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HYDERABAD – ccNSO Guidelines Review Committee  
Friday, November 04, 2016 – 09:00 to 10:30 IST  
ICANN57 | Hyderabad, India

UNKNOWN SPEAKER: ...ccNSO Guideline Review Committee, starting at 9 AM.

KATRINA SATAKI: Good morning everyone, we'll start shortly. Glad to see new faces here at the table.

So good morning again. I like to see so many of you around the table, but we're still missing some members. I know David won't join us here, but he's in Adobe, that's good. Martin, unfortunately, cannot join us. It's the middle of the night for him.

Who else do we...? We need everyone, but anyway, glad to see you all. And well, I'd like to start by thanking you for your contribution to the work of the guidelines of the review committee. And I think you're pretty good [audio skips] compared to other SO ACs. Because now I've seen this discussion on the mailing list regarding selection of our members to specific review teams, and it looks like we are the only ones who have developed internal procedure for that.

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At least, that was my impression. Of course, there is still work that needs to be done with respect how all SO ACs are going to collaborate, selecting members above those three, up to three members that each SO AC may appoint, but... So, there is still a lot of work that needs to be done, but we are in pretty good shape and I hope that the Counsel will adopt the guideline.

We do have a meeting on Monday. Then seven days later, our representatives, according to the guideline. And actually, there is already volunteers have submitted their names to SSR 2 for review. So, that's just a short update.

So, having said that, we still have a lot of work ahead of us. So, we shouldn't get to relaxed about everything that has already been done. So, let's talk a little bit about the work plan, and probably about the organizational side of our work, how are we going to proceed?

So, Bart has given some thought to the work plan. The floor is yours.

BART BOSWINKEL:

Thank you. Can you show the first overview? Most of you will know this, this was discussed by the working group, I think, over the last two meetings. And [inaudible] etc. I will send it after the meeting. What I've included is lead for a topic, and the reason is,

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some of this will have to run in parallel. Until now, [inaudible] group has been worked, so we started with leads on specific guidelines that didn't work out well, then we revisit that working method by going, say, the full working group, look at one guideline and discuss...

And the question is, whether we want to proceed with that working method, working as a full group in parallel, or that we create subgroups, or leads at least, who will take on the responsibility of some of the work items, especially the priority work items. So let me first say one of them, and some are already in the process of being adjusted.

Say, one is the council elections, it's nearly done. We need to, yeah, because say before the whole transition work started, we have already focused on that one. The second one was council procedures, that's nearly done as well. Email guidelines, this came up as a result of the 13<sup>th</sup> of October council resolutions, because it's a new one, and it includes something like the ccTLD world list, so it will be revamped.

Yeah, I've added a... I suggest a priority to it, so it's not as urgent as some of the other stuff, but it is important enough to focus already some attention to it, because it will provide some, yeah, general principles for all of the email lists under the

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auspices of the ccNSO. Liaisons and observers, some of them, yeah, they need to be reviewed at one point.

And I would say the appointment of the NomCom is in a similar [inaudible]. There were some issues around the appointment that need to be revisited, so that's the experience we had over the last two years, with some of... The travel funding, there are some issues that need to be taken into account. These are not very big issues, but it's a good thing to update it, and preferably as soon as possible.

And they can be used for the next round. And I've already suggested that at least one member of the travel funding will take the lead on that because they got the experience there. And then a very, very important one, and that's why we've invited Jordan and Sam Eisner will be here as well, is everything around the empowered community mechanisms.

And everything that flows effectively from the bylaws, and I will go in more detail in the second part of the work flow. But this is a high priority, and this is going to be a complex one, because I think if I look at the working group itself, there are one or two people who are involved in the whole accountability, and were involved in the stewardship process, but not very much in detail, and they do not have the knowledge of detail. So one way or the other, it would be advised, or advised, to set up a link at least

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with people who are still involved and have a deep understanding of the bylaws, including ICANN staff.

It's otherwise, say, it's... Because we are in the lead in this one, in this area, we have a structure in place to deal with it, what you want is probably not just an approach by this group itself, but across the board so that you do not have procedures and processes in place that divert too much.

So, if for example, something like around the empowered community, if a decision, say if ALAC does something as a decisional participant, that they have a completely different process, which complete, unpredictable outcome, for the people in other environments. That's one of the risks I see at least, and I think that something, one way or the other, the group itself, like in this case, the empowered the committee, the administrative committee of the empowered community, so that's Stephen, and the others, probably should be the liaisons and should be, say, thinking about it, should effectively monitor what's going on, and provide feedback.

Say, we see divergence in processes and procedures here. So that's, but that's for further discussion at the latter point when Sam is in the room as well. So that's the level of some of the complexities. The IANA IPR related, we have appointed Martin

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[inaudible] for one year, and I think we still need to do a guideline, but that's in time.

So this is just the general overview in... Hi Martin, good morning. Talk about the devil.

