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HELSINKI – At-Large Leadership Work Session (Part 2)

Wednesday, June 29, 2016 – 09:15 to 10:30 EEST

ICANN56 | Helsinki, Finland

ALAN GREENBERG:

Good morning, this is ICANN 56, June 29th. This is the At-Large Leadership Work Session part 2. Can I have your attention? Can I have everyone's attention? Apparently not. I'll speak anyway. Alright, we are going to continue on the selection item, that is the selection committee and then the CSC liaison. We will then revert to the previous item of the At-Large director kickoff. Now I'm getting confused. Oh, we haven't started that one yet. Okay, we'll continue on this item, we will then go on to the At-Large director kickoff. Following that, we in theory have 45 minutes – which we don't – and the next scheduled item is workgroup revitalization.

That one is not time sensitive, although we have put it off for about three meetings now and continually bring it back on the table. But as things go today, it is not on the highest priority, and we will drop that one if necessary to try to complete these items. Both these items that we're talking about, the selection committee and then the director kickoff, are time sensitive. If we don't do it at this meeting and come to final decisions, I won't be over-dramatic and say we're doomed, but we're putting ourselves in an awkward position where we will either not make

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commitments, or we will be back in a situation where the director selection is rushed where it needn't have been rushed, and that is not a good position to be in.

All right. If we can back up to the last slide that we didn't come to closure on – and I don't remember which one that is. Can we back up the slides? Thank you. Keep going until we come to something we recognize. Alright, that once we decided. Let's go on to the next one. Conflict of interest. If a selection committee member wishes to run for a position – this is a proposal, not decided – that person must recuse him- or herself prior to the call for candidates. The selection committee will be given a heads up that a call for candidates is going to go out. Someone who believes they may choose to run for it – they are not committing to it – must recuse themselves. So they are off the committee for that particular selection.

If the person we're talking about is an ALAC member – and this is a proposal I wrote, I have no vested interest in it being right or wrong, but I put words on a piece of paper. Let's not – I hope we won't have too many alternatives for each of them. If it's an ALAC member, it's replaced by the other ALAC members, one of the other ALAC members from the region, decided by those people. Or if no ALAC members from the region are available, everyone's going to run, then the RALOs select someone. Any

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discussion? No discussion. We don't need to make a decision.  
We have discussion. Seun.

SEUN OJEDEJI: Sorry, how does this differ from just saying the selection committee members cannot be allowed to run for a position? How would this be different from just giving – adding a requirement that selection committee members are not allowed to run for a position?

ALAN GREENBERG: The question is, should we not simply have a rule saying selection committee members should not run. Personal position, other people can disagree, we're asking – these people are committing a year ahead of time. By definition, we're trying to put our best and most knowledgeable people – because remember, these are the people who are going to make recommendations to fill critical posts, so I'm presuming we will try our best to put really knowledgeable people in this group.

We never know how many selections they're going to be doing. They may be doing none in a year, they may be doing one or two. This coming year, there's probably a fair number they're going to do because of various AOC-type reviews and other reviews coming up, and a number of selections that are

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associated with the IANA transition. So to say, "Do not volunteer if you may want to be on some unknown committee in the future," I think restricts – either puts [poor] people on the selection committee, or takes good people out of the running for the various operational committees that we're looking at.

So my preference is not to have a blanket rule. That is, of course, one of the options we could set. Kaili.

KAILI KAN:

Yes, thank you, Alan. Just for Seun's discussion, I believe for recuse himself for this specific position, not to exclude a person that might want to run for one position to be out of all the other selections, other positions. So I think this is much better, rather than blanket everything. So that might exclude – who knows, could be half of all the people who are eligible to vote, and then it'll collapse. So I think this is much better. It'll be case by case. Thank you.

ALAN GREENBERG:

I'll give an example. The past two ATRTs, at least one of the people has been the current sitting ALAC Chair. That doesn't mean it's going to happen next time, but it has happened. The group decided that that was the best person on a critical – very critical, perhaps the most critical review we have in ICANN, that

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the ALAC Chair was best able to represent the ALAC. I would not want to say we could never do that again because we've decided the ALAC Chair is the right person. Again, I'm not pre-supposing who will be on this ATRT 3. Again, similarly, we have had sitting ALAC Chairs – I'm working on the CCWG, and I couldn't – in this structure, I could not have been eligible.

So I would not advise saying you are ruling yourself out. We want the best people in both the selection committee and the positions, so I think this is a reasonable path forward. But again, it's a proposal, not the rule. Sébastien.

SÉBASTIEN BACHOLLET: Thank you. I need to explanation, what is for a position, and the second is that he's or she's replaced for the time of the selection of the position, she or he is willing to get or is replaced at the time he or she is candidate for the rest of the mandate she or he was supposed to have.

ALAN GREENBERG: What I was proposing – there are no doubt an infinite number of variations. What I was proposing is the person recuses themselves from the selection of that position. If there are five selections going on in parallel, that person would still participate in the selections that they're not running for. So it is

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a very targeted recusing. It is not for the rest of the term, it is not for all positions, it is – they do not participate in the discussion for that position. That’s my proposal. There's no doubt we can have an infinite number. Go ahead, Sébastien.

SÉBASTIEN BACHOLLET: Yes, thank you. I guess it's clear for me. My only concern here is that what is the risk of bargaining among the members of the committee if we do so? Thank you.

