

**ICANN Singapore Meeting
GNSO Council and Board Discussion
TRANSCRIPTION
Saturday 18 June 2011 at 17:30 local**

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Coordinator: Thank you. Today's conference is being recorded and conference recordings have been started.

Thank you.

Stéphane Van Gelder: Thank you very much. So I'd like to welcome all the Board members to our GNSO weekend sessions and our discussions.

We look forward to having our discussions with you at every ICANN meeting so thanks once again for making the time to come and talk to us. As I mentioned Rod and Peter will be along in a minute. (Steve) is here now and as Vice Chair will help get these discussions on the way.

And we had prepared a set of topics. These are just guidelines that we thought might help frame our discussions this afternoon. We have the topics up on the screen there in front of you, at least some of them.

And what I propose to do is just to read through the first two topics on the AoC just to get started. These once again - these are guidelines GNSO counselors and Board members will know that one to jump in and start the discussions on those.

But just to put some context in that, the AoC topic that we wanted to discuss reads as follows: The AoC process now puts to date on the broader progress of transparency and accountability across the range of ICANN processes. And as a second related topic, the AoC's repeatedly stated requirement that

ICANN act in the public interest. While there have been preliminary discussions on such matters, the AoC is now almost two years old. We'll be able to have a more probing and structured discussion with the benefit of this experience.

So once again I'll invite anyone that wants to speak, please raise your hand and I'll try and manage it to as best as I can.

(Steve)?

Dr. Stephen D. Crocker: So let me just say thank you very much for inviting us.

We've been closeted - the Board has been closeted in various kinds of internal meetings. We know you have some very pointed messages. It will give you some idea of how things have gone for us that we actually look forward to being let out of the small rooms that we've been in all day so that we can join you at a much more open and engaging discussion.

So bring it on is basically -- no seriously quite pleased to be here. (Peter) asked me to hold the floor, to get things started until he could come, but I think most of the Board is here. And quite eager to listen and to engage, so.

Stéphane Van Gelder: Thanks very much so who wants to start us off on the AoC discussions?

"Bring it on" being the operative word.

Dr. Stephen D. Crocker: So Stéphane it wasn't clear to me in as you read those - those are topic statements, but is there a well-formed question there or is there some message that you want to communicate? Or is there, you know, so what's the next step in this?

Stéphane Van Gelder: On these two points -- I'd just like to welcome Peter that's just stepped in.

On these two points they are more guidelines to discussions. We do have some points later on that will probably have more direct questions in them, but on these ones I think they're just getting the Boards - the GNSO Council wants to get the Board's feeling on those matters which pertain to the AoC as written up there.

(Jeff), is there any way that you can make that bigger?

And Bertrand wants to start us off.

Bertrand de la Chappelle: No actually it's just matters of procedure. Could it be possible to have a quick overview of all the topics that you want to address, not the substance, but just the headlines?

Stéphane Van Gelder: Yes, good idea.

The second topic that we had down was cross-community working groups. I can just read through them, that might help.

The GNSO Council spent a lot of time recently discussing these groups and we wanted to make you the Board aware that we have a drafting team looking at this topic. The reason's for our discussions on this is that we've - we're involved.

The GNSO is involved in several of these working groups and we've recently sometimes found that a little difficult to know exactly where we are with them. And we thought it might be useful to have a better defined process for coping with these, so that was one topic.

We also wanted just to highlight the fact that the Board has recently changed the way it interacts with us and we just wanted to say once again that we found the interaction as it was when we used to have dinners and social events like we did before very useful.

Incoming counselor's for example found it extremely useful to meet the Board members because sometimes they, you know, they don't know the Board members. So that and the fact that... we can have discussions in an informal setting, the GNSO Council always found that to be useful. So that is more of a statement than a question. And the last point that we had on our little list was - I will just read this out: in light of the DNS becoming a function more visible to scrutinized by governments and business on a global basis and the size of the market about to be created by the new gLTD program, has the Board begun to assess how this might require changes to ICANN ethics policies? So, I hope that gives you a framework Bertrand and once again unless Peter you want to ... I suggest we start with the AOC but I don't think we have to take these in order and I hope someone else will speak otherwise this is going to become very boring.

Dr. Stephen D. Crocker: We can speak to any of them but on the last one, revolving door .. Actually I can say some very specific things that I was very concerned, to speak personally I was very concerned about exactly this... I don't know where those words came from but they echo notes that I sent internally. We had a pretty vigorous discussion and consideration of this. The bottom line is that we actually have very strong processes in place inside ICANN. There is very very little in the sense of an ethics issue with people leaving to go and work elsewhere where they can take advantage of (24:07) inside information and get any kind of leverage that wouldn't be available outside . It's a separate perhaps legitimate question about whether we are going to lose critical staff and bring power and so forth ...but from an ethics perspective which we take very very seriously and really various people will be able to attest to it, we had quite a strong consideration of exactly this question – we are not in a risk position of like if we were in a government regulators and we

were handing out a contract to somebody and somebody goes to work there and so forth and those of us who have that kind of experience, working in government considered all this and we had a quite (24:48) strong discussion and so that, I think is as much as there really is to say about all that and it caused a little bit of consideration about are we compensating our people properly and what are the internal morale issues and so forth but with respect to the legitimate damage about whether someone could take unfair advantage , there is not any substantial issue there

Stephane van Gelder: Thank you Steve. Rita

ita Rodin Johnston: I will just respond to Steve I guess or just augment that or take the last topic first. I think it is an excellent point that we (25:30) should talk to our legal staff about Its showing the maturation of the organization as a whole. Confidential information is something that most corporations deal with quite regularly and I think ICANN doesn't really have stringent policies on that. Meaning what is confidential of the organization that the employee can not take when they goes somewhere else? Right We can't say to someone that the knowledge of how ICANN works is confidential information and you cant get another job. In the US and that is called non compete and there is very strict laws about what you can do to restrict someones livelihood but there are also equally strict laws about what is confidential information so one of the examples we as lawyers like to talk about is the formula for coke that is the ultimate confidential information. what the heck is inside there beside sugar . You know no one knows – very heavily guarded secret but I think that is something that we should task the organization with so what do we consider as a community confidential information of ICANN because I don't know that there is something as specific as the coke formula but I think it is an important criteria and again should be thought through with the help of our legal staff.

Stephane van Gelder: Thanks very much. Tim?

Tim Ruiz: Yes Steve, I appreciate your comment but I guess my question is you say while we have discussed this strongly, we don't feel there is a problem but is

that because you don't feel any policy or rules in every guard are necessary in ICANN or some exist and we just don't know what they are and if they do exist, can we know what they are?