No, so this is the more the general overflow, overview of all of the stuff that we need to address at this stage. If we... Can we change the slides? If we were to zoom into what is effectively under the new bylaws, you are aware the ccNSO has a responsibility, then it becomes frightening.

Or put it this way, an employment scheme. Again, most of you will have seen the next overview. I've cleaned up and adjusted dates, etc. And added some of the... Go down to, I would say, start with IRP... Page four. Yeah.

Yeah. It's just the heading. We do not need to go into the details, but this is based on a document that was prepared by some of the GNSO support staff. The only thing is, I've updated it in the sense of made it more applicable for the ccNSO, and put the questions in there, and added something like priority that needs to be discussed at one stage. I doubt we will be able to do it now, but at least it [inaudible] what is the highest priority at this stage?

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And maybe, Jordan and Sam do have an idea what needs to be in place rather sooner than later, because it's a lot. You can't read it, so I'll do it this way. So the first one I have had is around article, section 4.3, the independent review process for covered ICANN actions. Although the review of say, decisions around delegation, re-delegations, are not in the IRP for covered, there are other decisions, which may or may not affect the ccNSO and therefore the IRPs, the ccNSO as a decisional, excuse me, as a decisional participants, may need to have processes and procedures in place to make this effective, the independent review process.

Some of them are around... For example, ccNSO needs to appoint, as a decisional participation, implementation oversight team members. I don't know, I'm not, that's what I read, so you can't see it. So, that's under N. In consultation with [audio skip] ...the four step process around standing panel, etc.

So there is a role for the ccNSO with respect to the IRP. Can you scroll down to specific reviews? So, the specific reviews, that bit has been completed, that's what we discussed, what Katrina alluded to. The only thing that we, that needs to be checked at one stage, is whether the ccNSO guideline will be in line with the operating standards.

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And this is a bit of the cart before the horse. At this meeting, the discussion around the operating standards will be initiated, and the operating standards define the process around selection, or part of the process around the selection of members, for these specific review teams. But we have a guideline on that one.

So they should not be... At least they should be aligned and not [audio skip], though that's another item. And at quarter past 10, one of the, [Lars Hoffman?], who was one of the members of the MSI department, I believe it's called, will give you a brief introduction on the operating standards, and what can be expected. So you have a brief preview, because there is a session starting Saturday, or either tomorrow on Sunday, on the operating standards.

So that's at least important for this group. Can you...? So, then community mediation, that's again part of the whole IRP, and it's irrelevant, then probably the most important part, and that's why Jordan is here as well, the empowered community bit. We say... At least we've got the guideline in place on the appointment and selection of a person on the administrative committee, otherwise by default, it would be the chair, but Stephen is doing this, but scroll down.

But the real core, and this is where we, I think, I advise this group to take guidance from Jordan and Sam, and that will be the part



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of the discussion later on, is what is envisioned as under section six one G. [Inaudible] who can submit a petition to such, because this is more a set of questions where the ccNSO needs to include processes and procedures.

So, and the questions are, who can submit a petition to a decisional participant? So in this case the ccNSO process for an individual to submit a petition to the ccNSO, including whether a petition must accompany by a rationale? How the ccNSO determines whether to accept or reject a petition. How the ccNSO determines whether an issue subject to a particular petition has been resolved.

How the ccNSO determines whether whose support or object to actions supporting by another SO or AC, and the process for the ccNSO to notify its constituents of relevant matters. These are the questions that need to be, probably, very in order... Let me rephrase this. In order to, and Jordan please jump in if I misinterpret what I'm saying.

These questions need to be answered, at least we need to have procedures and processes in place to enable all the of the powers envisioned in annex D, because these preliminary questions determine whether or not the ccNSO, ccTLD community, individual ccTLDs can use the powers envisioned in annex D.

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This is the step between being a really empowered community, and yeah, in a situation where we are in right now. So in that sense, it is, in my view, probably the highest priority to make ICANN really an accountable organization. Or at least, to empower, really empower the community. That's why it's a very high priority.

KATRINA SATAKI: Thank you Bart. Just to jump in, and ask Stephen. Stephen, have you discussed anything around these issues on administration?

STEPHEN DEERHAKE: There has been absolutely no communication or discussion between myself and my counterpart with ALAC and GNSO as of this moment. I assume we will rectify that this week.

KATRINA SATAKI: Okay, thank you. Jordan, any comments from you?

JORDAN: Thanks Katrina. No, Bart set it out right. If we don't have these processes in place, we can neither instigate the use of any of the community powers, or respond to someone else instigating them. So, we don't know when that will first happen. I've got a

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question, I guess, which is, is each SO and AC developing these themselves? And then going to exchange views on them through the EC?

Or is there a kind of common staff team that's helping there be some consistency? Or...?

BART BOSWINKEL:

I can answer your question regarding the staff. As far as I say, we discuss it internally, as policy support team, but not... There is no dedicated time for this. We do it because we all see the urgency and the importance, that's why we sometimes discuss it, but there is no structural staff time dedicated to this.