ALAN GREENBERG: In this group, I find it hard to believe that we're going to have that kind of situation going on. In ICANN, we always worry about people gaming situations. We worry to the extent that when we defined a community TLD definition, we made the rules so hard that no one could ever pass it. When we had an applicant support process, we made it so hard that virtually no one could ever pass it, because we're afraid of gaming. I'd like to trust people in this case. If we find out that there's a problem, we can subtly – we can change it later on. I'm not sure these positions are that important that we need to worry about making them absolutely bulletproof to anything.

That’s, again, my position. I prefer to trust our group, and if we see a sign of a problem, react to it, than to try to put onerous

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rules in place. Again, I'm a somewhat trusting person. That may not match everyone's model. Discussion. Tijani, I think you're saying call the question, or you want to intervene.

TIJANI BEN JEMAA:

Yes, it's not a question, it is a point of order. I am not saying that we are spending a lot of time discussing everything, and this is normal. Everyone wants to speak, etc., but for the sake of efficiency – and we need our rules of procedure to be adopted this time, we have real things to do this time, so we have to be efficient. I propose a method of working: for any issue, each member can take the floor to explain his or her point of view. We can make one round of people asking for the floor, including the Chair, and then we can ask a second time if there is something to clarify, but that's all. And after that, we decide, and any intervention cannot be more than two minutes. Thank you.

ALAN GREENBERG:

Thank you, Tijani, and I really mean thank you. Are there any further questions on this one point of replacement – sorry, of the basic point that we can have recusing for individual positions? Any questions on it? I thought we had decided it before, but we didn't. First paragraph is accepted, I see no dissent.

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SÉBASTIEN BACHOLLET: Excuse me, but what is – once again, I would like to [inaudible] what is with a position? It's the position who are discussed in this specific committee.

ALAN GREENBERG: If a selection committee member wishes to run for a position, that person must recuse themselves—

SÉBASTIEN BACHOLLET: I am sorry—

ALAN GREENBERG: — prior to the announcement of candidature from the selection of that position. And that is the proposal. Kaili.

KAILI KAN: Recused and replaced simultaneously?

ALAN GREENBERG: Recuse says they will not participate. The next paragraphs will talk about the replacement.

KAILI KAN: So these two things happen, okay then. Thank you.



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ALAN GREENBERG:            Anyone disagree strongly enough that we have to have a vote? I see no hands.

Next bullet: if it is an ALAC member that is recusing themselves, they will be replaced by one of the other ALAC members for the region if available, decided by the ALAC members using whatever method they choose. That ranges from a simple decision, a fight in mud, drawing straws. Any disagreement?

If there are no ALAC members left, the RALO will provide a person in lieu of an ALAC member. Again, by the RALO's own rules. No discussion? Agreed to.

If it is a regional member that is recusing themselves, the RALO will provide a replacement. Obviously, someone who is not running for the – yes, Seun.

SEUN OJEDEJI:            This is just a minor comment: may I suggest that there's actually a deadline between the time where the call for application or call for expression of interest and the time that the person would actually say he wants to recuse himself, so there can be enough time for the RALOs or for the ALAC members to select a replacement. Thank you.

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ALAN GREENBERG: The selection of the replacement can be done during the duration of the call, which will normally be a week or two weeks, so the replacement is not an issue. The person on the committee will have to make a quick decision, because there isn't always a lot of time between the decision to do a call and the actual call going out. I don't believe we need to decide on that timeframe here. Seun, according to the rules, unless you're asking for a clarification, we'll go on to León.

LEÓN SANCHEZ: Thank you very much, Alan. I think that Seun's question is answered in the slide itself: it says that the committee member must recuse him or herself prior to the call for candidates, so that's the deadline, Seun.

SEUN OJEDEJI: That is my point, actually. Prior to what Alan is saying, the thing can happen within. You said there's going to be a replacement prior to the call.

UNIDENTIFIED FEMALE: The replacement can start while the call is on. The recusal has to happen before.

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SEUN OJEDEJI: Oh, okay.

ALAN GREENBERG: Nor does it say the replacement happens before the call. The decision to recuse happens before the call, and that person will be given a notice, but it may not be more than a day or two. If you don't read e-mail for two weeks, you may find you cannot apply for a position that you otherwise would have wanted, and that's life.

If the Chair recuses him- or herself, the Chair will be replaced by one of the Vice Chairs or the Vice Chair if there's only one, barring there be a Vice Chair that's available by another ALT member, barring there be an ALT member available by an ALAC member. That's roughly equivalent to the succession rules that we have in our rules of procedure if a Chair is no longer available for one reason or another. Any problem with that? Are there any cases that I have forgotten, that we care about now? No, this slide is decided. Heidi, you have some intervention?

HEIDI ULLRICH: Just to read your Skype.

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ALAN GREENBERG: Read my Skype. Heidi's Skype says – apparently Heidi can't say it, but Heidi has Skyped me: "Alan, what will happen if the call is sent by other staff with no notice to the ALAC? I don't understand how can these members recuse themselves prior." I don't understand the concept of a call being made without notice to the selection committee that's going to have to make the call.

HEIDI ULLRICH: Sometimes the calls come from other departments [inaudible] selection committee for like the CCT.