Stephen Crocker: So let me drill down and give the next level of detail. We don't have a coke formula which we did, we would solve a lot of other problems. We do understand that information we get from registries, registrars, contracted parties, contains quite a lot of confidential information. That information is handled very carefully and so I hope Rita you are not suggesting that we don't have good policies in place for that. I think we do have those but they are worth reviewing and going back and making sure we have tightened that up as well. We certainly do want to go and look at the next level of detail about our processes and about our information handling and ask this question again and it is on the agenda to go and do that but from a broad perspective: are we at risk by having individuals who are currently working for ICANN and going to work for prospective applicants and does that put them in a position of taking unfair advantage of the process , the answer to that we believe is no.

Stephane van Gelder: Thanks Steve. I have Ray next. Do you want to

Ray Plzak: Thank you. To further amplify what Steve has just said, there is in place and confidentiality, non-disclosure agreements employees sign like they would in any organization. The very fact that the processes by which people are going to be applying for gTLDs are open and transparent, is something else. Which actually goes to the whole idea of ethics because you can't have behind the scenes backdoor deals. Now certainly some people may try that and those people if it does happen, we have to have safeguard deals in place and I do know that there are some things in place and that the processes are looked at so that if people are concerned about the fact that somebody is going to quit working for ICANN and go and work for Company A and then get a backdoor deal to get a gTLD through real quickly, that is the real low risk outcome because that is what Steve is talking about when we don't see risk. The proper use of non-disclosure agreements. The proper use of an open and transparent process, and appropriate punishment for people who violate

those things, takes care of it. And certainly it is well worth while that from time to time that the Senior Staff, Akram or Rod conduct a review internally on their processes and make sure that things are in place , that their lawyer does their work and so on. So I would not like to keep on going on this so I think we may be building a mountain where we don't need a mountain. We have other important things to talk about.

Stephane van Gelder: So I have Tim. Peter you may want to ...

Peter Dengate-Thrush: I want to close this and move on. So when you are ready to do that.

Stephane van Gelder: OK, unfortunately the others don't seem to be but ... Tim, Kristina and Jonathan wanted to speak to this and perhaps we can then move on.

Tim Ruiz: I guess I will pass. Clearly this is not something that they really want to discuss so. Thanks.

Stephane van Gelder: Jonathan?

Jonathan: Stephane I suppose I was thinking of this in maybe the context of the broader issues it sits in which is probably best practice governance and I suppose I had two questions on that . Really one had anything changed in that respect in recent times? And/or is anything envisaged for , in terms of an aspiration to develop future best practice governance . Its really in and around the ongoing aspiration for the organization to work to what best practice corporate governance might be and this is really what just one example issue which I would say fits in with that bigger picture.

Stephane van Gelder: Kristina

Kristina Rosette: I really just wanted to get confirmation that what I am hearing is what you are saying. And what I am hearing is that the Board views this issue very seriously. It has discussed it but that the limitation of those discussions has

been to the application and use or mis-use rather of confidential information by employees.

Dr. Stephen D. Crocker: I am nervous because I want to say yes. Yet I sense in your question that there is something broader that I may not be catching. Ray said what I only implied and should have said directly that if you take a look at the Applicant Guidebook,

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Peter Dengate-Thrush: yeah, come on, come on Steve ..

. Stephen D. Crocker: what ever criticisms one might have, it rips with an absolute intention and effort to make the process well documented, explicit and transparent and an awful lot of the actual work is carried out by contracted parties , evaluation panels and so forth? So we - first worrying about this and then rethinking about it came back to the point that there is not really much leverage available to people who need to take advantage in an unfair way.

And the context is as we are focused a lot on gTLD launch process, that's the context in which this question comes up. I suppose that there's a broader context in which, you know, over a long-term period whether or not we're creating opportunities for people.

But in some sense it's a good thing, it's a hallmark of a very fine place to work that people come learn and become more valuable in the industry for that so that's not necessarily in of itself a bad thing. It's only a question of whether it causes abuse of the processes.

Stéphane Van Gelder: So I have Bertrand , Rita and (Kateem).

Bertrand de la Chappelle: As Rita said, this is an indication of the fact that the question is raised is an indication of the evolution of the role of the organization as it

moves into something that is more rule-setting and regulatory function whether we like the expression or not.

And also the fact that we are entering a new phase which is a phase of implementation of a program that has been developed. And so the functions are going to change and there are actors that will have to interact with ICANN in a way that they didn't interact before.

So that's the first point, it's because we're getting in to a transition that this problem is now brought to the floor.

The second point is - Rita highlighted also an element which is that there are different dimensions to this and if we want to not labor on this, we should not continue the discussion, but it's clear that the question of confidentiality on information that could be obtained during, for instance, the processing of applications is an element that will come into the picture in the future.

Potential bias in treating applications - we believe that the process that has been put in place is removing evaluations enough away from the actual staff to prevent that kind of thing. But we can go on in subdividing the different dimensions if we discuss that further.

The other point very quickly is that there's a clear element that we have to take in to account is that you don't change existing contracts just like this. So there are contracts and then you get ruled that where to be taken in to account can not be introduced just at will if there is any rule that has to be put in place.

And finally there's another problem that I think we haven't included in this discussion that maybe was considering is the collective danger for the community as well as the organization of a sort of a rush for talent where all the potential applicants were actually sucking out the confidence inside.

The reason why I raise this is because it is to make people aware that it is a collective benefit to keep during the application process, this talent inside the organization, so that we have - we can grow the pool of resources, but it is not depleted. The risk is that on an individual basis applicants may be interested to poach resources.

And the question I want to ask as the confusion is it's very interesting you raise this question, "Could you explain very briefly why it has been brought inside the GNSO, is it because it is a fear? Is it because you hope that there are rules that would prevent a sort of arms race between the different actors? What is the background because it's very important also for the discussion to know?"

Stéphane Van Gelder: Thanks. I - do one of –the GNSO Councillors want to answer that - Tim or (Jim)?

Tim Ruiz: I can answer it from my perspective and it's not just in regards to new applicants, maybe that's where there's a little bit of confusion on my part. I think, you know, at GoDaddy we've been concerned just in general with, you know, the size of ICANN staff, the number that have exited over the last year and then looking t where that staff has gone.

And it's raised some issues with us and we don't have to call ICANN a regulator if we don't want to, but the bottom line is that the effect is very much the same in many cases. We deal with policy that is enforced upon contracted parties who do not have choice about whether they are implemented or not.

And so call that what you want. It opens up an opportunity for exiting staff to perhaps have, you know, an inside hand at influencing that policy or vice versa so that's an area that I guess we've been more concerned with more than applicants getting some sort of edge coming into the process.

So I think it's a broader concern on our part than what I think we've been discussing.

Stéphane Van Gelder: Thanks Tim. Rita?

Rita Rodin Johnston: That's really helpful. I was actually going to suggest that you guys send us what you're talking about. I guess your answer revolving door policy can mean a number of things so we would - I think it was confidential information.

That's really helpful putting it in terms of influence, but as we said I think that this is something that should be iterated.

Finally (Jonathan), in terms of best practices, the good news is that the corporation I think does engage in best practices having (NDA's). I don't know that we have any on compete, but we take this seriously.