I don't know about other teams, and one of my fears, that's probably one of the reasons for raising this at this time, is the EC is not just between the SOs, ACs, and the EC itself, but it's also with ICANN as an organization, and the Board. And from that hand, is again, processes and procedures, and that's my real fear, is they need to be duff tailed.

So what you really want is a kind of, I will not use the word. But at least a systemic overview, and a systemic planning, how are we going to manage this or monitor this? And the only entity I see able of doing this, is effectively the EC, with support. Because they are right in the middle, between the community

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itself and ICANN as an organization and the Board, if you use the new...

And so, that's probably why the EC is, they need to meet, and that's one of the reasons for pushing it during this meeting. In that sense, yeah, maybe it should be, it's time that the ccNSO takes the lead. And this is, maybe one more comment and then I'll shut-up. On, if you recall, when some of you had said, the council members do, at the Board ccNSO meetings, and with all of the SOs and probably all other SOs and ACs, this question, or you could interpret the Board's question this way, what is happening here.

How can we address this? And this could be a way to approach the Board question, and say, this is at the core of ICANN 3.0, how are we going to deal with it? Because it's, this is a shared responsibility.

KATRINA SATAKI: Stephen.

STEPHEN DEERHAKE: But am I correct in interpreting your remarks as basically saying, in effect, that ICANN slash management, slash staff is stepping back and is going to allow the SO ACs to kind of go their own way and develop this set of procedures, etc.? And then we would

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come to ICANN, quote/unquote, and start talking about them once we have, and developed, an essentially independently?

BART BOSWINKEL:

I think you're putting it too strong, otherwise I wouldn't be saying this. I think what say, but maybe it's a question to ask Sam as well, because she's very intimately involved in some of this process, and would last and others as well, who will be joining us.

I think everybody's... Yeah, this is really the implementation side of what was developed and what was concluded on the 1<sup>st</sup> of October. And people haven't really thought through what it really means, if you talk about implementation of these processes and procedures, and how you do this. And what I know from my colleagues, at least, is, and that's, and probably you've seen this through the CCWG work as well, they take on a view, this has been developed by the community, at least the part on the interaction between the EC and the community, that's a role for the community, how they want to move forward.

And say, as always, ICANN staff is to serve and to assist, but in principle, yeah, that bit, definitely that bit is up to the community, how they want to do it, because otherwise, say what would be... I think what... Turn it around, if ICANN staff would take the lead, or ICANN as an organization would take the

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lead, it would be perceived, you are going to tell us, community, how we are going to do it, how we need to do it.

That's the other side. That's the flip side of what you're saying, and that's where the balancing act is as well. So, that's what I meant. This is a shared responsibility, and it needs to be a joint effort, otherwise it will fail.

KATRINA SATAKI:

Yeah, thank you Bart. And actually, I just wanted to add what Bart said in his last remark, that's really my feeling, that when ICANN staff does nothing, then SOs ACs start complaining, so why does ICANN staff do not participate? And when ICANN staff start doing something, then again, why are you telling...? Yeah, exactly.

They're never happy about it, whatever ICANN staff does, people are never happy. Speaking about the, who will, about the organizational part, I think there is really another thing that, for example, we had a ccNSO secretariat, and they work basically with ccNSO and help us to develop our internal processes.

I think same as with others SOs ACs. They have their staff and they worked with those. And it worked perfectly well before the transition, when we worked in silos, that's very popular term now. But now, when we have to start working together, I think

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they, at some point, they just realized that there is no stuff to do this inter-SO AC work.

They used to work, I know, bilaterally, but at least, that's my impression. Bart, you can...

BART BOSWINKEL:

I take the example, or take other examples. Let me rephrase it, I started the wrong way. If you would look, for example, at cross community working groups, is maybe with the exception of a very big one, but even the big ones like the stewardship and accountability ones, is, it takes time for the different, say, community members with the different background to get used to each other.

Different working methods. You can see it, the way, and I think Helsinki was a great example, when the GNSO and the ccNSO Council met, is the way the ccNSO conducts its business is different than the GNSO conducts its various, for whatever reasons. And so, it's staff, more or less, functions the same way.

We are used to serving, or we are used to supporting the ccNSO, and therefore we have a different working method than the GNSO staff. And it takes time to get, overcome this different ways of working, because it sets your, it's a mindset. It becomes a mindset in the ICANN environment. And in order to make this

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happen, you have to overcome it. And there is hardly any opportunity to do this.

The only time you do this is when you have these joint ccNSO, GNSO council meetings, but they go on their own business, and on their own interests, like for example, the one in Helsinki, which was a shocker for me, by the way. I'll tell you the story.

But that's, yeah, that's one of the issues you're facing. It's not staff, it's almost a cultural thing, although I dislike it to call it, the reasoning is, as an anthropologist, I don't believe in this, that you can amend cultures.