ALAN GREENBERG: Alright, Heidi is asking the following question: "What happens if the call is made for an ATRT Review Team, or WHOIS RDS Review Team, the call comes out from other staff, and it says 'but you have to be endorsed by the region.'" I believe we will make a parallel call with the specifics in it, and that is the call that will count.

HEIDI ULLRICH: Thank you.

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ALAN GREENBERG: So noted. Thank you, Heidi, for catching that. And for the record, you're allowed to put up your hand and talk. Far more expedient than telling me to read my Skype. Now, if you're telling me my clothes aren't buttoned, probably you should do it privately.

Next slide. Decisions. Again, proposal. Decisions are made by consensus if possible. We have a definition of consensus in our rules of procedure. By majority vote if necessary, and then an option. Is everyone happy with the first two bullets? So consensus if possible, vote if necessary, Chair of the selection committee to act as a tie breaker. Seun, go ahead.

SEUN OJEDEJI: Am I right to assume that the initial vote of the majority does not include the vote of the Chair?

ALAN GREENBERG: That is correct.

SEUN OJEDEJI: Okay.

ALAN GREENBERG: Tijani.

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TIJANI BEN JEMAA: Seun made my point, but I will emphasize on the fact that the Chair is a non-voting Chair, so he cannot break the tie.

ALAN GREENBERG: You're disagreeing with point number two? How do you propose to break the tie, may I ask?

TIJANI BEN JEMAA: I think that, as you said, the best is to go by consensus, but if there is no consensus, we need to make people – the minimum – it is exactly like here: we didn't have a consensus, we have a tie. You break the tie according to the rule of procedure. We have to put something to break the tie, and I think that it might be taking into account if there is a majority from the ALAC members who are for a position, this position will be the position taken. So the vote of the ALAC members will be preponderant.

ALAN GREENBERG: Alright. We have a suggestion that instead of the methodology which we actually just used for the first time, that are in the rule of procedure for the ALAC, that instead, if there is a tie among the whole committee, that – and obviously, any Chair is going to try to break a tie saying, "Does anyone want to change their

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mind?" Or whatever. But if it is a definite tie, then we have an odd number of ALAC members, and the ALAC members rule. Let's hear any other speakers, and then we'll take a decision between those two. Sébastien?

SÉBASTIEN BACHOLLET: First, I wanted to come back to the question of – is the Chair voting? As we decided previously that it's the ALT members, we decided previously that it's the ALT members who will represent ALAC in the selection committee, then the Chair is one of the members of the selection committee, he must vote like the other members, because we need regional balance, and he's one of the representatives. He is one of the ten people, he needs to be able to vote. Now, when we come to the question of the tie, there are then two solutions: one is that they are more important member in this committee than the others, that's to put the ALAC representative, the ALT member in fact to decide, or it's to have the Chair as a tie breaker, but my first point is that the Chair is one of the members, and they have the same duty and possibilities as the other member regarding the vote on the selection. Thank you.

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ALAN GREENBERG: My recollection is there was an option for what happens with the ALT. What was on the slide – and maybe it was my mistake, we didn't discuss it, but if we go back to slide number three – keep going, somehow the numbers didn't show up on these slides, I don't know why – the recommendation was ALT members except for the Chair 's region where one of the other ALAC members would be selected, that was the intent there. We can go back and revisit that, if you'd like. I don't much care.

SÉBASTIEN BACHOLLET: But we didn't decide anything except the ALT members, and that's the ALT members. And if we want to change that, okay, then we need to add someone from the region of the Chair, but then we have to decide who will decide that. We didn't do it. My suggestion is that we keep the 20, the Chair is among them, and the Chair has the same duties as the others.

ALAN GREENBERG: That [does] make it difficult for the Chair to act as an impartial Chair and one of the discussants. We have a queue now. Let me first clarify what I wrote and I thought what we said, but maybe it didn't get said, is if it is the ALT – and clearly the Chair is one of the ALTs – we've already decided the Chair of the ALAC will preside over the group, then it would be the ALT, except for the



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Chair, in which case one of the other ALAC members would have to be selected. That was certainly the intent, I don't know whether it was understood or said at that point. We have a speakers' queue. We have Tijani, I think we had León, and we have Kaili.

TIJANI BEN JEMAA: There is a slide at the beginning saying that the composition is ten members plus the ALAC Chair, so there are ten members: two from each region, plus the Chair, and this is how we said the Chair is a non-voting Chair.

ALAN GREENBERG: That's what I thought we had said.

TIJANI BEN JEMAA: It was on the slide.

ALAN GREENBERG: Yeah. León.

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LEÓN SANCHEZ: Thank you very much. I see two possible ways here: one is to have the Chair a voting member, the other one is to have the Chair only vote when there's a tie, as a tie breaker.

ALAN GREENBERG: Or we have an alternative saying it's the ALAC members that break the tie, and I'm quite happy to accept that. I don't care. Kaili, quick intervention.

KAILI KAN: Yes. I consider – no matter what, no matter whether the Chair is a voting Chair or a non-voting Chair, if there's a tie, if he did not vote, not his vote will break the tie. If he voted already, then they'll vote twice just like what we [exercised] a moment ago. So either way, in a tie, the Chair decides. Thank you.

