

## Transcription ICANN Buenos Aires RrSG Session II

**Tuesday 23 June 2015**

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Michele Neylon: Can we please start the recording? Thank you. Okay welcome back ladies and gentlemen, boys and girls. We are now having a session where we're going to talk about universal acceptance. And we have been joined by Richard Merdinger who I believe is one of the integral parts of the Universal Acceptance...

Man: One of the three vice chairs.

Michele Neylon: He's one of the three vice chairs of the Universal Acceptance Working Party or...

Man: Steering Group.

Michele Neylon: ...Steering Group, sorry. I get my terminology wrong. So over to you Richard.

Richard Merdinger: Thank you very much Michele. Full disclosure, I love universal acceptance.

So I'm a little passionate about it. So again Rich Merdinger. I'm with GoDaddy on the side and I'm part of the Universal Acceptance Steering Group. I should turn my mic back on - sorry.

It is a group that was started up and what we're calling a - kind of a flat base, flash mob type of a situation where together with some major players in the industry - about 12 individuals and ICANN - to talk about the need for domain names to actually function when they get out into the wild, function consistently and also embrace the newer technologies in domain names as well as the new names that are coming along.

I keep hitting that - next slide please. Would you like me to slide over there?

Woman: (Unintelligible)

Richard Merdinger: Oh he's here, okay. All right so universal acceptance really is all about domain names functioning properly. It is more than just ensuring that the DNS is functioning properly using IDNs with punycode, etcetera. It's also more than just having e-mail addresses that can be [utf8@utf8.utf8](mailto:utf8@utf8.utf8).

It's more than just having e-mail addresses that can - like EAI where there may be a quality functioning of the e-mail when it's sent from one system it guarantees gets to the next system.

It also includes the use of domain names in non-industry traditional technologies. What we mean by that is if you were to go to your - let's say to go to your bank and you want to log in using your credentials which oftentimes is an e-mail address, they need to be accepting IDNs, EAI. I always forget what EAI stands for, sorry guys. It means something else internally at GoDaddy. But anyway.

(Mark): (Unintelligible)

Richard Merdinger: Thank you (Mark). E-mail address internationalization, which is [utf8@utf8.utf8](mailto:utf8@utf8.utf8). Long ASCII names such as Dot Photography, Dot Museum, Dot Info, things that are more - not just the three-letter that was very early the standard of course.

But also just even the contemporaneous addition of TLDs so that even if it's a TLD that's technically some people may have hard coded the valid TLD list and they're not using a standardized method for determining what a valid domain name is. So the idea is that domain names will function across the Internet, not just that we can provision them, leverage them within our industry.

Next slide please. That is the right one. I just thought there was a different slide that came in there. So for - sorry again. Yes so - sorry about that - so the UASG, the Universal Acceptance Steering Group, is a community initiative that is supported by ICANN. This is not an ICANN initiative.

Inside this group that got together along with Cyrus and others in the ICANN DC office thought was represented by registries, registrars, key technology players in the industry talking about the issue and how best to approach it.

Universal acceptance is a very, very large issue because it deals with legacy technologies that have been around for quite some time that are integral in the basal function of the Internet. It's not something that we're going to be able to address in a six- to nine-month period, wipe our hands of it and finally be done with it.

It's the kind of project that we consider to be more like a marathon than a sprint, and it's going to take a very long time for us to accomplish it. So in order to do that we had to put some structure around the effort with the working team.

So the steering group was devised. In Singapore it was brought out to the community and we solicited to have members participate in four different topline groups that we have. One of them is the Topline and Technical Issues Group, which is run by Brent London. He's the committee chair if you will of that project. He's Brent London with Google.

They're identifying the major issues that are perceived to be the most impactful in the medium to long term so that we understand what we're trying to fix and not just trying, not looking at it as the entire industry that is needing to be addressed all at once. This provides some structure there.

We also have an international group that is dealing primarily with the IDN issues and the localized issues that go along with domain names.

And we also have a group for measurement and monitoring. Measurement and monitoring is partially about understanding the scope of the problem as it exists today, the level of support that we have in the various systems and different tiers of the infrastructure. But also it's about knowing the level of the knowledge within the community, also how well accepted the efforts are going forward for us.

So there's a technical component to it but there's also a component that is being able to gauge the value of what we're doing and being able to show that value to the people with which we're trying to get to engage with our project as well as those that need to make investments to address it.

And then there's also the community outreach team of which I am a part as well as Christian Dawson which will - the reason the community outreach is lasted last in this group is because while we are responsible for being kind of the marketing and communication arms for universal acceptance for the group, we are not the ones that are determining what the messages are.

What we're trying to do in this group is to work with the other three groups, solicit what the important messages and requests are and then synthesizing that out into the community, whether it be in, you know, the easy part, which is the inside baseball dealing with the members of the community in this group as well as going out through concentric circles of the verticals and industries around ICANN and the domain name industry to engage with them, provide what would be an appropriate - sorry it's a - what would be an appropriate motivating message.

Just stammered there for a second but anyway - motivating message for them so that when they look at the work that needs to be done, the breadth and the depth of what has to happen, they don't look at this as it's just a task of saying please fix your tech debt and then get back to work but that they realize that addressing universal acceptance is what is going to enable us to go from supporting the first 2 billion users on the Internet to being able to get to the next 2 to 3 billion users on the Internet - the mobile platform, non-native - excuse me, non-Latin scripts, native scripts, etcetera.