KATRINA SATAKI:

Okay, thank you. Yeah, well, having said that, I think again, I'll just repeat what I said in the intro, that we are in good shape, and we are in a very good position, because we have these guidelines review committee, and we had it before, actually, we started, we had to start working on these transition related documents.

Yes, please, Bart.

BART BOSWINKEL:

We spent a lot of time on this one, probably because it's the core, what needs to happen, rather sooner than later, but can



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you scroll through the rest of the document? And this is probably to disenfranchise, to make you [inaudible] whatever, there are... We can stop here. There are another 10 pages of this, with work that needs to be done. All transition related.

But there are not as high of a priority as this one, but they go into the special IF RS, what was it? I forgot what it stands for, the separation process, for example. You need to have at some point, the ccNSO and the other, need to develop processes and procedures for special, or for the review of the CFC and of the whole structure itself, and that's in two or three years, so there are some reviews that will be in place, where the SOs and ACs will have to develop their own processes and procedures.

And it's in this document somewhere. But so, this is ongoing work for two or three years. It doesn't mean it needs to be at a high pace, but you need to have stuff in place, in case something happens. So, what I'll do is I'll forward you this document, because it's the latest version, and I've just sent it this morning. That's about the work plan.

KATRINA SATAKI:

Yes, thank you. Any questions in the room or in Adobe? David? If no questions, yeah, Nigel, please. You're not a member, but you're always welcome.

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**NIGEL:** Thank you very much. Glad to be here. I was persuaded from my colleague on my right to come along today. Just noticing something in the bylaws, which perhaps we didn't see at the time, and maybe it's just something to highlight for possible examination going forward. When I read that rather dense text on the left, it seems to me that the GNSO has the power to stop us complaining about a change to the contracts.

The word is each rather than either at the very end, and maybe that's something we should look at. I just mention it in passing, because it's on the screen and I noticed it.

**BART BOSWINKEL:** Put it this way, I didn't quote this from the bylaws. This, as I said in the introduction, this was a document prepared by my colleagues from the GNSO. Don't use this as source text, go back to the bylaws itself and check it. So, that's the only thing. Yeah.

**KATRINA SATAKI:** Okay. Any more questions, observations, comments? If no, let's move to the next item on our agenda. It's about this guideline on email charters. As you remember, we decided to develop guideline in which we describe in more details how the mailing list, created by the ccNSO, first, how they're created, how they're

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closed, how one become a member, subscribe to a mailing list, and so on, so on.

Plus, during the last council call, the council has decided to keep ccTLD worlds mailing list, which was created specifically to inform each and every ccTLD on developments related to the transition. And the idea is to keep this email list, just transform it slightly and probably develop a charter, which will explain how this mailing list is supposed to be used.

And well, surprisingly enough, the council asks the guidelines review committee to work on this charter. Any questions or comments about that? Bart, you want to comment something?

We have some very good overview, developed by Bart, which we will use as a basis for our guideline... Yup.

BART BOSWINKEL:

Just for the members of this group who are not on the council, the ccTLD working list charter has been sent, say after the discussion, on the previous call has been sent to the council for adoption, so that we can update the ccTLD world list rather sooner than later, so it can be used by the CFC EC and others as well.

So that's a good thing. It will be shared with the community on, I believe, Monday during the session. Yeah, yeah, Monday or on

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Sunday, as part of the implementation. I've just, it was just on the agenda, just to update you where we are.

KATRINA SATAKI: Yup, thank you. Next one, the guideline which originally was at a ccNSO council meetings guideline, which was during our review process, was transformed into a guideline on the ccNSO Council practice. Yeah, as we discussed it during the last call, some minor tweaks are necessary to that guideline. We haven't done that, but we'll do it for the next, our next call.

BART BOSWINKEL: And maybe again, that will be part, because of the new process will be part of at least informing the community as well as part of the update of the GOC.

KATRINA SATAKI: Yes, this is something that we need to discuss with the community, how they want to be informed about, for example, Council call agenda being published. So it will be currently in our guideline we mention something about social networks, but probably that's not the, shouldn't be the only, probably not the right way, if we use it as the only channel to communicate back with the community, actually now, once we had Jordan here, maybe you can share your views.

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How would you, for example, like to be informed about the activities of the Council? When we have a call? When the agenda is published? Which topics are being discussed? Where you can find all of the related documents and so on?

JORDAN: It's not something I've thought very much about, and this might be a silly answer, but by email in advance is usually the easiest thing, for me anyway. Easiest to keep track of, easiest to search, and so on. Is that essentially what you mean?

KATRINA SATAKI: Exactly, that's what I mean, because I understand that there are people, in our industry at least, receive tons of emails. So, yeah, Stephen if you want to say something.

STEPHEN DEERHAKE: I think the summary of what we're trying to get to here, Jordan, is we're looking for that fine balance between informing the community and spamming the community.

KATRINA SATAKI: That's very well put, yes. So, I don't want people start complaining about us spamming them, while we have some people who feel that they are not properly informed. So yeah,

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how to find the right balance here actually is the question. This is something that needs to be discussed with the community. Okay, no comments on this?