ALAN GREENBERG: As Tijani said, we already did decide – and we promised we weren't going to go back – that we would have ten members, plus the Chair. That implies the Chair cannot act as an ALT member and a Chair simultaneously, which implies to me we selected someone else, which is what it said. So I think we've decided, and I believe most people here agree, that we will have five ALAC members, plus the Chair. The four of the five will be the

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ALT for the Chair's region, someone else will have to step in. Now we have a decision. Kaili, we said one intervention per person. Seun, I don't even recall if you had an intervention in this subject or not, so go ahead. Go ahead, as Chair I can't recall, so go ahead if you have something to say.

SEUN OJEDEJI: I had an intervention before, so – I should go ahead? Okay, thank you. I just wanted to clarify, because in the situation where the Chair is actually going for the position, what happens when there's a tie? Is it a replacement that assumes the same status? Because you said – yeah.

ALAN GREENBERG: Can we go two slides up? Thank you. If the Chair is running for a position, the Chair will be replaced as the Chair of the selection committee by a Vice Chair, another ALT member – which in this case, they will have to be in turn replaced – or an ALAC member.

SEUN OJEDEJI: Yeah, my point is that as in the case of ALAC, the replaced person does not break the tie. Just like you said, it is the sitting Chair that breaks the tie.

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ALAN GREENBERG: That is in the ALAC rules. Here, we're saying whoever is acting as Chair of the selection committee breaks the tie.

SEUN OJEDEJI: Okay.

ALAN GREENBERG: There is no more powerful Chair than whoever is sitting in the Chair's position, however they were selected.

SEUN OJEDEJI: That is not written there, but [inaudible] thank you.

ALAN GREENBERG: Alright, I think we have agreement that there will be ten members. We have an option for how a tie is broken: the tie is either broken by a majority of the voting ALAC members – of which there will be five, hopefully, heaven help us if there are only four at the meeting – or by this Chair, the person acting as the current Chair of the selection committee for that particular selection. Is there anyone here who doesn't really care which it is? Alright. Is there anyone who prefers the sitting Chair to take the tiebreaking vote?

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UNIDENTIFIED MALE: [inaudible] option?

ALAN GREENBERG: Yes, there will be another option, that is –

UNIDENTIFIED MALE: [inaudible]

ALAN GREENBERG: No, I don't think there are any. The two options are – I believe, and before we vote, someone correct me if I've missed one – the sitting Chair of the selection committee breaks a tie, or a vote of the ALAC members on the selection – of the voting ALAC members – breaks the tie. Those are the two options. Vote for the first option, the sitting Chair breaks the tie. We have one, two, three, five. I sure hope we have more ALAC members at this meeting now.

UNIDENTIFIED FEMALE: Yes, we do.

ALAN GREENBERG: Alright. Option number two: the tie is broken – oh. Go ahead, Gisella.

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GISELLA GRUBER-WHITE: Sorry, we now have 11 ALAC members seated at the table, and we've just received an e-mail from Wafa Dahmani saying that "Concerning the votes, I want to give a proxy to Mr. Tijani Ben Jemaa to vote instead of me." Thank you.

ALAN GREENBERG: Noted, Tijani now has two hands.

UNIDENTIFIED FEMALE: [inaudible]

ALAN GREENBERG: We're really good at this, aren't we? Two options. We're going to start the vote over again, because now we know who's voting. Option number one: the tie is broken by the presiding Chair of that selection. Note, I am not casting a vote in either, because I really don't care. We have five votes to say the Chair breaks the tie. Voting to say the majority of the ALAC members break the tie. One, two – Vanda, you're voting for this? Three, four, five. That's okay, that's okay, because I reserve my vote.

SÉBASTIEN BACHOLLET: So do I.

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ALAN GREENBERG: Ah, so do I. Okay, go for it, Sébastien.

SÉBASTIEN BACHOLLET: Sorry, but it was to show if we do the ALT, the ALT could be tiebreaking too, and then we will need the Chair to tie break again. Let's go for the Chair.

ALAN GREENBERG: Done. Nothing is simple.

UNIDENTIFIED FEMALE: [You have to] officially announce the results, please, if you understand them.

ALAN GREENBERG: We had six votes for the Chair breaking the tie.

SÉBASTIEN BACHOLLET: Five.

ALAN GREENBERG: Including yours, which was deferred without telling us it was going to be deferred, but that's fine. I'm willing to accept that. I

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don't think anyone is willing to dispute it and prolong this. We had six votes for the Chair, and five votes for the ALAC members. I think Sébastien's argument is compelling that it removes one more option for a possible tie. The Chair, of course, could be undecided, and I'm happy to support that outcome, so in fact, it is seven to five. Tijani, you have an intervention.

TIJANI BEN JEMAA:

Yes. Thank you very much, Alan. I would like to – that my – this point will be recorded, because for me, this is not a good thing, because first, the same region has two votes, second, because the Chair who is not voting will be voting in this time. So for me, this is something that we normally should avoid. Since the majority is for it, it's okay, but please record my point.

ALAN GREENBERG:

Noted, thank you, Tijani. Kaili?

KAILI KAN:

Thank you. I just want to add one sentence, that the tiebreaking position – Chair, sitting Chair, whatever – may not be allowed to vote as absentee, otherwise the tiebreaking role will not be fulfilled.



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ALAN GREENBERG: I'm sorry, I didn't catch exactly what you said.