So as a registrar I understand personally why it's important - or as a member of a registrar. And we need to make sure first of all that the products that we're selling to our customers will function in the wild and live up to the promise that we are making when we provision it to them. This goes for not just making sure that we're supporting the IDN TLDs but also at the SLD and third level.

So it's - I'm not going to read you everything that's on this screen, but basically it's from a registrar's perspective it's ensuring that the products that we have will function not only on our Web sites and people will be able to use their EAI e-mail addresses just like with the bank I mentioned earlier with our sites but also that we are a catalyst for the adjacent technologies and the adjacent industries so that the products we sell them will function properly.

So what do we need - next slide please. Yes go ahead. Question.

Michele Neylon: Question from Michele. Thanks. No just - because I forgot this is the new Adobe setup where the hand up thing appears on the screen and interrupts everybody. Sorry about that.

Man: Oh there it is.

Michele Neylon: Yes I know. I suppose the thing -- because I'm conscious we're quite short on time - what can we do? I mean what is it that we can do to help with this? I mean is there something tangible we can do at this juncture or are you in a happy place over in the corner? I mean do you want to be brought into the light? I mean...

Richard Merdinger: The most important thing that I could ask of not only this group but of all groups is participation at this point. As I mentioned before there are the four working groups. Don Hollander has been - he's working as an ICANN staff on us as coordinating our effort. And it has been a relatively small group of individuals that is attempting to go from inertia to momentum.

So for getting with the individuals and the leaders in your companies and the technology and business people that will be - that we can communicate with and get to be part of our working groups is the most important thing we can do right now.

We do not have the answer to how this is going to work. We are developing the answer as to how this will work.

Michele Neylon: (James).

(James): Yes (James) speaking for the transcript. So I think the thing about universal acceptance that we all talk about is that it doesn't work to talk about universal acceptance inside ICANN because everybody here gets it.

But registrars in particular come to these meetings and then scatter to the four corners of the world and then go on also participate in local technology efforts in their country and language specific technology workshops, other industry groups that maybe are unrelated.

Some are involved in protocol development. Some are involved in other standards groups. You know, and so it's just a question of, you know, take this as part of your work to the other groups that you may be involved in as part of your work, as part of your outreach and not necessarily something that affects your life or your business in ICANN.

Michele Neylon: Thanks (James).

(James): And I'm looking at you Michele. You're involved in everything. We're kind of like, you know, we need to treat this like a cold that everybody has to catch, right, and you shake hands with everybody, so please go sneeze on people.

Michele Neylon: Michele. (James) thank you. I appreciate that you have decided to choose me for this wonderful purpose. Maybe we can discuss further how GoDaddy intends to pay me for it. I'm only joking. No I mean look I appreciate that.

I mean the reality is I think it's going to be a huge challenge. It's not something that's going to be solved overnight. It's just, you know, if (Frederic) goes back to France and manages to get a couple of Web sites in France to work better, if I can persuade a couple of Web developers in Ireland to fix their Web form so they'll accept a Dot Irish e-mail address, that would be nice.

And if somebody could find somebody in Delta who's an applicant for Dot Delta to fix the Delta Web site to accept new TLDs, that might save a little bit of embarrassment. But hey, you know, these are just things I notice when I try to use my Dot Irish e-mail address. But go ahead Rich.

Richard Merdinger: Actually to those points we had a wonderful session on Sunday. It was all day on Sunday from 10 o'clock to the end of the day where the individual working groups got together and kind of explained what we've done so far, which is very germination at this point. We're just getting going.

But then broke down each of the groups trying to figure out how do we take this very, very broad topic, scale it down to something that we can agree that are maybe some of the early things that we should address and then even scale it down smaller to have actionable tasks that we can get done within the next three to four months.

The top issues group has really embraced EAI as their number one issue because it involves not only e-mail addressing - and there are four RFCs on how that should work so there's been a lot of good IETF work in the structure around it - but if you can address EAI - pardon the pun - you can also deal with IDN names and domain names.

The measurement team is under Mark McFadden I believe - thank you - is looking to put together what he considers not a lab where we can do testing but a paradigm under which we're able to do automated and repeated testing so we can really efficiently understand where in the industry we stand so that we can know if we're improving, how fast we're improving, etcetera.

And again the communications group is working to identify the value statements that - so that we can illustrate to the world not that there's a lot of work to do but that there's a great opportunity and all they need to do is at Delta Air Lines for example start accepting this.

And we want to put materials together that show the - express the value, express the how to a degree and also create some resources within the community. And to the last slide please.



So getting involved is the most important thing that we can ask of all of you. We have five or so URLs at the bottom there about some mailing lists that you can get on. If you get on the most broad, you'll see a lot of discussion about the topic and where we're going in general.

If you or your people on your teams would like to go much deeper we welcome that. Don Hollander again is the leader for this group. Rich Merdinger with GoDaddy, I'm [rich@godaddy.com](mailto:rich@godaddy.com) if you're interested in contacting me about participating in any of this. I can (unintelligible) way over to the other groups and get you in contact with those leaders as well.