That's why I think also getting a finer point on what we're talking about here maybe will help to create the next gen of those documents as we move forward as well.

Stéphane Van Gelder: Thank you. (Kateem)?

(Kateem): (Unintelligible). I finally think and then pardon me here for probably being naive here, but I think we can do better than this.

I think we can do better than saying that, "Yes we've listened to you. Yes we've talked about it and yes we don't think it's anything serious. You shouldn't worry about it, trust us."

What I'd like to do is open the door a little bit further than Rita has just done. Let's just do something beyond asking you to write up what it is that you are concerned about. This is a community that's built on the multi-stakeholder process and I think this seems to me, what I'm gathering from what I'm

hearing, that it's an important issue enough for you to bring it before the Board.

And I think what we ought to do here is to set up council training group, working group, or joint-working group, whatever you want to call it, but some mechanism to have people really look in (unintelligible) that includes also preservation of the Board as well as the GNSO Council and all it's interested stakeholders so that 1. At the end of the day we are going to have the best solution to the issue that we're facing. 2. People will be satisfied that it's been given the redress that it needs and in a very transparent manner.

And of course was, as we added, we might also look at the possible job including all the issues that basically come about by virtual fact that we've been blindsided by some of the things that probably not we're anticipated.

It's taken us what, since 2008 to develop this process? And it's only now that this issue is bubbling up so I think this is probably the right opportunity to really consider the possibility of setting up an entity to actually consider this in a consultative manner.

Thank you.

Stéphane Van Gelder: Thank you very much. Until you said joint-working group I was fine, but then I started to sweat a bit.

Ray, do you want to reply to this?

Ray Plzak: Yes. First of all let me state one thing. Having been the CEO of ARIN for eight years I've lived through this exact thing you're talking about.

ICANN has been having the same consideration for as long as it's been in existence because it has been processing information, it has been processing changes to the (root) zone, it's been doing a lot of things.

And so there's nothing new here. The only thing that's changing perhaps is going to be the value. Okay, it must be recognized that there is no school that exists to teach these people how to apply for a gTLD. There's only one training academy for that and that's ICANN, okay?

Same thing was true when I was running ARIN. There was only one school in North America for how people could obtain IP addresses. It was ARIN, okay? Did I lose people? Yes. Did they try and come back? Some of them did, some of them didn't, okay?

The point is it's a fact of life, you have to live with it. Okay there are processes that are in place to where non-disclosure agreements that are in place and it certainly is well worth while from time to time for the CEO to conduct an investigation for review of this process is to make sure that they're fine.

I don't see a need to conduct any kind of a joint-working group or an in-depth investigation of what is really a non-problem. Certainly if you want to have a small report or letter from the CEO that says, "Here's how we deal with this particular circumstance and here's how we govern employees." That's fine, but there are certainly a lot more things on the table that are very, very important and I think we're in the process right now of creating a big mountain that we don't need to try and climb.

Stéphane Van Gelder: Thanks Ray. I have Adrian and perhaps you can use the joint-working group quote to transition this into that discussion.

Adrian Kinderis: Thanks Stéphane. Excuse me. I think that potentially there's more to than just becoming a side show. It's not just around necessarily the nefarious use of insider knowledge and that some (unintelligible), you know, workings of ICANN.

The main name IP has raised - it's going to be at a premium. And unlike Ray's previous business, it's that we have a nexus, we have a point in time that we're working and building towards.

And as we get closer to that, as we get more folks that are educated through the - to the global communications campaign, as we see more interested parties, the requirement and need for folks to reach out to those that know - that have this IP is going to be built more and more.

And that is going to be at a premium. And it will be the registry provider's that are out there like myself that will start running up short by way of their consultancy offering that we're doing to support applicants. And I'm going to look for where I can get some more domain name IP from.

And I'll go to ICANN and I'll get them because I need to ramp up some people very, very quickly that know about this new gTLD application process. And I'll pay big dollars because there's big dollars out there. So I won't talk around it, I'll be explicit about it and hopefully understand is that if you don't do something I will poach all your good people.

And you have a lot of them. You have some damn good folks that have spent the, you know, a large part of the last five years honing their skills and I want them. So make no mistake about it and I think it's an important issue is that you need to protect these people and make sure that they stay within the inner sanctum to deal with the tsunami you're going to get.

Thanks.

Stephen Crocker May we quote you in our recruiting?

Peter Dengate-Thrush Just a very quick reaction Adrian and clearly not an ethical issue which is how this question was originally framed. That is a staff retention issue and that's something that the CEO first of all has been raising with, well

we can confirm that the CEO has for some time been raising that issue with the Board.

Stéphane Van Gelder: (Bruce) and then Rosemary.

Bruce Tonkin: Yes, I was just going to reinforce that I think it's exactly right that that's a normal issue in retaining staff. There's obviously two elements I think I gather from some of the implications is that you can somehow contractually restrict staff from leaving one organization and joining another.

There's a lot of limitations and I think Rita pointed that out. It's not as simple as it might sound so that's the stick if you'd like, you know, how do I stop someone doing something? The other side of it is the incentive side which is how do you encourage people to stay with the organization.

That's definitely something the Board and the CEO is looking at.

Stéphane Van Gelder: Thanks very much. So can I ask Rosemary to lead us into the community working group discussion please.

Rosemary Sinclair: Thanks Stéphane. Yes and I think probably that I want to actually join a couple of these topics together because that's the way I see them.

So if we could just scroll back down so that we see the AoC issue as well as the cross-community working group issue.

It's - we're talking about public interest in the first points and the role of AoC processes and output. And then in the second, we're starting to talk about an issue that has really been concerning us at GNSO and that's the cross-community working group.

And our experience using that process on a couple of really important issues when we weren't really clear about how those groups work. And in this

context, there's also a kind of a bit of a sub-theme of the Board reaching out with issues. And the one I'm most involved with is this issue around what do we name and how do we measure concepts like competition, consumer confidence and consumer trust in choice?

And that issue is thrown into a number of elements of ICANN. So we then think that we're looking at a cross-community working group process to deal with that issue. So that's perhaps enough background Stéphane, it's something that we're just mulling over quite a bit on our plate in terms of policy development processes that we were managing that it was a big uncomplicated (sic) issue, that it needed staff resource.

The staff said, "Hang on, you know, we've got all this other stuff that we're doing." So we dealt with it one way or another to the point where we scheduled a workshop to discuss these issues at this ICANN meeting. But out of that, I think and this is just me, I think we're here in the direction of another cross-community working group and (unintelligible) we have had some trouble with.

And I think the joint applicant support working group is an example of an issue where there was general unshared commitments to the issue, but quite some difficulty for GNSO with the process. So I hope that's been helpful clarification and if not someone else might pick up the baton.

Man: I'm not any wiser - more informed now that I'm slightly wiser I guess. Thank you.