KAILI KAN: If the presence of the Chair is to break the tie, this Chair is not allowed to vote as absentee – not to vote as abstain, otherwise, there's no tiebreaking.

ALAN GREENBERG: I never even thought of that as an option, that the Chair would choose to do that. What Kaili is saying is that the Chair can't abstain.

SÉBASTIEN BACHOLLET: That is not tiebreaking.

KAILI KAN: Just to make it clear, spell it out. I understand that's implied, but to spell it out is better.

ALAN GREENBERG: Thank you. As you recall, I read the rules of our rules of procedure, we never thought to include that as an option, but noted. Yes, I think you are certainly correct. If you take on a

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position of being Chair, you take on the responsibilities. Thank you, we have now completed that. Next slide.

That, we already did. Next slide. Alright, I believe we have now fully – no, sorry, there was one more item on the previous slide we didn't cover yet. Previous slide. The third bullet, this was an issue brought up on the mailing list. There were two positions. One was for positions that are representative of the ALAC – that is liaisons to ACs and SOs, because we do use the term liaison for other positions – for liaisons to ACs and SOs – and currently we have three of them to the GNSO, to the ccNSO and now to the GAC; round of applause – that if there is not a decision by consensus, the decision will be made by the ALAC members on this committee. That is option number two.

Option number one is the decision we made, like all other decisions, by the entire group, and of course with the tiebreaking rule we have already determined. Can we have any discussions people want to speak for or against one of those things?

The substance of the argument – which I will not make as an intervener, but the substance of the argument is these are people who are selected to speak on behalf of the ALAC, and although it has to be ratified by the ALAC, of course, we don't want a position where the non-ALAC members end up forcing

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the decision, which will then have to be potentially rejected by the ALAC. So it says we welcome the regional people to participate in the discussion and/or try to dissuade, but the actual recommendation comes from ALAC members. The alternative is it comes from the whole group as for other selections. Discussants, we have Tijani first.

TIJANI BEN JEMAA:

Thank you, Alan. In my point of view, all the selections are done by the selection committee, but the selection committee is not deciding, they are recommending to the ALAC. So the final word is for the ALAC. So in any case, let the selection committee do all the selections, and at the end, the ALAC may accept or reject those selections. That's why I prefer that, and as much as you widen the number of people who are voting, you have better decision in my point of view, because you have better views. And don't forget that we are a bottom-up organization. We always say that we have the bottom-up decision-making organization, so try to be the most wide to have decision. Thank you.

ALAN GREENBERG:

Thank you. Would anyone else like to speak before we decide?  
Kaili.

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KAILI KAN:

First of all, I have to agree with Tijani. Well, we won't have the biggest, widest democracy, however, as we are bottom-up, we're not going to be [part of the] bottom. So at a certain stage, we need to go up, which means just like the e-mail discussed, democracy does have a limit. So if it's some kind – well, some other methods should be exercised. Thank you.

ALAN GREENBERG:

As Tijani pointed out, should the recommendation be made by the entire group, which is rejected by the ALAC, it would have to go back to the group, and who knows what would happen next. So the ultimate decision of to accept the recommendation or not – and remember, this committee might, in any given instance, make, you know, say, “We have three people that are good, the ALAC decides,” or it might say, “We have reviewed them, we believe this is the right person, period. The others may be capable, but this is the correct person.” That’s up to the selection committee to decide how to do that. But should the selection committee come up with a recommendation where none of the alternatives are acceptable to the ALAC, the ALAC could remand it, and you could have an infinite loop at that point. That’s why I have a slight preference for the ALAC members, just because it should remove that possibility. Anyone else want to speak before we vote? Seun.

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SEUN OJEDEJI: Yes, just a quick one. I assume that by one of the committee members recusing himself, also means that the person will also recuse himself from the ALAC decision on the recommendation.

ALAN GREENBERG: That has never been our practice, and I don't believe I'm proposing that now.

SEUN OJEDEJI: Okay, thank you.

ALAN GREENBERG: With the one exception of Board member selection, which is in a different category, we have never had people recuse themselves – we have on rare occasions had someone saying, "Since I'm a candidate, I won't vote." That's a personal decision, but in general, people have not done that, so I see no reason to introduce it at this point. Any further comments before we vote?

All right, I'll call the vote. ALAC members who would prefer to see all decisions made by the full selection committee, all recommendations, and then go to the ALAC – does have the

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possibility of recursion. Probably not likely though, but it does.  
Hands, please. Hands, cards.

KAILI KAN: Excuse me, can you please spell out the two we're voting to options, and then we can make the decision.

ALAN GREENBERG: Thank you for the reminder again, I'm slow today. The two options will be decisions for AC/SO liaisons – sorry, recommendations for AC/SO liaisons that are being made to the ALAC will be made either by the entire selection committee using the rules we've already determined for non-voting and tiebreaking and whatever, and option number two will be if we don't have a clear consensus, then it is the five voting ALAC members who will make the recommendation.

TIJANI BEN JEMAA: Sorry, it wasn't that, your proposal, Alan.

ALAN GREENBERG: It wasn't?

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TIJANI BEN JEMAA: No, this is a tiebreaking. You are speaking about breaking the tie now.

ALAN GREENBERG: No.

TIJANI BEN JEMAA: You said if there is no consensus.

