be that it might be a suggested timeline or project management template that could go out with these pieces of advice for how we create effective cross community working groups in the future whereby it is highly recommended that a touch point with all the chartering organizations happens, for example, before a draft goes out for public comment or before a particular public meeting or whatever.

Because most of them now are running along some sort of project management model. And I think we could have, you know, what is clearly a star event where when this is happening these things have to happen around it.

John Berard: So this is John Berard. I admit to being overly influenced by my participation in the GNSO. I am grateful that Becky has brought the ccNSO perspective to the table. I mean, how do we - I guess I've been fixed so much on making sure that the work product is acceptable and doesn't lead to contention that I really haven't paid a whole lot of attention to lighting the fuse.

My assumption is that drafting teams emerge from almost everywhere and then if we can promote the existence of drafting teams then we can surface willingness of others to participate and then once others participate we can ensure that the charters get adopted in a consistent manner. And then once the charters are adopted there's an assumption that there will be participation whether it's just by a liaison or by members. And that if there is participation that the work product of the group would then be more acceptable to each of the SOs and ACs.

So I've been looking at it as more of an insurance policy than almost anything else. So, Becky?

Becky Burr: So I actually think that, you know, in the, you know, in will worlds that's exactly what happens. And I would not change the encouraging participation in the drafting the charter. And the fact that you can't get anybody to participate in drafting the charter in that setting other than the GAC seems to me to suggest a level of interest that one needs to take -- or a level of -- or a lack of interest that one needs to take into account.

So I think just noting that there may be circumstances where you use the charter after it's drafted as a tool for soliciting interest, that there may be cases where that's appropriate or necessary. But it's not, you know, desirable where it's avoidable.

John Berard: Cheryl.

Cheryl Langdon-Orr: Thanks. Cheryl Langdon-Orr for the record. I'm just harking back, Chuck, now to our DSSA days when, you know, the three primary organizations gave birth to the concept of the DSSA. They were primarily engaged in the drafting. That went out as a template charter - a single charter. But the other ACs and SOs, at that point, went thank you very much we can sign on to that.

And I don't think that's an unreasonable model. I think a drafting team in an ideal and perfect world, would have contributed from each of the endgame chartering organizations. But I don't think it's necessary. I think if need be a single support organization or advisory committee could come, you know, cap in hand and charger in the other hand, do the rounds of the other ACs and SOs and say, you know, here's our draft, do any of you think this is worthy of comment you know, and edit and a possible sign-on?

I think it's better if two or more have already participated in the actual drafting team. But I don't think we need to shut the door. You know, I don't think you

have to be in a drafting team to be a chartering organization. I do think that it is perfectly reasonable for two or more ACs or SOs to gather together, agree on a draft to charter and then comment you know, out in about and others to sign up on it.

John Berard: Chuck.

Chuck Gomes: Chuck Gomes again. Thanks, Cheryl. And if I recall, and it's a long time ago, but the way this group came about I remembered the GNSO Council didn't want to pursue this particular issue until they did some thinking. And then what happened was they develop some ideas and then those were drafted and then given to the ccNSO to tweak and change and so forth. So I think you're right, it can happen a lot of different ways and that's fine.

Cheryl Langdon-Orr: Yes.

John Berard: This is John Berard. So the question is can we capture those many different ways and in capturing it can we suggest, you know, do we imprint our preference and the way in which we capture them? You know, do we imprint our preference in the way in which we capture them? And it's important that we avoid imprinting a preference on it but note that it's a -- at least a consideration needs to be made.

Because what is -- if a consistent charter is immutable than socializing the existence of the effort is immutable as well. You can't have a cross community working group without having done some socialization.

Now this represents -- if you look at the cross community working groups we have, they all came out of very noisy subjects, right, I mean, it is pretty clear

that no one organization was going to let any other organization take the lead on this particular important or noisy subject.

We have been, you know, I'm looking at this as a way to generate enthusiasm across the community on stuff that doesn't start out as noisy right, I mean...

Mary Wong: At this point maybe it's timely to note that the next likely cross community working group, and let something else pops up in the meantime, is the new gTLD auction proceeds.

John Berard: Yeah, that's not very controversial at all.

Mary Wong: No, in some ways that might impact - that might impact our timeline that we don't have to talk about it today but it also, in some way may be an incentive for the rest of the community to just, as you say, socialize what we're about to do. Becky has her hand up and I had a question but my question isn't about this so I'm going to...