I'm still not sure what you're asking for, whether you're talking about a scheduling problem in relation to the Board asking the GNSO to do things in general or whether you have a specific issue in relation to the nature of cross-constituency working groups and want to develop different bylaws for those. Or whether you want to talk about the joint (unintelligible).

Stéphane Van Gelder: We are mixing as Rosemary said two of the issues that we have had up on the board, on the screen together. Both - you want, I think you wanted...

Man: What the heck did they ask us to do?

And it took several months actually to get a response. And by the time we got a response and thanks to (Bruce) to responding, it was almost a deadline to actually get our work product to you. So I think one of the things is kind of a practical issue of we need to when the Board wants to give the supporting organization something to do, have some sort of liaison with the supporting organization to make sure that it's able to and understands what it's being asked to do. And I guess it's a practical issue.

The second one is, that we're grappling with now with the JAS group, is one that brought it out is that we had a cross-community working group or have a cross-community working group where one of the community - one of the groups involved referred a report to the Board before the other supporting organization actually had a chance to adequately consider it and do it.

And the Board was already seemingly - or discussions we're taking place between the Board and the GAC already dealing with that before the GNSO still has had a chance to look at it. And so there's a fear of some of us that we're being supplanted by these extra or outside policy processes. And I'll use something that I said during one of our GNSO sessions. I think a lot of what's happened to the new gTLD process has thrown the whole notion of policy development process on its face.

It's kind of thrown it upside down. There's a lot of things that we've done in the last few years that have not been documented process-wise or are not consistent with what has happened to the past. We're struggling to deal with that and so that's kind of what we're exploring. I hope that was blunt enough.

Stéphane Van Gelder: No that was actually very restrained for you. But I will just add just one extra bit of context.

Another group that we had problems with was the (JAG) where it worked in reverse. That was a cross-working group with the ccNSO and we actually sent the report before they'd had a chance to consider it which upset them so we had to back step a little bit and work together.

All that we're saying is we're confused, let's put it that way, by some of the process aspects of these groups is confusing us and is making our life a little bit more complicated.

(Bruce), please.

(Bruce): I think what you're struggling with, first if the Board's asking for input on something, it asks for input on the strategic plan, it asks for input on the budget, it asks for input on the operating plan and generally passes that request on to the different parts of ICANN and usually it's the staff that perform the role of consolidating all of those inputs doing some prioritization and then recommending something to the Board for approval. So that's sort of one aspect of process.

The other aspect is when you're actually asking for policy development and policy development on a particular topic, let's say it's a generic top-level domain names would normally be referred to the supporting organization. That supporting organization is in charge of managing that process and it should present something to the Board that has community consensus.

I think what we're struggling with on a few of these items -- we'll take the applicant support for example -- is instead of having one body that's sort of the focal point let's say or the lead on the topic and that body leads it we're sort of getting situations where it might be an advisory committee than a supporting organization.

Both groups are really keen to create some input on it. And then an ad hoc process is used to try and merge the inputs from those two bodies together. And there's no real formal structure for doing that because the way the structure is at the moment is that the supporting organization presents a policy that the Board can seek advice from advisory committee, then the Board somehow tries to deal with that advice.

I think you are identifying a process problem there, where we - especially these groups that got bigger like ALAC is pretty substantial. (Unintelligible), ALAC and GNSO work on an issue of who does take the lead and how does that information get presented to the Board because it shouldn't be the Board trying to take an input from two parts of the organization and the Board trying to do a merge.

We should have a lead for a particular topic, whichever supporting advisory committee that is, and that group takes the responsibility for consulting with the different parts of ICANN. And that group brings something to the Board which is, I'm using very general terms, is a community consensus. So I think that's something, you know, you guys need to partly work on with coming up with particularly for generic names, how you do interact with your parts of ICANN to present a consolidated view to the Board.

The Board shouldn't be there having to do, you know, point for point negotiations which is where we are with new gTLD. You know, the Board's basically having a policy negotiation with the GAC when it should really be the GNSO that's doing that and bringing something to the Board that's a consensus.

Stéphane Van Gelder: Thanks (Bruce). I have Rita, Bertrand, Bill, (Jonathan) and Sebastien.

Rita Rodin Johnston: I think it's my first observation is I'm really sad that you've all gotten wise to the fact that we love to throw these really esoteric, difficult issues to you guys because you do good work.

I think that what I was hearing was that we need better staff support as well because the GNSO is completely stretched. And we've heard, and I've read for six years on the list now, how difficult it is for you guys to manage and I do think you do an amazing job.

But I think we need better staff support and I know that we have asked our CEO in terms of prioritization, we've had many discussions at the Board level because these issues suddenly come up, we throw out a resolution and then where does that come in a hierarchy.

There's only so much money for everything and I'd love to have a new fund to help - to keep Adrian out from poaching employee's, but you know, I'd love to pay everyone lots and lots of money but where do we get all that money from?

So it's kind of a vicious cycle, but I hear you and I think this is a problem that I'd love our CEO to take up which is, "How do we deal with work flow?" "How do we deal with our Board throwing out resolution and assigning staff to help out here?"

And prioritization, I know you guys have talked about in the past just in your GNSO workload and I think we need better communication between the Board and you all and what we think is really important in timeline.

Next is this cross-constituency and we've touched on it now with the JAS working group, I think that was the flagrant example recently of why is the Board getting something from ALAC when the GNSO hasn't discussed it?

So I guess the question is how do we get this better process? Is it a (P2P) that comes in? I think that naturally this is iterated and it become a problem because (unintelligible) happy to see the GAC has been engaging a lot more lately on some of the nitty gritty of some of these issues.

So how do we integrate that into the overall process? The ALAC has matured considerably. How do we integrate that into this process so I do think it needs some policy development and is that something you guys think you can do? Make a (P2P) to augment these roles? How do we - is it a chicken and egg? How do we get there?

Stéphane Van Gelder: So one of the reasons we had this topic was to make you guys aware that we already have, as I said earlier, a drafting team that's looking at -- and Jonathan will probably speak to this. In fact, Jonathan's leading the drafting team so I can possibly hand the mic over to you just so that you can explain what the drafting team is doing for the benefit of the Board members.

(Jonathan): Brief comment going back to where Rosemary was, was that I think what perhaps if I can say that the theme there was something to do with interaction - effective interaction with the Board. But as far as effective interaction with the Board is concerned on these cross-constituency working groups is concerned, that's where I want to say - because there was a (unintelligible) there was confusion to some extent that there was - it was clearly well-known issue with respect to how the JAS has been touched on now.

We are actively trying to produce some form of consensus and common understanding within the GNSO as to how we think that these CCWGs or community working groups might work effectively in the future, but I think being persistent all week and what should be explicit is in that a recognition that it's not just a GNSO issue obviously because it is by definition a cross-community issue.