ALAN GREENBERG: Consensus by the definition that we use in the rules of procedure, which by definition – unless altered – we use everywhere else, is about 80%. So if we don't have a clear consensus, that is the majority of everyone, which implies the – well, I'm not sure it implies the majority of the ALAC, but if it's not a clear decision, then the ALAC members make the decision, is what this is implying. We'll try to word it clearer. There didn't seem to be a lot of merit to write bylaw type language for all of the options ahead of time. I hope I'm forgiven for that. There are only so many hours in my day. So the two options – if it comes down to a vote, let us say, then it is either done by the whole group, or just by the ALAC members. Those are the two options. Is there any question on what the meaning is? Yes, go ahead, Kaili.

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KAILI KAN: Just you mentioned done by the five ALAC members within the selection committee, or...

ALAN GREENBERG: We're talking about within the selection committee, of which –

KAILI KAN: [inaudible] selection committee, but what I heard from Tijani is if the recommendation is disliked by the entire ALAC group, then the ALAC can throw the recommendation back to ask the selection committee to reselect. These are two separate things [inaudible] confused what am I going to vote for.

ALAN GREENBERG: I will try to qualify. Regardless of who selects on the selection committee, it is always possible to have the ALAC reject it. Even the people who selected them on the selection committee can decide by the time they get to the ALAC to reject it, and there are ten ALAC members who are not on the selection committee, so rejection by the ALAC is always possible, regardless of how the selection is made. If the selection is rejected, we revert back to the selection committee. We could iterate forever on that, and to



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be honest, I'm not trying to cover that case. We will cover it by an ad hoc process if we get to it.

All we're looking at is how the recommendation is made to the ALAC. What the ALAC does with it is not our business today. The selection will be done by the full committee, or by just the ALAC members if there is not a clear consensus. I am calling the question at this point. I would like to see a show of hands or cards of ALAC members for those who would prefer the full committee to take a vote if there is no obvious answer by consensus. Tijani, are you voting twice? Thank you.

This is a vote only of ALAC members, please. Yes, this is a decision of the ALAC. Can we please have staff count the ALAC members who have their hands up or cards up? I count one, two, three, four, five, six, seven, eight. I have chosen not to reserve my vote at this point. Tim, are you voting in one direction or another?

TIMOTHY DENTON: Yes.

ALAN GREENBERG: All right. Now, who would prefer only the ALAC members to make the decision?

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UNIDENTIFIED MALE: You had the ALAC members, and then you had – The previous vote was in relation to proposition what? Sorry.

ALAN GREENBERG: This is a vote of whether on the selection committee, if there was not a clear decision by consensus on who to recommend, is the decision made by a vote of all ten members of the selection committee, or by just the five ALAC members of the selection committee.

UNIDENTIFIED MALE: And I am for the five ALAC members [inaudible].

ALAN GREENBERG: Your vote. Okay, now, we are now taking the second option. Those who would prefer to see just the five ALAC members participating, we have Jimmy, León, Tim, and we had how many in the other direction? Eight. So I have a small preference for the ALAC, so that means the whole committee votes. Decided. Next slide.

UNIDENTIFIED MALE: Wait, so fifth or sixth...

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ALAN GREENBERG: CSC liaison.

UNIDENTIFIED FEMALE: Yes.

ALAN GREENBERG: I note that it is 10:15 right now. The proposed schedule is the following: the call for selection – remember, to select the CSC liaison, we need a selection committee. We have just decided on how that selection committee is selected, and the rules by which it will operate. These will be formally documented. To select the CSC liaison – and to recall for those who don't memorize every acronym in ICANN, there is a committee that will be populated largely by customers of the IANA names function – that is registries – to verify on a regular basis that the IANA function is performing well. There are a number of metrics they will verify. They will look at complaints. There are some other functions of this committee, which have to do with how major problems are handled, so it is a relatively important group.

The group allows for optional liaisons from a variety of other groups, including the ALAC. Since we made a lot of noise to make sure we were included, because the first versions did not

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include us, it would be sort of a good thing if we met the deadline and submitted a name. If we don't meet the deadline, there's nothing to prevent us from adding someone later, but the CSC liaisons are vetted by the GNSO and ccNSO – or maybe by the Registries Stakeholder Group and the ccNSO, I think.

They are asking for two people, because they want to be able to use the liaisons – among others – as a way to get diversity within the group. So if possible, we are to provide two names. There are some very significant qualifications to this rule, so that it is quite possible we will not have two names of people who volunteer who actually have the expertise. Whatever comes out of that, comes out. It is possible we'll have zero, but we're certainly going to try.

By definition, there's not too many people in our group who run registries, and yet that's pretty much a pre-requisite, so it's an interesting position we're put in. So the sequence is we will have a call for selection committee members based on the rules that we have determined today, as soon as practical. That might mean the beginning of next week or something like that, but as soon as practical. There will be a call for the CSC member, hopefully issued on the coming Wednesday.

There is a significant wording effort that has to do with identifying the qualifications for this person. It is partially done.

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It is not completed, but my target is to get it out by the 4th. We may miss the target, but that is the target. Deadline of about July 13th. By then, we're hoping we will have the selection committee identified. We are asking for very quick turnaround from the RALOs to identify their person on the selection committee. The selection committee will be convened on or about the 18th of July.