And I'd love to answer any questions along with Don and anyone else in the room that's curious about things.

Michele Neylon: Thanks Rich. That's very helpful. Any - sorry if this table moves one more time I'm going to murder it even though it is an inanimate object. Does anybody in the room have any questions for Richard or anybody - or Don? Jennifer?

Jennifer Standiford: I don't have a question. I just have a comment. I think that - to Rich's point - it should be a priority of registrars to ensure that we're getting the acceptance that we need to get, especially as we continue to grow our businesses going from several million users on the Internet to several billion users on the Internet. Thank you.

Richard Merdinger: All right and thank you very much for your time.

Michele Neylon: Thanks. Okay the next session we have is on the schedule as - sorry - is on the schedule as open session. So this is another session that we kind of left open to deal with particular issues that were of interest to members. And one of the issues that has arisen as - in the last few days - is with respect to our bylaws.

So we have invited Rob Hoggarth and his team to join us here this afternoon as he is the bylaw overlord or at least has a better understanding of them than we do. I don't know - whichever way you want to categorize that.

So I think this would be a good opportunity to possibly discuss with Rob some of the issues we've been facing as well as looking at how we could make particular - make amendments and revisions to the bylaws and which ones may or may not be appropriate to make.

I mean it's - this is more of a discussion rather than I think prescriptive. Would any of you want to join on this one or...? So Rob I don't know; do you want to tee this off a little or should I pass this to Jennifer?

Rob Hoggarth: Good afternoon. Rob Hoggarth here. Thank you for all welcoming me. I'm here to certainly provide some advice and counsel on matters with respect to your charter amendments or what processes you might like to look toward in the future. I'm happy to troubleshoot if there are particular issues with respect to the existing charter.

I think it might be better because you guys have a better context in terms of what might be prompting this at this stage. You went through a very successful charter amendment process last time. We're actually the first community ever to be subjected to or take advantage of the new process set up by the board for review. That was fantastic - a big thumbs up.

What you all have suggested in inviting me here today was there may be issues where you see a second round is necessary sooner rather than later. And I'm more than happy to explore with you what those options might be.

My sense is that this is something where you want to get some initial conversation and guidance here that we can do some follow-up after the meeting. So I wanted to share that we're very excited about helping you out in that respect and happy to do any brainstorming today if necessary.

Michele Neylon: Okay thanks Rob. Could (unintelligible) user please use the Adobe Connect if you can? Whilst I'm waiting, was anybody else to join the queue? Michele for the record. Just so we're all clear I mean the - just to understand the process in terms of changing the bylaws, in terms of time frame, how long does that process take? Assuming we were to take it from the moment we give you a list of amendments of which to make.

Rob Hoggarth: We had some good experience last time where you were essentially the - guinea pig isn't quite the right perhaps politically correct word -- but essentially you were the first to go through the formal process. Since that time the registries have embarked on a similar process so we don't have a lot of experience.

But in terms of looking at it the - almost the perfect time frame that every target has hit, it's about six months from the time - from you giving it to me saying here it is to actually having the board in a meeting saying approved.

Now we've had the conversation before about when is the effectiveness of the by bylaws and when do they take place. There continues to be some discussion I think between various parties who look at the process in terms of what role the board plays.

Is the board simply ratifying what you've done so you pass it among yourselves, do your work with the understanding that the board could reject in the future? Or do you choose to wait till the very end of the process? My sense in terms of the experience we've had to date is that if you think that there is controversy within your community about a particular provision it's better to wait.

If it's a case where it's fairly standard, you're just making changes to reflect certain realities for which there is broad consensus then the practice that I've

observed seems to have been we just go ahead and operate and take the risk that the board comes back and says no.

There are some members of the board who would say, "No, I want to approve everything before you take a step," but from a practical standpoint I think the overall philosophy continues to be, "This is your community. This is operating system under which you operate. And the interest - all steps of the process - is to give you all the maximum flexibility."

Michele Neylon: (James).

(James): Thanks. (James) speaking and I couldn't raise my hand because I've got the microphone next to my name and I don't know what's going on here. Anyway, yes Rob, I don't know if I could speak for the whole group or just me, but the last time around was not a good experience. It was a very painful experience and it was spread out over almost 18 months with kind of a slow burn of missteps.

So you know if you're saying it's working better now because we went through all that and we kind of took those arrows for the rest of the community then great, then we need to do it again because I think six months is - I know we deal with ICANN calendars here and we just kind of are accepting of some of the time frames, but that's not a practical time span for something like modifying our own charter.

I feel like, like you said, it's our community. It's something that we have built and it feels as though, you know, I understand and put this out for 45 days public comment and then let's go. You know, I don't understand the delta between 45 days and 6 months.

Rob Hoggarth: Two points -- one I think a lot of the 18 months was internally still doing some work.

(James): That was totally on us.

Rob Hoggarth: Right.

(James): For at least the first, you know, eight to ten months.

Rob Hoggarth: Right and so my calculation was once it's submitted - the 45 days is the public comment piece. Part of it is the staff doing a report that's provided to the Structural Improvements Committee. And the Structural Improvements Committee evaluating that, getting a feedback from staff on any fiscal reliability concerns of any potential changes, then going out in public comment and reporting on the subjects that come in and then tagging along with the appropriate board schedule.