And so our objective now is to make sure we are not confused and we have a view on how that works, but with a recognition that we'll need to reach out beyond the GNSO for that to become a more broadly sorted out as to how these groups might function effectively in the future.

Rita Rodin Johnston: Can you do a cross-working group to figure out how to do a cross-working group?

(Jonathan): That irony hadn't been lost on me, perhaps that...

Stéphane Van Gelder: We actually given that some serious thought Rita.

Bertrand?

Bertrand de la Chappelle: I understand the - and I've had many discussions with you and others regarding the procedural tensions that have emerged from using this new tool. Fundamentally this is a form that has emerged on most spontaneously ad hoc to address issues and without any planned intention or any planned and then previous procedures to do it.

So it was going on in order to facilitate the interaction between the broad community. I remember there was the (unintelligible) group, there was - there's been the JAS, there's been others. And I think for all the participants and for the community as a whole, the format has proven to be useful; however it is true that it is raising very interesting questions regarding is this a new tool in the arsenal of deliberation processes in ICANN?

Is it something that is within the GNSO that is an aside, that is above? Is it risking to replace or go around the policy development process? I understand that this is the concern that the GNSO has that it is bringing a direct connection with the Board instead of going through normal processes.

It is clear that we don't have the answer at this moment and it's very important to know that you've set up a group to discuss this. And I think beyond the joke, it is really a matter for an interaction. And I think that one distinction may help move forward is that not every discussion is a policy discussion, not every discussion is a consensus policy and not every discussion is really shaping something.

Those community working groups can be sounding boards, very limited just to get a quick reaction or they can be longer. They can take many formats, but I would strongly encourage that we avoid having discussions in each (silo) on what those cross-community working groups should be before we discuss that together because I think one of the good ideas, there's no urgency.

The problem is now on the table. Maybe we could have a discussion, a normal discussion in the car on that topic with the different constituencies instead of making it a Board GNSO discussion. It is a topic that needs a cross-community discussion before we get to formalizing I suppose.

Stéphane Van Gelder: Bill?

(Bill): Thanks. I guess I have a simple informational question for Board members.

In the course of our debates in the general proposition of how these groups should be conducted in that particular case of JAS, some people have argued that there's a real problem with individual-level communications and inter-group communications between Board and members of JAS or, you know, JAS as a whole or ALAC, etc.

And it has been said in particular (unintelligible) that Board members have been confused in consequence as to the status of the reports, the level of community support and so on, so forth. And I'm just wondering is that true?

At any point have you been confused as to the status of what was coming from the JAS or the individual members of the JAS?

Man: Do you want to do a poll? I can say the answer is No, we haven't been confused.

(Bill): Thank you. I just wanted...

Man: It'll take a lot to poll all 21 of us, but is that what - do you want to - if we get to do a poll around the Board.

Have you been confused Bertrand? Kateem?

I think the general answer is No, we're not confused. We'll get a report from ALAC, we know it's coming from ALAC. We'll get a report or letter from the GNSO, we know it's coming from the GNSO.

I'd be interested in what the evidence is of confusion because we should stop exhibiting it.

Stéphane Van Gelder: I think it's just a question of no evidence.

Sebastien is up next.

Sebastien Bachollet: Thank you. I know I need to make a disclaimer, but I don't know what is really a (unintelligible). We are the Board, but I have the money to speak on behalf of the Board and I am just one single member.

And I used to participate as a JAS group. I used to since I was elected as a Board member to shut up, but to be present as much as possible. And I still think that it's important to still have some roots from what is going on with the community. It's one of the reasons why I still try to have time to go to this type of meeting.

What one of the (unintelligible), I saw it when we get to for ALAC and for GNSO to charter and I was really astonished by the answer of the legal within the organization. I would have hoped to have real some guidance where to go because if we want GNSO and you know where I come from. But I think if it's a policy to development, even if it's not the title of policy development process, it must belong to GNSO.

Whatever I think of what GNSO wanted in the charter and ALAC want in the charter, but we are creating ourselves a problem. We don't give guidance at the right moment to the organization when they ask for guidance. That my first point. So the second, we need to know who leads, not just at the organizational level, but also at personal level.

And we have some trouble to find enough leaders to lead those working groups. Why we wish so many often the same people. It's because we don't have the people with the right skill and we don't have the possibility to train them to help them because it's one part of the organization. And the same with the participation or the engagement of the people.

I know that all of you, all of us are completely participate in multiple of things and spend a long time on each of these topic, but it's a little bit strange to see thousand of people if not hundreds of people in the VI group and so little participation in the JAS group. But it's also a way to - for us to know where are the concern. It seems that VI was more important than the JAS and we have also to take that into account.

We need to solve the problem of staff. How does the staff support you? It's nothing to say that the staff was bad or did bad job or it's just not enough, not the right skill, not the right moment, not - I don't know. But we have to try to see how the staff will be here to support the community to make the work.

And also it's important to think about which tool we have in the VI no tools. A good leader, he try everything to help the VI to solve something. He try everything but it's - his engagement (we can) with tools; no tools exist in this organization to help cross and even not cross working group really - tools.

And there are groups who do better with some tools than other but that's really struck me this organization needs to allow a work together at this worldwide level. And all that is done by you volunteers, by us volunteers and nevertheless we do a lot of job and good job. And I hope that we will be able to solve and help to solve those problems.

May I suggest one thing? I agree totally with Bertrand that it's a pity that we start discussion in each part of the organization on subject and we come with already a solution and if it's not the same that the other group it's always difficult.

But may I suggest that maybe the Board could ask all the AC and SO to think about cross community working group; to think, not to decide. And that in Dakar we have one specific time where all joined together and discuss not you - I come with my decision but you come with idea and we discuss.

It could be one way to go not to close the issue today and in the near future but to have some time. Thank you to be so long and thank you for the...

Stéphane van Gelder: Thank you Sebastian. I don't think that's what you said but just to make it clear I don't think that there's a feeling within the Council that JAS was more - less important than VI; they're two different groups, one wasn't a community working group; circumstances are different, maybe the timing is different, I don't know.

And what you said about the overload, the, you know, our reduced bandwidth getting smaller and smaller probably also explains why some groups have more participation than others as you pointed out.

So I had a queue but I know the question - Bertrand, you want to come back on - Sebastien's specific point.

Bertrand de la Chappelle: I was going to merely suggest that perhaps a face to face pre-cross constituency working group discussion group might be a good way of starting the ball rolling in the next - at the next meeting.

Stéphane van Gelder: Well.

((Crosstalk))

Stéphane van Gelder: I'm just waiting for the punch line. Oh Bertrand has that, okay.

Bertrand de la Chappelle: No actually I want to slightly improve the proposal by Chris that we need a small preparatory group that would define the modalities of the face to face pre consultation meeting that we might have in Dakar to set the rules for the charter or for the group that will define the rules for those community groups; I think that's the right way to go.

Stéphane van Gelder: Great. We're all glad that there's so many French people in ICANN now.