The selection committee will meet, presumably the people will have reviewed all the applications – if there are any – and will make a recommendation in a single meeting. That recommendation will go to the ALT for ratification, relatively short vote, in time to make the deadline of the 22nd of July. That is a very aggressive timeline on pretty much all counts, but we could do it with some difficulty. Comments and questions? We have a speakers list. I'm not sure who put their hand up first, but I'll go Tijani and then Seun.

TIJANI BEN JEMAA:

Thank you very much, Alan. Your timeline is very clear. There is a third bullet point, which is a repetition of the first. We can remove it and replace it by another bullet point, which is set up the requirements for the CSC position, and I think that we have to do it perhaps these days, very soon, because we cannot call for candidate if we don't have the requirements.

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UNIDENTIFIED FEMALE: Yes.

ALAN GREENBERG: Just to be clear, we do have the requirements. They're in about six different documents, and I'm trying to put it all together into one e-mail. We can do it by a committee if you want, but to be honest –

TIJANI BEN JEMAA: I didn't say a committee, but send it, make it visible so that the selection will be done according to it.

ALAN GREENBERG: It is a more complex thing than – we have several documents. To be honest, they disagree with each other, because the CWG set up some specific rules. The actual call for membership put out by the ccNSO and the GNSO did not quite follow those rules, and I was trying to juggle them and I got involved in actually running this meeting instead of doing it. I will finish it within the next day or so, but if anyone else would like to volunteer to take it over, that's fine too. But it should go out by next Monday. So I'm sorry, yes, I did duplicate two items. I apologize for that. The item

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you're suggesting adding is in fact implied in the second bullet right now.

Seun. Done. Anyone else have any comments? It's aggressive, I believe it's doable. It's going to mean everyone can't take all next week off, I'm hoping that we'll have some people who will be able to do the staff work on that. Hearing no comments, we have agreement. This item is finished.

At-Large director kickoff. There's a new presentation for that, please. It's a very short presentation. In terms of timing, we have ten minutes left for this somewhat critical item, but when the slides were done, it was acknowledged that we had already missed a number of deadlines, and that some things we had hoped to decide in this meeting will not be decided in the meeting, and I think we'll be okay if we don't have too much discussion.

Is this an etch-a-sketch or something? All right. I will read what it says. It says, "Board member selection kickoff." The date is intact, as long as we don't move a cursor over it. I thought only Adobe Connect does this, but apparently, it's something else that does it, too. There is one slide. Can we please go to the next slide and don't put the – too late. When we come to the line in question, I will read it to you. These are the tasks that we must carry out: we must select the Chair of the BCEC. For those who

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do not memorize acronyms, that is the Board Candidate – I don't remember what the E means.

UNIDENTIFIED FEMALE: Evaluation.

ALAN GREENBERG: Evaluation, thank you. Committee. This is the group that does the call for expressions of interest. Someone has their speaker on. Creates the call for expression of interest. We do have models to use from the previous year. Evaluates them and makes a recommendation to the electors. The electors are the 15 ALAC members and the five RALO Chairs. Unfortunately, an even number. We seem to specialize in that. And that committee basically is – that is the job. There's a little bit more to it. There are options for RALOs nominating, adding petitions and a number of things like that, but essentially, the BCEC accepts expressions of interest, creates a slate.

There is a BMSPC, Board Member Selection Process Committee. This is the group that essentially oversees the entire election, entire selection, with the exception of tasks that are directly attributable to the BCEC or directly attributable to the ALAC. The third issue is to call for BCEC members. The membership is specified in our rules of procedure, and in fact, it is decided in



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the parts of the rules of procedure that we are in the process of revising. One of the reasons we cannot go quite where we wanted to this meeting – aside from lack of time – is we haven't approved the rules yet, but the concept does not change.

We must issue a call for BMSPC members. We must assemble the guidelines and principles and other documents. We have a vast amount of information, because we compiled a lot prior to the first process. The first process, which was run by Cheryl in both the BMSPC and the BCEC, created a full number of documents and such. The second process, where the Chair of the BMSPC was Tijani and the Chair of the BCEC was Roberto Gaetano, unfortunately – for reasons that are not quite clear – some of the original documents seem to have gotten lost at that point.

They also created some of their own, perhaps in competition with or in addition to the others. We have to do some work, we have to assign our archivist to go back in the documents and pull them together. There is a bit of question – one of the questions in the rules of procedure is who sets these guidelines that we will be discussing when we get back to the rules of procedure, I hope discussing shortly. But those documents [inaudible] need to be pulled together, essentially in time for the committees to be convened. The intent is that both of these committees should be able to be convened by the end of July.

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That means we have a moderately short time to do the selection and pull our documents together, and as I said, there's some question on the table of exactly the process for pulling the correct documents together. We'll decide that in the rules discussion, not today.

Is there any discussion here, or problem with the timelines and issues that are listed? Seeing none, we have a work plan going forward. We have four minutes off. I don't think we want to revert to a discussion of rules and procedure for four minutes, it would take us that long to get the documents on the screen. You are released. Thank you all, and Tijani has an intervention before I say the thank you.

TIJANI BEN JEMAA:

Yes, thank you very much, Alan. I propose that Cheryl and myself, we try to compile all the guidelines of the first round and the second round, and I personally commit to have this ready for July as we said. I hope that Cheryl accepts that, and then it is up to the ALAC to change it, modify it, etc.