Well, when we send our guideline about council practice to the council, I'm sure we'll get some feedback from Nigel, for example, and other councilors. Probably we have overlooked something, and something more should be included into the guideline.

So we had, next agenda item, initial discussion on issue related guideline. I think we had it already. Yeah.

[SPEAKER OFF MICROPHONE]

Yeah, we could move swiftly to operating standards, but people are not here yet, so we cannot. Yeah, we're very efficient, as always. So, yeah, so maybe, let's go back a little bit to agenda item number two, which is around work plan, and one of the questions asked by Bart, how the group would like to proceed.

So shall we continue, as we do now, or do each guideline together, as a group, or we should try again, split into subgroups or at least a lead on some particular guidelines. Not, if I go back to times when we had these subgroups and leaders, I can't say I was happy about how it proceeded, because well, it's easier for me to do than to chase leaders.

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So, if you think it's more efficient to work in subgroups, or at least have some leaders for each guideline, then if you volunteer as a leader for a particular guideline, I would really beg you to do the work, and not to be chased. Okay, thank you. Alejandra has a comment.

ALEJANDRA REYNOSO: Thank you. Well, I thought that the sub-groups sort of worked better than having everyone look at every guideline. And I would like to volunteer to lead the council guidelines, the first two.

KATRINA SATAKI: Yeah, thank you. Well, probably it worked for the group, it definitely didn't work for me, because I was the one who had to look at each guideline anyway, so it was just the problem that it all happened in parallel and it was very challenging for me because for me, it's easier to work guideline per guideline, than to look at all guidelines.

But, thank you very much for volunteering. And I think that...  
The guideline on Council practice?

[SPEAKER OFF MICROPHONE]

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ALEJANDRA REYNOSO: Both Council election and Council procedures.

KATRINA SATAKI: Okay. Council procedures are almost ready. That's why you want it.

ALEJANDRA REYNOSO: I know.

KATRINA SATAKI: Good. [CROSSTALK] Thank you.

UNKNOWN SPEAKER: We had more people in the working group, so we'll see what happens now.

KATRINA SATAKI: Okay. Yeah, Council elections, good. So we have Alejandra, who will take care of everything. Thank you. Any other volunteer?

STEPHEN DEERHAKE: I think I got my plate rather full with this empowered community stuff.



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KATRINA SATAKI: Which means, you volunteer to lead...

STEPHEN DEERHAKE: I think that was implicit when I volunteered to take this off your hands.

KATRINA SATAKI: Okay, thank you, thank you Stephen.

[SPEAKER OFF MICROPHONE]

Okay, thank you. Okay. I'll take care of emails. I love emails. And then we'll see how it works. So, we're still....

BART BOSWINKEL: Sorry. Who is on the travel funding committee right now? Cecilia?

UNKNOWN SPEAKER: Apologies, I'll use the microphone. So on the travel funding committee, there is currently Cecilia, there is [inaudible], and [inaudible].

BART BOSWINKEL: Sorry?

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UNKNOWN SPEAKER: [Inaudible]

UNKNOWN SPEAKER: David in Adobe has volunteered for liaisons and observers.

KATRINA SATAKI: Thank you David. That's excellent. So, yeah. Yes, sure.

UNKNOWN SPEAKER: Question. I didn't quite follow that exchange between you and Stephen. Does that mean Stephen is volunteering to be the lead on guidelines for participation in the empowered community?

KATRINA STAKI: He has been volunteered.

UNKNOWN SPEAKER: Also known as volun-told.

KATRINA STAKI: Volun-told, yes.

BART BOSWINKEL: The reason is, say, just for clarity, because Sam, welcome Sam, thank you for coming. The reason is, Stephen has been selected

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as the representative of the ccNSO on the empowered, and not Katrina. So it's not the chair. And what we just discussed, say we just had a very general introduction on the document that Mary and Julie had developed some time ago, and I've adjusted it over time for the ccNSO, and that's the one I shared with you.

That was a rough version. I've updated it this morning. And so we spent a lot of time already this morning, to explain a little bit on the need around the EC and why it's so important. So we can go back to the [inaudible] now.

KATRINA SATAKI:

So, thank you very much for joining us. So, we already discussed a little bit about all of those EC related guidelines that we need to develop, for a ccNSO, but we also understand that there should be some guidelines or processes that would handle our inter SO AC collaboration. So maybe, if you could just give us some, kick start, some heads up to what we should really concentrate on, and what we need to do. Thank you.

SAM EISNER:

Thanks. For everyone in the room, I'm Sam Eisner, I'm part of the ICANN legal department, and I worked closely with the CCWG and Jordan, I'll probably lean on you a bit in this conversation too, as part of the voice in the community and developing the

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processes. I came to speak to the guidelines group in Helsinki, I believe, and you know, what I was saying there is, we're now at a phase now, it's even a slightly different phase, because now the bylaws are in place, and now there is the opportunity for the empowered community process to be kicked off at any time, if a relevant item occurs.