Bertrand de la Chappelle: I actually support Sebastien's...

Stéphane van Gelder: I have Carlos next.

Carlos Aguirre: Thank you Stéphane. I have a big problem. I'm lawyer. I support that (unintelligible), that the participation (unintelligible) stakeholder is a (unintelligible) principal of ICANN. We are conscious about the importance of participation of different participation of (brother) community in working groups.

This participation give different points of view; different points of view give us the possibility to achieve a successful result. On the other side Bruce mentioned the community consensus. I think the community consensus is the key for the solution in his problem because if we have a good charter in the cross community working groups with precise (clause) we can see - where we can see the scope or where we have the obligation of each part in this - in this participation in this working group.

And where we have every point which could conflict so we maybe give solution at this problem. So I think the point is make a good charter with clear clause and that's it - and community consensus.

Stéphane van Gelder: Thank you Carlos. I have Ching and Zahid, Alan and Jaime and Jonathan.

Ching Chiao: Thank you Stéphane. I will try to be brief and I'd like to take all this topic into a different angle. I think what we have done in the past at least the past two cross community groups we asked GNSO Council - we have been very self disciplined. The reason that I said this because for example if we talk about the JIG we nearly followed the report to the Board but we say hey stop - we should talk to the CC, we should talk to the other part.

I mean, even though we know that they are onto a different path of having an IDN CC PDP and we are aiming for the new gTLD program just to (read) the timeline. So we're saying that there's a timeline but we still need to wait then we sort of hold the report and we have the chair to talk to - the CC's chair and we got that done before the, you know, the timeline or whatever is that.

And we witnessed the same thing at the JAS but we realize that, hey, the other party they have, you know, have already escalate the report without waiting for us. I mean, I probably shouldn't say waiting but this is sort of a showing of a self discipline.

And we are not - we are not actually confused we sort of - we have a good internal process it's just that it's a matter of defining a external process in a more - sort of a flexible way, I mean, the reason I put this is there's no - from what I see a unified way to do it because we have a difference, I mean, the circumstances will be very much different just across the working group.
Thank you.

Stéphane van Gelder: Thank you Ching. Zahid.

Zahid Jamil: Thank you. I just wanted to sort of before we run out of time focus also on a substantive aspect of Roman 2 up there which deals with the AOC has repeated sort of requirement that ICANN act in the public interest. And I just wondered whether it's going to be useful and helpful for many that maybe it should also be time now to define what public interest means in the ICANN context.

And maybe also sort of work on metrics because it does sort of seem like a very fluid concept. And I just wanted to throw it out there. And I know we're going in another direction on CWGs but, you know, I thought I'd mentioned that.

Stéphane van Gelder: Thanks for - no, it's good to transition into that probably. We've got 20 minutes left and then I'm buying you all a drink so I'm in no hurry to end this. But Alan's next.

Alan Greenberg: Thank you. I've been in the interesting position as liaison from the ALAC to the GNSO of trying to represent the ALAC position and stances to the GNSO and the GNSO position and action sometimes to the ALAC. That's the reason why I've not necessarily been a very popular person with either group.

And it's been a challenge but I'm really glad to hear that Peter is not - does not feel that the Board is at all confused over all this because the rest of us are. And in general there has been a huge amount of confusion within the

GNSO about what is going on on the JAS group or what's going on on the ALAC and the same can be true said on the ALAC about the GNSO.

We talk about transparency a lot in this organization but in reality opaqueness is what we're all about in many cases and the problems are therefore not easy to solve. Bertrand hit on one of the issues earlier in that yes the GNSO is responsible for gTLD policy, period.

There is nobody who is arguing with that. But much of what we've been spending the last couple of years talking about is what - is not what we deem policy. In our wisdom we have said an awful lot of these issues are not policy; that's already cast in concrete; these are implementation issues.

And it's not a surprise that almost everyone in the ICANN organization in all of the various groups and stakeholders have an interest in how things actually work. So the GAC has woken up. The ALAC certainly has an interest all in areas that are gTLD related but deemed to be not gTLD policy.

Okay. I don't think these are going to be easy things to solve but it's nice that we're actually talking about it for once and recognizing that we are going to have to talk together and figure out ways of working together. And not everyone is going to end up being happy because, you know, forgive me for using these horrible words but we're talking about turf here.

And we're not going to be able to divide everything in neat little triangles and sections because there is a huge amount of overlap in some of these issues. So it's going to be fun and it's not necessarily going to be easy. Thank you.

Stéphane van Gelder: Is there a - Peter, did you want to respond? No? Okay Adrian, you wanted to follow up on one of Alan's points.

Adrian Kinderis: Yeah, if I could - and, Peter, humor me because hopefully this goes somewhere. But were you confused at all with the GNSO Council report that

was sent with respect to the JIG; did any Board members not understand that that was from the GNSO Council?

Peter Dengate Thrush: (Unintelligible).

Adrian Kinderis: I think you got all upset about...

Peter Dengate Thrush: I can't recall any confusion around that but maybe we've got a worse problem that's sort of amnesia around that.

Adrian Kinderis: My point being that we got some stern - I guess from the GNSO Council we might have been once bitten twice shy here. We've got some - can't say the word - stern words from the CC - NSO - thank you Chris - and retracted our submission to the board and so on and so forth.

So I just thought that, you know, given that, you know, you've made it quite clear that the Board understands where it is they're coming from maybe that's something for us to remember because we really - we're a little gun shy then about somebody else sending something from the Board without us responding - having a chance to either agree with the content of that particular report.

So I just think it was - it's interesting for the - well hopefully important for the Council to understand that this works in many different circumstances not just with this one with respect to the JAS.

Stéphane van Gelder: Thanks Adrian. Jaime is next.

Jaime Wagner: Thank you. I would like to build upon something that Bertrand perhaps and another thing that Sebastien said. I'm replying with France here. And the first point is Bertrand (unintelligible) CCWG appeared that informal this continues to - and I agree with that.

And I would say that that's because the formal bodies are so formal sometimes that they get stalled. And if the - I was very glad that Alan voiced something that I was feeling and I was shy of expressing that if the Board members are not confused I am. And I don't know where policy ends and where implementation begins because this is a moveable border depending on who is talking about it.

So the second point that Sebastien touched is that these new groups add new people to the conversation. And that I cannot agree because I think that's - like we say in Brazil the branches change but the (apes) are the same. Because we are all in the - these cross community working groups are made of the same volunteers you find in the formal bodies.

So what is at stake here is that the very informality is what it brings of new - it doesn't add new people, it adds the way it works and it works in an informal way. And this is the point it adds something and it subtracts something because it subtracts the legitimacy of the formal bodies. That's a concern of mine that I would like to share with all of you.

Stéphane van Gelder: Thank you Jaime. I have Jonathan next.