So I mean six months I think is a stick time frame. Can we push it a little bit? We tried to do that with the registries and I think it always ends up still coming out to about that period of time. I think we will learn over time where we can evolve that to your point and make it shorter.

Philosophically I think that part of the consideration is that there is an overall opportunity for community input on general charter changes because they impact the organization potentially as a whole, the interest in getting contributions from other areas.

And I think - and this goes back to the original SIC discussions - a sense that says there should be flexibility in the documentation but it shouldn't be something that happens immediately. It should be something of - somewhat of a deliberative process. But that's me speaking more in terms of my impressions of why the process exists, not the actual implementation of it.

But will - I mean so to - in an overall practical (unintelligible) to your question we will work as staff to meet every deadline and make it move as quickly as possible on broader issues about how long the ultimate process takes, about

the community discussion about the process and whether the board should modify it. Thank you.

Woman: James and then - I'm sorry.

(James): Yes just a quick follow-up. What's the role of the council in this? We are a substructure of the GNSO. That's, you know, Annex 1 of the bylaws. So does it skip the council and go right to the board (unintelligible)?

Rob Hoggarth: Correct. The council has an opportunity to comment within the public comment period on any charter changes by any of the organizations. But that would be just as it has the opportunity to comment on anything.

(James): Oh okay. It seems like it should be to the council and then...

Rob Hoggarth: You'd like to add another six months...

(James): That's it.

Rob Hoggarth: ...to the process then that's great.

(James): No, no, no. I don't understand why it goes up to the board. It seems like the council should - it seems like the GNSO should be free to organize itself under Annex 1 now.

Rob Hoggarth: That's a reasonable argument to be made.

Man: Michele.

Michele Neylon: Just actually adding to that because that was -- Michele for the record -- I found that a little bit confusing as well. I mean the Registrar Stakeholder Group is part of the GNSO. We are for all intents and purposes "answerable" quote/unquote to the GNSO.

So why does something within the GNSO, within the subgroup of the GNSO, go to the board who aren't part of the GNSO? It just seems a little bit strange. I mean is there a rationale behind that or this one of these kind of weird ICANNisms that kind of came from God only knows where?

Rob Hoggarth: This is a product of the past or the most recent GNSO review. And I think there is a recognition in that process and since over within the GNSO and outside the GNSO that the council is a body to whom you send policy experts and who helps organize the policy development work of the community but that doesn't dictate what happens with any particular stakeholder group or constituency.

So it's not like for example the ccNSO or the ASO where there's much more of that hierarchy where the council is at the top of it. The council is a part of the GNSO ecosystem if you will. And I think the approach that the board took coming out of the previous GNSO review is that there are organizations whose charters are dependent upon board review and therefore any changes to that imprimatur require the board to review and approve them.

So I mean that's the context where that comes out. I don't know; it's certainly within the context of the existing GNSO review or future ones where you can move to change that structure or adopt a shift to it. Politically I don't know what the impacts of that would be today or the next GNSO review five years from now. I'm hopeful that's responsive.

Michele Neylon: I think I'm the only one with my hand raised so I'll put myself back in the queue. Michele for the record again. I mean the issue that we've run into - in fact I think there's a couple of issues, you know, specifically around we open up a nomination period for officers.

Then we end up in this kind of strange situation that somebody who'd be qualified in many respects to fill a role is disqualified on what could best be

described as, you know, a technicality at one level or maybe it's something massively substantive at another. I'm not 100% sure.

And I don't know what the genesis is of that particular clause within the document but I think from some discussions I've had with other people it comes from back when NetSol/Verisign had a monopoly and there was concern about competition, whereas these days that isn't as much of an issue.

So I mean it's all about this thing about sensitive registry data which I'm not sure what issue that is. I mean if I had sensitive registry data win, how does that help me? I don't honestly know. Oli has his hand up. I'll cede to him.

Oli Hope: Yes Oli Hope. So to put some very specific or a very specific example behind this, it's been called out - basically (unintelligible) access to non-public registrar sensitive data. So I'm currently the treasurer for another week or so. And in terms of the re-election process it got noted that actually because as an aside one of my extra roles is I sit on the board of directors for Nominet.

Now in a real world example, do I see any registrar, non-public registrar sensitive data? I would argue no. I don't think anyone in this room would have any issues with what I see. It's nothing, you know, in that sense.

However, the word being accessed, you know, I think realistically, you know, I have to say yes, you know what, I'm a board member. I could walk around and say, "Excuse me, I would like to see this," and I would probably get shown it. So on reflection I withdraw from the next election cycle which I'll announce on the list you know officially after this conversation.

But it brings in for me a much wider concern with this part because there's plenty of our officers who with vertical integration and everything you know with the new gTLD it could easily be argued that a number of people do have access to non-public registrar sensitive data.



And it would be very hard to prove that they didn't. And it all gets quite complicated for a group of registrars who ultimately - you know if you sit in one of these positions you're most likely doing it to help the group. It's just becoming complicated. I don't actually know if I'm following up with a question here Rob. I guess maybe just to hear your comments on this scenario and (James) is waving so maybe he has something useful to add.