ALAN GREENBERG:

I would like to leave decision offline for who does what to whom and with whom. We just don't need to decide that as a group.

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TIJANI BEN JEMAA:            Okay, no problem.

ALAN GREENBERG:            The ALAC – if the BMSPC and the BCEC are to start their work at the end of July, then the ALAC meeting in the last week of July will have to approve the rules. That puts a timeline on it. If we miss that deadline, then we'll approve them offline a week later or so. So we have a bit of flexibility. Yes.

UNIDENTIFIED FEMALE:      I think there's a remote participation.

ALAN GREENBERG:            There is a remote participation question or comment or something.

ARIEL LIANG:                 Just a question. For the ALAC members that haven't voted for any of those decisions, what's your suggestion regarding follow-up, if any?

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ALAN GREENBERG: We have made all of our decisions. The votes are over. Sorry, I can't hear what you're saying.

UNIDENTIFIED FEMALE: So no need to check with them.

ALAN GREENBERG: We have the option on a vote to extend the vote by several days to try to get absent members. I do not believe – and I heard no call doing that here. Decisions were made, we had quorum. All ALAC members were technically in this city or had a proxy here, past the first [inaudible]. If people have not voted, then they didn't vote. There's a hand from the back of the room, I'm not sure who it is.

ADEEL SADIQ: Hello, everyone. For the record, I am Adeel Sadiq, a NextGen ambassador from Pakistan. Can an outsider like myself comment? I'm not sure about your rules.

ALAN GREENBERG: You can comment. Sorry, a quick comment, because we are on very tight timeline.

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ADEEL SADIQ: About the clause in which you decided that Chair could break the tie. So, will the Chair be using his vote only when there is a tie, or will he be voting even before that?

ALAN GREENBERG: It depends on which rule you're using about the Chair with the tie. We've used that rule twice in two different instances today. There is an ALAC rule that says should there be a tie, there are many ways of resolving it, one of which is the Chair breaks the tie, which implies a second vote. If we're talking about the selection committee, the Chair is normally a non-voting position, and the Chair would be exercising the first – the vote. So it depends on which breaking the tie you're talking about. Thank you.

Any more interventions? Then I thank you all, I thank our interpreters for putting up with us, and any time I've heard an interpretation, it's been good. We, as the ALAC – rather, At-Large leadership, ALAC and regional leaders, are not reconvening today, I believe. I'll turn it over to staff to announce what there is the rest of the day.

I will note that tomorrow, we have a significant number of meetings. They start at 9:15. May I remind all ALAC members that these are not optional meetings, they are obligatory

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meetings. If you are not going to be at a meeting, please let staff know where you are instead. As you've seen here, we have votes. We have lots of votes. It would be nice to include everyone, and certainly include everyone in the discussions. I thank you all for putting up with me and the number of mistakes I've made. Most of these slides were done at about 1:00 last night, and obviously, not with as much care as they should have been done. So for that, I apologize. Any further comments before I turn it over to staff for a recount of what's going on the rest of the day? Dev.

DEVANAND TEELUCKSINGH: So what about the working group revitalization topic? That's going to be rescheduled.

ALAN GREENBERG: It will be rescheduled again for some time after this meeting. We do not have time for it. Unfortunate, but not the highest priority today. I turn it over to staff.

GISELLA GRUBER-WHITE: Thank you, Alan. The next session in this room is the At-Large Outreach and Engagement Working Group, running from 10:45 to 12:00. We also have the At-Large Review Working Party meeting running from 12:00 to 1:30. That is essentially for the

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working party members in the Aurora Hall next door. And join us this afternoon, we have the joint AFRALO-AfrICANN meeting in this same room from 1:30 to 3:00, and in Aurora Hall next door, we will have the NARALO monthly meeting.

We have two Cross-Community sessions this afternoon, one of which is the Country and Other Geographic Names Forum, which will be held in Helsinki Hall from 3:15 to 4:45, and then the Draft Framework of Principle for Future CCWGs from 5:00 to 6:30 in Hall A. At 6:30, there will be the same format as last night, only this time it will be the Chairman's cocktail from 6:30 to 7:30 in Piazza. And just a reminder, tomorrow morning we do have two working group meetings, the Capacity Building Working Group as well as the Technology Taskforce Working Group running parallel in our two ALAC rooms, and as Alan said, all ALAC members, if you are not able to attend, please do send your proxy and apologies to staff. [inaudible] we have 14 ALAC members here in Helsinki, and we have received a proxy for the 15th, so that would be much appreciated. Thank you.

ALAN GREENBERG:

And in addition to proxies and apologies, where you will be. We do record attendance of these meetings. Last thing is I will point out that the afternoon sessions are sessions for everyone. They're not vacation days, so please, pick which ones you want.

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There are several things going on in parallel at some times, not all, and I note there is an At-Large leadership meeting scheduled against the Geographic Names. It was cancelled, but it didn't get removed from the schedule. So we do not have an At-Large leadership meeting this afternoon, despite the agenda showing it.

UNIDENTIFIED FEMALE: There will be a Geo Names, it will be happening, [inaudible]

ALAN GREENBERG: I'm going to be in Geo Names.

**[END OF TRANSCRIPTION]**