And so, you know, as I offered before, whatever we can do from the staff side to help support the ccNSO, or any of the other decisional participants in helping to identify things that can make this be a successful process, we'd like to do that.

So, it sounds like there has been a lot of work about looking at the specific types of instances that would trigger different things within the EC process right? So if... As Bart is putting, or someone is putting on the screen right now. So, the ccNSO would figure out who can submit a petition to decisional participants, etc. Right?

And so, that... It sounds like you guys are already starting to think about what are defaults? Do you want to build up additional processes around that? How do you want that to happen? And it's one of those things that we're encouraging all of the groups to do, because we want to make sure that there is not a rush to try and figure it out, or any claims against

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legitimacy of the process, internally to any of the groups, because there hasn't been done around this.

So, it's great that you have a group here that's really thinking through. In terms of the inner community section, you know, there are... One of the things that we have in the bylaws, and it was actually... So the EC administration idea, was pretty much developed during the bylaws, per the bylaws drafting phase. Because we realized that there needed to be a central point where things could go in and out.

And so, the EC administration... And so Stephen being the ccNSO's rep to the EC administration, doesn't necessarily put Stephen himself in the role of any heightened coordination. It's a place that we can make sure that the ccNSO, as one of the members of the decisional participants, has at least a place where the notices come in and out.

And that really is supposed to be the sole role of the EC administration. And so we're not looking to build... And it wasn't our intention in building this into the bylaws, that the EC administration would become a place of additional power, or a place for processes amongst itself. And so, then it comes to the question of, how do we make sure the community talks amongst each other?

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And that's what I heard your first question. And, you know, from my standpoint, I stand ready to help, but I'm not sure what kinds of conversations have happened on that cross community level, about how do we, how do we talk to each other to make sure that when someone is ready to kick off a process, that others find out about it?

The tool that we've put together is the EC administration, so we have a place for notices to go in, so that Stephen can say, hey guys, we got this thing. So now, do we want to act on it or not? And then you come to the conference calls, or the community forums, and you'd participate as your group decides, and then at the end, if things keep moving through the process, it again comes back to the ccNSO itself to figure out, do we want to exercise the power or not?

And so, I think that the ccNSO, and I remember, when I spoke to you in Helsinki, there was also that question again of that cross community participation, and I wonder if you've kicked off that conversation at all? If you've talked to any of your other colleagues in the decisional, other decisional participants? Because we'd be willing to support that conversation in any way, but I'm hesitant from the staff side to say, this is how you should do something.

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We want this to be your process, right? And so, if you tell me how I can help you, I will, but I'm nervous to make this my process instead of yours. So, I don't know, Jordan, if you have other ideas around that.

JORDAN:

I think I agree with everything you said, it's a nice place to be. I guess I'll just echo two points in particular. One is that the EC was deliberately... There had to be some grouping that could officially be the group of people who were that central hub, but because the whole model is built on SOs and ACs making the decisions, the idea is not that the EC becomes some kind of parallel [inaudible], or a powerful group of wise ones, or anything.

It is meant to be extremely procedural. And so, I am assuming, as someone who hasn't been involved in this level of the ccNSO before, that the exchanges with all of the other, the ALAC, and the GNSO, and the GAC, and so on, will have this stuff as part of the subject matter for this meeting, that people will be exchanging views on the processes they are building.

I don't know if that assumption is right, but in any case, the only other thing I would say at this point is that the CCWG built all of the thresholds for the exercise these community powers at quite a high level, and we need to take some responsibility as an

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important SO within the ICANN framework, of not only being interested in decisions or matters that are harsh, but we have responsibility for the whole ICANN environment, as a part of the decisional framework.

So, our processes need to be workable for anything that comes to the EC, even if that's a proactive decision to not get involved, we still have to consider these things. So I don't know if that's helpful or not.

UNKNOWN SPEAKER: Fear not, Sam, you will be hearing from me.

SAM EISNER: I just liked hearing that Jordan agreed with me.

UNKNOWN SPEAKER: May I ask a question? Say, some... From where I sit, supporting this group, is I do understand what you were saying, effectively the EC is a procedural body, nothing more, that's it. At the same time, and this is how we started this discussion this morning, in order to enable the body to be procedural, they need to know what the procedures are.

And one way or the other, and what we discussed, so what I see as a risk right now, knowing the lack of communication between



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the different SOs and ACs around this topic. There is communication, but everybody goes back, because there is, everybody has their own working methods. So that's why you've got this working group.

Has it been envisioned that the EC can play a role in, not in ensuring, that's too strong a word, but at least initiating and facilitating the communication around us? Because they need all of these processes and procedures in place.

And I think what is needed from what I see, and my understanding of how this works, the EC needs a nod, go ahead, unity talk to all of your decisional participants individually, and ensure that they start clicking off the internal ones, and ensure the communications, because that's... It's more an informal role of the EC, that allows at least, that kicks everybody in the butt to start working on this one.