(James): Oh it just occurred to me that if this is - this whole conversation was predicated on the nomination of Jeff Neuman who had to withdraw because of this. And now we've got Oli. If we're throwing country codes in there, I'm involved with the Dot Me registry. Do I have to step aside now too?

Oli Hope: It's (unintelligible). It's the gTLD.

(James): The gTLD, okay. All right, well you mentioned Nominet so...

Oli Hope: Yes. No, no, no, well exactly but you're hitting the nail on the head.

(James): I mean it's the kind of thing Rob where it's like depending on how far we want to push this we can drag the elephant you know through the mouse hole here if we want and find a nexus to disqualify everybody. And we're having a hard time filling the slots that we have - you know, scraping up a team so that we can cover all the bases.

So I guess - you know I'm sure that it was never our intention to be hamstrung by our own bylaws. I'm sure that they were well intentioned and they served a purpose at one time when we were trying to establish a competitive industry.

And now with, you know, vertical integration and people involved in so many different things, you know, it feels like, you know, it feels like we're being tripped up by our own shoelaces here.

Rob Hoggarth: Thank you, and I mean this is obviously helpful for me, having only heard about the issue what, 48, 72 hours ago. So if I can - at least my understanding of it, you've got an existing set of eligibility rules sitting in your bylaws. They were written in the distant past.

You're now seeing that you missed that in the past review of the bylaws. You're now seeing wow, we have to change it potentially because it potentially limits the capability that's defined enough qualified or just eligible candidates to participate.

And so I do think - and this may not be appropriate for the whole group, although I'm happy to do it -- is we do have to sit down with you and say okay what would you like to change? How would you like to change it? Practically what do you want to do in the short term? You know, let's look at what your election cycles or terms of office are and see how to address those and then crank that into the bigger process.

Now are there - is there - I don't know how many lawyers are sitting around the table if any who could, you know, help fashion some interesting language that would allow you to be able on a temporary basis to resolve this matter so that you can move forward practically while in a less stressed environment and less pushed time frame make adjustments to this and other eligibility rules.

I think a lot of that depends on, you know, how big and wide you want to open this. Do you want to just fix this problem? Do you want to look at a broader set of issues that say well this is one?

James you better check Section 1. Michele you better check Section 2 and really thoroughly go through and see if you had any difficulties because clearly this made sense as you said Michele at one point in time. It's not making sense now. So presumably you all want to change it.

Michele Neylon: Yes thanks Rob.

Rob Hoggarth: Because otherwise you wouldn't call me. I mean, you'd just go ahead and continue to operate and say bye to Oli or whatever.

Michele Neylon: There's a (unintelligible) from remote from Dickie Armour. He says, "We have to be very careful on this because we don't want to lose great people like James and Oli, et. al." There's also a follow-on question from Rob Golding asking, "Am I right in recalling that ICANN rules only allow an organization to be a member of one stakeholder group still?"

Man: I put myself in the queue just to address Rob's query. I think it's to do with the voting, the vote. You can only vote in one place. I'm not sure whether that's an ICANN rule or whether that's just that everybody has that rule internally in their groups. Essentially you can be a member...

Man: But not ExComm.

Man: Well yes, sorry. You can be a member of as many groups as you want as an entity, but you can only be a voting member in one and you can only be an elected representative in one I think. Am I right on that part? Rob might know.

Rob Hoggarth: I would agree with your second. I'm not sure about the answer to the third. It's been more of a - I think an understanding and a practice (unintelligible). It's also a part of the GNSO operating procedures that talks about only having a voting capability in one of the communities.

Michele Neylon: But just to the point that, you know, (James) raised as well, you know, the wording at the moment, I mean, because it's ICANN we naturally assume it's to do with gTLDs, which is the basis on which I think most of us read these things. But the wording in some of the part with respect to the registries and

all that, it doesn't actually - I don't think it actually says gTLD registries. It just says registries.

And, you know, the problem is that there's quite a few of us who are involved with ccTLDs in some shape or form or involved in some other form of registry business. And it's quite hard to work out. I mean I'm the chair of the Registrar Advisory for (Dot EU). (Frederic) sits on it. (Peter) sat on it. (James) is involved with dot ME.

We've had other members of - I think Rob Villeneuve is on the board of (Sira). You know, if you're engaged in the industry and are stupid enough or clever enough - depending which way you want to look at it - to be involved with policy stuff, you tend to end up being appointed to things across both sides a little. So I think (unintelligible) be careful with - Volker had his hand up.

Volker Greimann: I think the one point also is essentially to differentiate what access means.

Does it mean actual access - i.e. has the person had in the past year actually looked at such data or does it mean the capability? The language could lead to both interpretations. It's sufficiently vague to confuse us as none of us drafted. It's a legacy item in our bylaws.

It's very hard to determine what the original intent of that language was. And therefore we have certain issues that potential access could be interpreted and therefore members choosing to err on the side of caution when they accept nominations because they might just be forced to step down if there's sufficient pushback or complaints.

And of course we would like to avoid that situation so interpretation of that clause or clarification of that clause might even be faster accomplished in the change of a bylaws.