John Berard: Go-ahead Becky.

Becky Burr: So I just have a proposal that we basically say, you know, this is the way that the team is most likely to generate consistent input and a successful outcome that they can happen in different - that, you know, charters can be drafted in different ways but that the goal, you know, a sort of best practice goal is to ensure that there is a buy-in into the charter in one way or another.

So in Chuck's example the tweaking, you know, defending this thing back and forth accomplishes, you know, essentially the same thing as a jointly drafted charter that the critical issue is ownership.

John Berard: Totally agree. I think that was what we talked about the first time we got together, it hasn't changed. It is immutable. What have I been reading that that word has stuck in my head? It's unbelievable. Edmon, yeah.

Edmon Chung: Edmon Chung here. So I think on that particular topic, you know, yeah, I think we shouldn't, you know, if we create a document we shouldn't probably be - we should not be prescriptive. But maybe we can catalogue a few, you know, successful cases and, you know, how - where it's co-drafted, where it's, you know, drafted by one or, you know, two SO AC and then adopted by others.

Or the third one is drafted by one and then, you know, made some changes as the other SO AC sign on they might make subtle changes. And if the original one says that's fine then that's a joint. If not - if they say not fine then, you know, they go off on their own.

But the tangential issue, I'm just curious whether we touch on this subject at all is staff support. Where would they come from? Like usually it seems like a lot of them come from GNSO? But some - like the JIG came from ccNSO. And I think the - I don't remember whether the JAS whether supported by ALAC or GNSO. Okay.

So that might be something interesting too because I never know how that magic happens. Is...

John Berard: Let's ask the experts here. How does that occur?

Mary Wong: I mean, the other staff support member for this group is Bart and that's because it's a GNSO ccNSO group. So I think in some ways it might depend on what the chartering organizations are. I think one of the sort of underlying

questions, which we don't need to discuss but that the staff has raised is does it have to be policy staff?

Because one of the - the other things that is in this document that I think we've talked about in previous meetings is the cross community working group can't be used because it's not appropriate when the topic is one of policy that's within the remit of one supporting organization, for example. So it almost by definition it's not policy development.

So there's lots of like granular things that we've sort of mapped. And I think some of this - some of that is reflected here. But - and I know everybody has to go so I'm going to throw in my question just for people to look forward in the next draft is the sort of decision making at the end. And I think that we've moved away from the problems, Becky, that we had at the beginning like oh my God, we are going to do a formal consensus call, the crazy GNSO levels, I think we've gone way beyond that. So that's good.

But then what we haven't been able to touch upon is, you know, how do you end the group? Number 1. Actually I should go backwards. Number 1 is what if you have a group that does not fully approve of the deliverables and the other SOs and ACs do? And I know there's been some of that talk in the current groups. Right.

So we are not sure what to do about that so that may be something that we may need to talk about the next time. And of course at the end how do you close the group? You can't just leave it hanging out there.

John Berard: Right. So we're at our time. I think we've got a path forward that gets us to a conclusion at the Dublin meeting. We need to, Becky and I and Mary and Steve and Bart, need to create that draft summary which we can then



distribute to the team - to the working group for approval then socialize it with current cross community working group leaders for feedback.

Come together on a final version which we would then deliver in Dublin. And I think that's where - as soon as possible but I'd like to think of Dublin as, you know, as the end point. Chuck, you had a point?

Chuck Gomes: Yeah, a couple things. First of all very quickly, and this is another unrelated question to what we've been talking about, but has the group dealt with the issue of outreach outside of ICANN? That's something that's been I think done very effectively in the two big cross community working groups right now but I think it's good to be in the guidelines. Okay, I bring that up.

And then on the document -- and I said I had a couple edits to consider -- the second bullet there says the working group members, I think that should say working group members and or participants.

John Berard: Right, it should be...

((Crosstalk))

Chuck Gomes: Yeah, and then on the last bullet - and this may be if the needed but it says adoption approval support non-objection of what? You might want to specify, are you talking about the deliverables in the previous bullet, the recommendations, we don't need to solve that right now.

Cheryl Langdon-Orr: If I can just before I go. Cheryl Langdon-Orr. Back to Mary's point I think what we should make more than just recommended and almost mandatory if a project timeline where you do have end dates and things engaged. And I think

that's been a very useful tool. It doesn't mean you can't extend but it means everyone knows when they should be able to get their life back.

John Berard: All right thank you I'll. We'll close with that. Thank you.

END