Jonathan Robinson: Stéphane, I'll try and be very brief. And I think one thing that perhaps is lost in translation here is that the starting point was that these cross community working groups from a GNSO point of view were largely seen as potentially very positive components of the ICANN infrastructure.

The concerns I heard expressed and that there was an attempt to deal with were all about process rather than the existence of these and making sure that there was a continued back reference to I guess things like the affirmation of commitment to the bottom up process, bylaws of ICANN and making sure that any informal mandates didn't sort of metamorph those into what might be perceived as formal structures.

So really that for me is the essence of it. It was a positive recognition of the good role these can play but ensuring that it was done within the existing - that the existing structures were recognized and all about them.

Stéphane van Gelder: Jeff.

Jeff Neuman: Yeah, I think it's time for me to be blunt just because I think it's more fun. Come on, I've got to make you smile at some point, Peter. No? All right.

I don't think the question Bill asked you was very fair about being confused because obviously who - A, who would want to admit that they're confused ever? And, B, I don't think that was the context in which our discussion was had.

I think the reason why some may have interpreted the confusion is that there is a lot of reliance now on the JAS to solve the world's problems. There is a lot of reference in a lot of the Board materials, a lot of the GAC materials, a lot of the ICANN staff materials to the JAS working group; very little reference to the GNSO.

The JAS working group is a cross community working group that actually is supposed to report back to the GNSO and the GNSO is supposed to deliver advice to the Board. There's been a lot of circumvention around that, a lot of it. And it's documented in Board resolutions.

Now maybe that's staff drafting the Board resolutions in an improper way but that's why people are interpreting confusion. There's meetings - direct meetings even at this meeting here with the Board and the JAS directly or Board members and the JAS directly without going through the GNSO before the GNSO has had a chance to consider it.

And I think that is a problem again because people who serve on any working group they're usually serving in their individual capacity. When I serve on a

working group I don't serve necessarily on behalf of NuSTAR because I haven't run everything by NuSTAR as my company. I certainly haven't run everything by the registry stakeholder group and I certainly haven't run everything by the GNSO.

Things have a natural evolution. It takes time, right? So when things come out of the JAS working group it has to go back to the GNSO so that we can go back to our stakeholder groups so that it's checked to make sure that the individuals on that working group actually got it right and we agree with them. And then it has to go to the Board.

So when the term confusion is mentioned because we see JAS working group in resolutions by the Board, because we see it referred to by the GAC, because we see consultations that we're not involved in between the GAC and the Board that talk about the JAS that all kind of lends to the confusion that's out there.

And the one thing I saw that I do want to bring up is that the GNSO takes time to go through its process and we were just recently - someone made an allegation that the GNSO is trying to intentionally slow down the process because we don't care about developing nations simply when we were just going through our process.

And so I want to make sure - I want to tell everyone here that has nothing to do with what's going on. We do care about developing nations we just take time to go through our process because again of all the reasons I said. So thank you.

Stéphane van Gelder: Thanks Jeff. We have...

Peter Dengate Thrush: Could I quickly respond? I don't think there's been circumvention of the policy. What we tend to have been doing though, Jeff, is using shorthand and we should stop because it does lead to - but let me just assure

you we understand that all working groups report somewhere back to a body and it's the body - in this case it's the GNSO Council that we will expect to get a resolution.

So in my mind JAS working group has been shorthand for the process by which the JAS working group makes its recommendation that the GNSO considers and then makes its recommendation. So maybe we should stop using the shorthand and come back and start saying depending on resolutions adopted by the GNSO as a result of the JAS working group, I mean, that's how I've been reading it and that's why I say we're not confused.

But I see your point that the shorthand that we've been using does lead to what I'll call terminological inexactitudes. So let's try and avoid those.

Stéphane van Gelder: Thank you. Bertrand - sorry, can I just say I have Bertrand, Alan, Sebastien, Rafik and we have nine minutes left so needless to say we'll be late for drinks but if we can try and keep it relatively short because I'm sure we're all pretty tired. Bertrand.

Bertrand de la Chappelle: Yeah, just to follow on what was said earlier by Sebastien. Maybe one way to move forward operationally on this topic, could it be possible that Jonathan and the people who deal with that within the GNSO try to outreach to the other SOs and ACs through the chairs or whatever and coordinate the organization of one discussion meeting in Dakar on this.

Because I fully support what Sebastien is saying. This is a matter of clarifying ambiguities. This is a matter of agreeing on what these things are, what these tunes are. And if we begin to build positions before there is a more general discussion we lose the capacity to interact so make it as informal as possible and see how it can work correctly.

The second quick point in response to what Zahid was saying I want to highlight one thing that we probably haven't discussed enough in terms of the global public interest. We don't have enough time to go into the discussion.

I want to highlight one point. Every single participant in ICANN is a contributor to the definition of the global public interest. What the AOC says is that ICANN is in charge of defining and acting in the public interest and we're all ICANN which means that not only the Board but also every single Council member or participant in working groups is actually playing a double role.

It plays the role of bringing its expertise and its competence and the interest of its own organization including and making sure that they are not unduly pressured in doing things that are against their interest. But they have to integrate on a permanent basis whenever they participate in a group that the function that we fulfill here, all of us, is to collectively define a global public interest.

I want to reiterate this because there is no definition of public interest that is possible even at the national level; there is no decision and definition of a national public interest. What can be done is the spirit of acting on (unintelligible) interest and second to make sure that the processes that produce a decision are sufficiently accountable and transparent to make all of us believe that the end result is likely to be the global public interest because it is balanced.

Stéphane van Gelder: Thanks Sebastien. I have Alan - sorry, thank you Bertrand. I have Alan, Sebastien, Rafik. Please make it short, I would like to give either Rod or Peter or both of them an opportunity to make any closing remarks that they'd like to make. Alan.

Alan Greenberg: I'll try to be brief. This is where I become unpopular again. With regard to the interventions of Jeff and Peter I must remind this group that the JAS is a child as it were of both the GNSO and the ALAC not just the GNSO. And the

procedures that were followed on the ALAC side were followed and it was the - the document went to the Board from the ALAC according to the procedures and according to the charter of both the GNSO and the ALAC gave to the JAS group.

So if we have joint working groups let's try to remember that they are a joint working group not just the child of one of them. Thank you.

Peter Dengate Thrush: The correct response on that isn't that the problem that it has two - it's trying to serve - as far as I'm concerned there's two JAS working groups - two different charters, two different parents, two different sets of recommendations. And I think that's the basic mistake.

The solution has to be a single working group working to a single charter. And you need to be, as Bertrand and others have suggested - I don't know why we keep talking about it - you need to work out how to do this. But two charters as I would suggest is not a good starting point.

Alan Greenberg: Yeah, the two charters was not the problem in this case it's the two chartering organizations even if the charters were identical. And even if there is only one charter it's still - it is an issue of it's not just one group that (unintelligible) as it were and the JAS working group followed the procedures even though the GNSO could not for legitimate reasons respond quickly. Thanks.