Rob Hoggarth: Two things occur to me. One you have an immediate short term issue. And then you have a longer term issue. I'd suggest the following. One, we're more than - from a staff perspective - more than happy to provide some advice to all in terms of what recommendation or suggestion you have in terms of what you want to accomplish.

So in other words we're ready and able to provide some assistance if you say, "We want you do this." And it sounds like first you want us to suggest or work with you to see based on this wording if there are ways to achieve what you want to do in the short term to make sure that people who are already in office or who are working to running your next elections, let's define and be very clear for you all what is eligible and what's not.

And then secondly more longer term is to collaborate with you on making adjustments or changes that are consistent with where you want to be. So in terms of what I think we'd need to help would be some direction from you that does say specifically that: Staff we want you to, you know, help us here, do this and do that.

And as I suggested to you all before this meeting, more than happy to do that in any way, shape or form where we've got some very smart people with whom we work. We're very familiar with the process with the board. We've got legal minds great and not so great - I'm putting myself in that second category - to help wordsmith this.

And then we can look longer term at, you know, some additional changes. But I think it sounds at least in this case that you probably want to look at all of Section 4.3 in terms of the eligibility for elected office, not just focus on Point 1 but look all the way through Section 4.3.7 just to make sure that everything matches up and works well together.

Michele Neylon: Thanks. Michele for the record. Yes, thank you. I think for now unless - if I understand what's been going on over the last 24 or 48 hours - we may have

more or less resolved the current set of issues, though it does reduce the pool of eligible candidates which on the pool itself wasn't particularly big to begin with, which is a problem.

But I think from conversations that some of us have had -- there's been some chatter in the hallways as well - you know, reviewing not just the eligibility requirements for elections but reviewing other aspects of the - what's it called - the charter is probably a good thing to do.

I mean the first one as you say we took - what was it - three documents. I think it was two or three documents, brought them all in together so you went from having bylaws, operating procedures and I can't remember what the third one was -- rules of procedure. So it was like there were three different separate documents.

They were taken, pushed into one, incorporating some of the changes, most of the changes that we had requested through that process which took quite a long time. And, you know, then it kicked off the three- to six-month process on the far side.

So maybe this time round, making some of those changes could be faster and easier though you did say to me the other day that these things were meant to be a living document which takes six months to sign off on a change by getting it out to the board.

Well you're dealing with now the baby's become a child. It's become something else. It'll be a teenager before, you know, you get through a couple revisions. But okay.

So I suppose as an action item then maybe if we can follow up with you over the next couple of days and if some of us can maybe even sit down with you even sometime before we leave Buenos Aires and head back to warmer climes then maybe that might be positive.

Rob Hoggarth: This is Rob Hoggarth again. If I can make another observation I just really appreciate and I think overall from an ICANN perspective it's really good that you have identified this, that you've raised the issue and that you're going to go through the steps to fix it according to the process.

As many of you know, sometimes you're on one side of an issue, sometimes you're on another. But to be in a position to say we're going to operate by the rules that we have as written I think is very important. We've noticed it with some other groups where it looks like a slam dunk and everybody seems to be going along with it and then someone who is affected negatively does raise the issue.

So I think it is very important to follow the process, follow the procedures, make sure that the documents you have are adhered to, whether it was written ten years ago or ten months ago. That's very important and I think others - and I hope those of your membership who are not here listening on the phone appreciate the attention that your leadership is giving to this, willingness to bring it up and to deal with it quickly. Thank you.

Michele Neylon: Thanks Rob, and just to add I mean of course we want to follow the rules. We're contracted parties. I think that's very helpful. Okay I think we can close this session.

On our schedule we have the session is an open session until a quarter past the hour. Now if there are some - are there any particular issues that anybody wants to raise or would you prefer to have a slightly longer break before we meet with the board? Volker go ahead.

Volker Greimann: I think we should discuss candidates if possible because we do not have nominations for everything that's going open. I mean as (John) pointed out we will have to have new NomComm appointee as well who wasn't on our radar when we opened for nominations.

And any other nominations of the - resulting from the developments that we have now discussed should probably also be part of the agenda today.

Michele Neylon: All right thanks Volker. So okay the - so essentially we have to run three separate elections between now and the Dublin meeting. We have the election for the four elected officers of the ExComm, so it's chair, vice chair, secretary and treasurer. We have - now here's one that Paul Goldstone made earlier.

We have the GNSO - we have two GNSO Council elections. One of the GNSO seats we cannot - we have no option but to find a new person to put in there. The other one it can be contested. The only thing is that the two seats we're voting for as per the rules we shouldn't be putting forward anybody from Europe. (James) go ahead.

(James): No, right, the last thing you said is the best way to say it is that we have two open seats and that the candidate should not be from Europe.

Michele Neylon: But the candidate can be from Europe if we fail to get anybody from - let me try it again. The candidate can be from Europe if we fail to find a non-European candidate because obviously nobody from North America, South America, Africa or Asia want to do the job. I'm joking (James). Please don't try processing that. He's overthinking it; I can see it.

Man: I'm not sure if that's obvious. We haven't asked it but we have had no indications from those regions, no.

Michele Neylon: Well no but we did have an indication from North America. The other position which is the one that unfortunately seems to be more or less kind of overlooked as it were is the NomComm appointment that Dr. Berryhill spoke to at length earlier this morning. And that one we have to have by what date?