SAM EISNER:

So, I think that it doesn't necessarily matter if it's called, if something is convened through the EC or through the SOs and ACs, right? Whoever kicks off the discussion, the title of the group that kicks off the discussion isn't important, but what is important is that the discussion gets kicked off.

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So there are some things that we're working on internally to try to, to try to make the processes a little bit more understandable and not grounded in a 35 page annex. And, you know, not in the legal text per se, but even through diagrams and process flows.

And so, that's something that we're working on internally within ICANN, because we need it for the community, we need it internally for ICANN staff, we need more tools to make this accessible and understandable to people who aren't lawyers, to people who don't speak English as a first language, and for the community that's going to actually be doing that.

And so, one idea might be, I think, it could be helpful to have the SOs and ACs start having the conversation, if you want to make a formal request to ICANN, that we produce this type of documentation, you can. We're already working on it though, and maybe one of the next steps is, if we can get this out, either before the end of the year or early in 2017, that might be a great time to have a webinar about it, and start using that to really focus people's attention on what this means, and who needs to come to the table and think about it.

Now, I know I've gone to other groups. I know Bart's policy colleagues are working very closely across the other decisional participants. The GAC has hours on its schedule during this

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week about what the GAC's role under the new bylaws are, and some of the participatory issues. So, there are the...

Each group is working on this, but if we can then help you come together in terms of coordinating that conversation, we'd be happy to do that, and some of that easy to understand documentation, hopefully, might be one of the ways to kick that off.

BART BOSWINKEL:

And say, because one of the risks that, at least I identified, but I think the people in the room spoke about it this morning, is that you have different groups developing different processes that, in the end, do not match to each other, because that is set up for failure. That's a real, real, real risk because you've got different working methods, etc.

And so, a document like what you're talking about, will be very helpful to set out say... Oh, dear.

It's just, okay. It's just gear, it's not a person. So, that's good.

So it will be helpful, at least, to set the parameters, what you need to think about, and what are the requirements, even that, or what needs to be addressed through these processes and procedures, what you need to think about when you start developing it.

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And that should be almost uniform across the SOs and ACs, otherwise you end up with diverging...

SAM EISNER:

So I think, and Jordan, you might have other ideas on this, but I think that, it's okay if each SO or AC has a different process for how they internally want to deal with the powers that they have through the EC. But the issue is, do they all converge to the same timeframe, right? And so, we don't require, and that's why we didn't build it into the bylaws. We just said, you need to think about this and come up with this, but each group can figure out how they want to handle it.

Some might go through a council, others might create a new decisional body internally to do it. And so what we want to make sure is that they have, they have the power to act within the timeframes needed to allow the process to go. That's the one element of uniformity that we would need, that they have the ability to take a decision, in time, to meet with the timeframe of the process.

And so that's the one benchmark that we need to make sure that every group hits at the same time, but from the ICANN side, we're agnostic to how they want, whatever process they choose to use internally to hit those benchmarks.

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UNKNOWN SPEAKER: Just to add that. It was a deliberate design decision in the CCWG, to not specify in detail the processes. So, the idea behind that was a concept of subsidiary, that each group does have a different working culture. So, [inaudible] different groups of people... You know, the ccNSO has a way of working that is different to the GNSO.

The GNSO seems to be a much more formalistic, and anyway, I'll just stop there. Formalistic environment, and the ALAC seems to be, have a lot more conversation before making decisions, based on the little that I've observed through the CCWG. So there was no desire to say, you all have to follow the same process. There is only a desire to say, at the end of the day, you have to follow the same timelines.

And so, everyone knows what those different processes are, will be very helpful.

UNKNOWN SPEAKER: Yeah, but also, what the same type of output, that's another thing. Timeline and output. That is what is required in order to make it work. So it's a little bit more than just timelines. So, and once you know what the output is, and you know the timelines, then it's easy to develop processes that fit the organization. But

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if you are not very aware of both of them, then it becomes difficult.

UNKNOWN SPEAKER: You know, one thing I was just wondering about is, as each SO is working through these processes, through its own internal discussions, shouldn't there also be some sort of harmony with the kind of output that would then go to the EC?

I think might be something that ICANN staff can work on. So that everybody knows they've got, they've at least got a benchmark they would have to set in terms of how they deal with EC or requests on one of these issues from the EC. But we reach that benchmark through our own means.

SAM EISNER: One of the things that I'm not sure about is, what output necessarily means in this situation, because I'm... Do you have any thoughts on that?

UNKNOWN SPEAKER: I think so. I think the key point is that we don't want... Say there was someone who triggered the community power to remove an ICANN director appointed by the NomCom. What you don't want is each of the five SOs and ACs to come back with language

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that's different enough, that you don't know whether they're agreeing or disagreeing with that decision. So you don't want, like a whereas, and wherefore, and whatever, a 19 clause resolution from the GNSO, that then doesn't...