Stéphane van Gelder: Sebastien.

Sebastien Bachollet: (Unintelligible). The voice of god and not penetrable and as a matter of fact I will not tell you how it's come to the (mail) of the Board the JAS work as a second milestone. But frankly I like nothing have to - (unintelligible). It's came to our Board match before. And it was that - it was on purpose but there are maybe was for us to receive information.

There is no just one way or two way or five ways it's - we are the Internet and information circulating. And my second point it's, Jeff, I hope that you give us a same right as a Board member that you want to have for you. We are just in (general) participating to some work in the organization. And we try to take a lot of gloves when we are participating to some activity in the working group, a lot, a lot.

But I hope that we are able to do that at least. Thank you.

Stéphane van Gelder: Can I just clarify you didn't say that the report had been sent to the Board before ALAC had sent it you meant it had come to your notice?

Sebastien Bachollet: Come to our notice to all of Board member, yes.

Stéphane van Gelder: Thanks. Rafik.

Rafik Dammak: So maybe just to try to avoid any confusion. Concurring what Alan said the JAS working group followed the guidelines, the process and sent the report to the respective chartering organization period. We didn't send it directly to the Board.

I think what Sebastian want to say that, you know, the report was publicly available in the wiki so everybody can access to it. We didn't say the report but anybody can change the mailing list on the server or participants can follow the work of JAS working group and also can access to the wiki and read the report. Okay thanks.

Stéphane van Gelder: Thanks very much. I think we'll close the discussion here. Turning to Peter and Rob do you want to...

Peter Dengate Thrush: I do, I just want to pick up on one of the topics I think Rob wants to close in general. I'd just like to back to the topic about the social interaction

which as you say is changing. And that's quite deliberate and hopefully done with sufficient consultation and explanation.

But the objective has been to improve productivity of the Board particularly but of the community exchanged with the Board. And it was my view and others that there was not to be to me sort of exchanging views between the Board and the different community groups to have simply to see - and the chair come and address them.

I mean, it was a situation that I inherited and carried on with for a while. But I think this station which is a new format is very much more productive. I think it's very much better for the Council to have an exchange and to see the personalities and the styles and to hear from Bertrand, Sebastien and other non-French people, to hear from Rita, to hear from Bruce in these exchanges.

And it's partly my hope that some of you then will have more sympathy for the difficulties of chairing this bunch of very - so it's much better to get an exchange and to see the full range of views and see how this is being developed than simply to hear from the CEO and the Chair.

I mean, there was also the sense I think that those stations, the Chair and the CEO, were on the defensive, they were being grilled, they were backed up by staff. And, you know, I think we need to move to a much more consultative, collaborative form of consultation. And so that's what - that's partly what this is and I think it's working in that way.

We're also changing the interaction that we have with the entire group - with the constituencies, rather, on constituency day. And we're looking forward to that - to testing that. And like everything we'll run it and we'll trial it and then we'll consult and if it doesn't work or it can be improved we'll improve it.

And although the topic is dinner let's be quite clear we're not canceling the dinner with the GNSO what we're just saying is that just because it's Sunday we're not always going to have dinner with the GNSO. What we're trying to do is use the available time slots.

There are more and larger groups and some people were being disadvantaged by always having to deal with the Board at an early breakfast after we'd had six or seven days of hard work whereas the GNSO used to get in early and have a social dinner on Sunday. So there's a sense of trying to create a greater equality, greater sharing of the resources but also to try and downplay the sense that if you weren't lobbying the Board at these meetings you weren't succeeding.

So there's a lot that's gone into that. Hopefully we're - it's going to work better. And I think particularly this conversation is the start of some of that sort of improvement. So there will be dinners but they'll be rotated and everybody will get a chance to have dinner with the Board and not just those who got in early in 1998 or 1999 or whenever we started some of this formatting.

So it's trying to break up some of the rigidity of that and to be a bit more response. So I hope that's a help. There's certainly no sense that we didn't like having the interaction that we had before we just want to try and improve it and be more equitable and in the end more productive. Thanks.

Rob Blokzijl: Thank you Stéphane. I also want to thank all of you Council members and everyone in the GNSO community for your outstanding efforts and just the huge amount of time that you put in moving all these issues forward.

And also as I just kind of, you know, witness the discussions today about the cross community working group issues and the end runs and the - you don't process (unintelligible) and the different strategies used.

You know, what does come to mind as well is just how healthy this multi stakeholder model is and how much better and how dynamic and how things evolve because of the loose coupling in the system and how it's really very, very much superior for producing the kind of policies I think that we all want to see being developed then a purely governmental traditional model.

So there's a positive amidst all the chaos. And I think the discussion about how to refine the processes are critical because I think the Board and the staff and the community in many ways are always close to being overloaded in terms of information and issues. And so anything we can do to refine the processes can really be of great value to all of us in creating more value for the global public interest and perhaps staying sane.

I also want to thank Adrian for the comment on our great staff. We do have great staff. I think they work incredibly hard. And I think it's important for us to remember that one of the key reasons they stay at ICANN - and this came up in some internal discussions we had - is they love the mission, I mean, they love the mission of the Internet, of the domain name system and, you know, contributing to holding the Internet together and the global nature of what we do.

And they just feel in their hearts and their guts, you know, this is really important. So there's very positive reasons people stay at ICANN and it's one of the reasons the turnover rate has been lower than most organizations. It will increase when you add a program like this.

Now should we go and chain people to their desks? I don't think so because if we announce we're going to chain them to their desks they'll leave sooner, okay. And that's been seen in other environments.

What we want to focus on is the positive reasons for being there whether it's the missions or, you know, how they're treated with respect or how they're

developed - we have a development program where every staff member we discuss with them how they want to develop as an individual.

That even includes the executive management team that reports to me. I have those conversations with them whether public presentation skills, planning skills, management skills, language skills. So - and we do that because that's important for people and retaining people.

So on the incentive side, getting back to Bruce, I think we're going to be best, you know, in this community and in ICANN focusing on the positives in retaining as many great people as we can while acknowledging we're going to be advancing their careers and that's a healthy part of the process.

But I appreciate the discussion on that. And thank you very much, I'm really looking forward to the social hour.

Stéphane van Gelder: Thanks very much, Rob. Thank you all for joining us. I think it was - I agree with Peter - a very useful format for discussion. And I'd just like the GNSO Council to join me in thanking Peter, I mean, this was a special meeting for you so thanks very much for all the effort that you've put in over the years to serve this community and good luck.

Peter Dengate Thrush: Thanks very much.

Stéphane van Gelder: And I'd just also like to thank from the GNSO Council Rita for all the work that she's done to serve the community. And she's worked closely with us as well.

So thank you very much. I'm afraid I can't disclose what goes on now because it's not open to everyone but I'm sure all the people that need to know know and with that I will let the conspiracy theorists get on with it and I'll wish you all a good evening.

END