Man: August.

Michele Neylon: So we have to have that one filled by August. So somebody needs to put themselves forward for that and, you know, there is quite a - I mean a time commitment. I mean how many hours per week (John)?

(John): (Unintelligible)

Michele Neylon: Oh because it's about 30 hours at the ICANN meeting, yes?

(John): (Unintelligible)

Michele Neylon: And then 10, 15 hours a month. So I'm just saying this into the microphone for whoever's remote. So for the four officers we've got the nominations are open again because of our little issue plus as well as somebody else brought to my attention that the way the charter bylaws are written, I closed the nominations a little bit too early. I should have kept them open for another - I think another day or two days or something.

Oli Hope: I don't think you should have closed them (unintelligible). Should be the secretary. Bylaws are bylaws.

Michele Neylon: Yes (dear). So okay since he's being pedantic, it should have been the secretary that closed them. The reason I closed them was the secretary was stuck in an airport.

Man: (Unintelligible)

Michele Neylon: It's not - it's reopened anyway, yes. So we have received nominations for several of the positions where there are no issues. But if anybody wants to step forward for any position please do so.

Man: While we do not allow for self-nomination, anyone that would like to be nominated could just throw their hat in the ring and then we would arrange a nomination very quickly.

Michele Neylon: Sorry, I wasn't 100% sure whether we allowed for self-nomination. So we obviously don't. So just to recap, the four officer positions open for nominations now. Then we have to close the election process. The NomComm and then there were two GNSO counselor positions. So does anybody have any...

Oli Hope: Yes.

Man: ...thoughts, questions? Oli?

Oli Hope: I just think this is a - having this discussion is a clear further indication of why we need to hurry up and get a secretariat because they can be dealing with all of this sort of stuff. Clearly you know everyone has ideas and thoughts on this is the rule, that's the rule and, you know, we all discuss it.

But if we get a secretariat, they can actually cover this, and it's one less headache. Thank you.

Michele Neylon: It's Michele again for the record and just if anybody here has a passing interest in learning about what the work load is and what the responsibilities and what's involved in any of the elected positions, you know, we're here, those of us who have been doing it for the last year or longer. Feel free to ask. I mean come up and talk to us. Sure, go ahead.

Man: Is it on? Go to who specifically? Anyone? Just you there?

Michele Neylon: Oh sorry, any one of us. Sorry, my bad. So I'm the current chair. Jennifer is the current vice chair. Oli is the current treasurer. Paul is the current secretary.

Man: All right, thank you.

Michele Neylon: Sorry, just I wasn't very clear of me. My apologies.

Oli Hope: If in doubt you can e-mail - what's the ExComm e-mail? Sorry.

Michele Neylon: Well if in doubt you could e-mail membership@ because that definitely will go through. Not too sure who that goes to apart from me and Cristin. Just grab one of us. Normally I wear a T-shirt. Any other items? Go ahead.

(Mark): (Mark) from Global Village. A couple of weeks ago I asked registrars if there would be an interest in doing something like registry best practices. And the reason for that was that I discovered that one of the large registries had an (unintelligible) with report which did not offer any kind of secure connection.

So basically you have to log in with your plain data which happens to be the same data you use for (EPT), which I think is a security problem. So I'm not sure, is there any interest in defining registry best practices and approaching the registries with that? I see a lot of enthusiasm.

Michele Neylon: Volker go ahead.

Volker Greimann: Essentially the development of registry best practices should be a role that the registries should take on themselves but we could nudge them towards starting that work and then provide examples of what we think would not be best practices.

(Mark): Okay who should I talk to? Or should I just make suggestions and (unintelligible).

Michele Neylon: What I was actually going to suggest - this is Michele for the record - we've been talking to FSAC because they're doing the registrant credential

management project. I don't know if you saw the paper that I circulated over the weekend. I mean it's not - what you're talking about is like if registries are not securing the connection then that's also exposing registrants' data I would argue.

(Mark): Well it's also a problem if your credentials that you use to connect to the registries and to your production transactions are not encrypted. So they can be spoofed by anyone.

Michele Neylon: Well that's what I'm saying, so maybe looking at that as being one way to...

(Mark): I think it exposes everybody - registries, registrar, and the registrants.

Michele Neylon: Okay but as I'm saying is that there's already the FSAC thing so maybe trying to raise it through that - down that avenue.

(Mark): The FSAC would be the better party to approach.

Michele Neylon: No, not specifically FSAC. The document I circulated on I think it was - was it Saturday? The document I circulated.

(Mark): I don't think I have read that but I...

Michele Neylon: Please do. The document I circulated on Saturday, it's a follow-on from what FSAC was talking to us about I think it was at the last meeting because FSAC has a working party on registrant credentials. We're calling it I think Registrant - I can't remember the exact wording at the moment.

But what they're looking at is anything that impacts the security of the registrant. So what you're talking about, it's not 100% that, but I think there's an overlap which means it might be an avenue to have that conversation rather than trying to start something completely new. I mean ultimately it's up to you. I mean FSAC might...

(Mark): Well I also approached the registry in question and they're currently trying to find a person who's responsible for that. But I think it would be good to have some standards to say oh, look registry, please we have these best practices here. Why don't you follow them? Instead of everybody notices something, approaches the registry individually. But I'll look at the document. Thanks.

Man: There's a couple of questions online - one from Dickie Armour says, "So I may be alone on this, but I am now confused about who can be part of the ExComm under the current charter." And then...

Man: So are we.

Man: So I was going to say that Rob had recommended that we read the charter, specifically 4.3, and also in the URL. There's also second question from Rob Golding that says, "The tech officer is a combined task with vice chair?" Question mark. And officially it is but...

Woman: I think that needs to be updated.

Man: Yes I think yes it probably does not to be something updated in the charter.

Michele Neylon: This is Michele. Just you know that the - I think yes it's an odd one. In the current charter and in the previous - I can't remember which document it came from - there was this thing about how this tech office (unintelligible) to do a very kind of weird little mix of different things.

Man: (Unintelligible).

Michele Neylon: Not even, no, not even. It was also due to things like say following technology in general or something. I mean the wording of it is kind of strange. And in some respects it might be more suited to, you know, simply getting updates

from your technical colleagues. I don't know; it's something which maybe we need to review. Jennifer?

Jennifer Standiford: So similar to what I was saying this morning, is anybody opposed in the room for a go-forward dialogue via e-mail, in person, identifying the areas within the bylaws we'd like to see change and then moving forward and based upon the define process? Anyone opposed?

Michele Neylon: This is Michele. I'm not opposed but I just would like to suggest that if we're going to do this we should try to set a timeline, you know, so we say okay let's discuss this for a period of X, whatever X is. I'm happy to discuss I think obviously a week is too short but six months is obviously too long.

You know, somewhere in the middle there's probably a happy medium. But we shouldn't - it shouldn't be let's discuss this and then we never actually have closure on the discussion. (Frederic)?

(Frederic): Just on another subject wanted to know if could do - if we could talk or do something about bad registries? I don't know if it happened to you at some point that when you want to be accredited with some registries and they don't react quite quickly or they don't even supply you with a contract or they don't even want to accredit you. Have you had that kind of experience or am I the only one? Or is (Mathew) doing a bad job?

Michele Neylon: (Frederic) I think this is a very, very important issue. We had a joint meeting with the registries the other evening and I think essentially the outcome of that is that if there are issues with registries not complying then they would prefer that we spoke to them directly. Now it is a little bit awkward because obviously if Registry X is being uncooperative and you've already tried to get cooperation from them, I mean what's the avenue?

So maybe the way forward would be for if there's an issue that you bring it to me or to Jennifer until after the election and whoever is the chair and the vice

chair. But then we take that to the ExComm of the registries and maybe as (unintelligible).

I mean the taking it to Compliance seems to be from - what I've heard from several sources - it seems to be a bit of a black hole in that you bring it there and then eventually you get back something saying it's resolved. We don't see it as being an issue. But maybe there's no actual resolution.

There have been multiple issues that I've been made aware of. I mean how many registries are refusing to give you a contract? (Fred)?

(Frederic): I mean for us it's three, I mean with three registries. I mean we have problems. (Mathew) has problems getting the contract.

Michele Neylon: (Fred) I'd prefer if you didn't talk about (Mathew)'s problems but thank you. Oli?

Oli Hope: It's more like sort of any other business point, at the end. So if we're there I can - I just thought it's worth, with the confusion around - going back to the current elections. My understanding then is right now we have open nomination periods for secretary and for treasurer, right? The chair and vice chair nomination periods are closed. Am I understanding that right?

Michele Neylon: I think as our secretary Paul is going to have to send a clarifying e-mail because I think we've caused complete confusion around this.

Oli Hope: Yes. No we have but all I wanted from talking to a few people around, I would just really advocate anyone - I know we've said it - but anyone that might be interested please do stand up. The more people we have running for any position the better. So yes, thanks.

Man: I'll just clarify the nomination period is officially still open, so - and there's also a comment online from Rob Golding that, "Going chair to chair between groups sounds much better to me before involving ICANN."

Jennifer Standiford: Can I speak? Okay. Jennifer Standiford, Web.com. So we were talking to the registry ExComm the other day. They were very helpful as far as the comment that you made and having problems getting contracts or response from registry members. So feel free to bring those to our attention if you feel comfortable and we'll be happy to address them with the other ExComm, to Michele's point.

Volker Greimann: I mean we could just take a leaf from the playbook of compliance and everybody writes down three names with the registries they had the most problems with and then we talk about these in a closed circle and then move to compliance if there's no resolution with the registries directly.

Michele Neylon: And Oli again? So any other matters because I'm conscious of the time. We have to go to the board. Okay I think this session then is pretty much closed. Thank you everybody. We are meeting with the board and that is in Libertador A and B, which is beside where we were with the registries.

And as was mentioned in our meeting with the registries earlier, the format of the meeting is slightly different. Whereas previously a few of us would sit up beside Steve and everybody else will be sprinkled around the audience, now there's a kind of a - they were trying to do this kind of round table concept. I have no idea; has anybody been in there today? No, no, okay. Everybody's been here, okay.

So it might be more interactive. I think this is what they're experimenting with. So we'll see you all in Libertador AB at half past 3:00, 1530 local and please end the recordings if you haven't done so already. Thank you.



END