When you read it, you're like, are they agreeing or disagreeing? So that would be deeply unhelpful. So, even if it's just a set of common phrases that are agreed in advanced, so that you know what the decision is. So, each of these, whatever the other wherefores and howevers [sic] and because [sic] that they say, the SO AC agrees with the exercise with the community power to remove director X.

So like common... I think that's what's meant by output. So there is no ambiguity about the decision, and no... It doesn't need to be complicated legalese. It shouldn't be easy to understand, easy translatable, maybe it's pre-translated. Those are kind of the tools, I think, that could be helpful for system output. Is that how you were feeling about it?

UNKNOWN SPEAKER: Remote question, go ahead.

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UNKNOWN SPEAKER: Sam, this is from remote participant, David [McAuley?], can you be more specific about the document now being worked on? Is it like the one on screen?

SAM EISNER: Hi David. I don't think so. I think we need something that's like not just cutting and pasting the bylaws language, we need something that is just a very simple, you start here, you go here, you go here, and you end here, and not the diagonal process flow that you see from the CCWG, I mean, that's the big picture, but helping to understand what's meant at each step, and where we expect people to come in. So it's, you know, this is useful for people who are looking at it and trying to come up with guidelines, but it's not useful to look at it and get an understanding of the process, or at least some part of the process within five minutes.

UNKNOWN SPEAKER: Sam, how far along are you on this document?

SAM EISNER: I know that it has been worked on, thankfully, it's not my document to draft. So, it is something that we are... I'll go back and talk to the coms and the strategy teams that are working on



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it, because we do need to get something out sooner rather than later, and I know that. But...

UNKNOWN SPEAKER: Can you keep me in the loop on how it's coming along and if there is anything that can be looked at? Can you see that whoever is working on it sends it to me?

SAM EISNER: Yeah, I think it's a great idea to test parts of it with the community to see if it's actually a helpful document before we invest a lot of time in perfecting all of the parts of it.

UNKNOWN SPEAKER: If you shut your ears for a moment, Sam. It would be useful to raise this again on Monday morning, at the Board ccNSO meeting, that a document like this would be very helpful, because that empowers internal staff to listen to a priority.

KATRINA SATAKI: We're going to talk about that during our council prep meeting. But Stephen, would you agree to raise this issue or address this question asked by the Board during our meeting?

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STEPHEN DEERHAKE: Yes.

KATRINA SATAKI: Thank you.

Any more questions to Sam?

So thank you very much. Really looking forward to seeing this document.

BART BOSWINKEL: Just to be... I think just to summarize for the working group, and also the priority for the workplan, knowing that document comes out, is depending a bit on the timeline, but we'll get more feedback during this meeting, hopefully by the end of this meeting, that this group doesn't touch it until we have such a document to ensure that these procedures meet the timelines and the output as defined, as we just discussed, a kind of, what are the decisions needed at some point?

That's one. At the same time, I think it would be good, either that you were, say you transfer your hat, have the conversation with the other SOs and ACs, and check where they are. I know it's on the other, say it's on the agenda with other SOs and ACs we meet, but ensure that say, that we all are on the same page

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and moving along in parallel, because otherwise, it will not work.

UNKNOWN SPEAKER: So, I think that it's really important for everyone across the community, every decisional participants, to do as much as they can to at least make sure they have default procedures in place, in the event that someone triggers the EC process tomorrow, right?

I also think that it's, you know, hearing the discussion about outputs was actually very helpful to me, because I was... Stepping back and looking at this just from the word side, it was, I'd never really considered, I know we talked in the CCWG about what happens if we have competing petitions, and we had a process around that. But the need to make sure that there is some sort of coordinated document agreed upon in the process, etc. at least a coordinated motion, or that...

Things like that are very helpful. And so, I'll take that back to the team that's working on this document. There will be some questions that we won't answer for you, right? There might be questions that we put out to the community, as part of continuing to work through, and agreeing upon it, but this is, this has been very helpful to me in identifying some other things that we can put it.

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UNKNOWN SPEAKER: And also, I think what you just said, just adding questions, is already helpful for this group, because then they know what they need to address, because now, at least that's my sense of working with, and looking at it, and not being actively involved... It's just words. We lack the background, we lack the understanding of what was the thinking behind it.

And it's so far off from what we know, so even asking these questions is something to trigger their thinking.

KATRINA SATAKI: Thank you very much for joining us today. And if you need a group to test your document on, we're here and ready to be the first testers. Thank you very much. Yes, Jordan.

JORDAN: Just to say, I'm happy to help Stephen with the work on this. I think it's part of something that I should volunteer to as one of the ccNSO reps on the CCWG. So, I don't know if whether people who are not on the GRC are allowed to help with guidelines or anything, but Stephen, I've got a reasonably low key meeting this time. So, if you want to grab an hour or two, I'm happy to do that.

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STEPHEN DEERHAKE: Help is always accepted. Thank you Jordan.

BART BOSWINKEL: And that's one of the things that will be discussed at the meeting on Monday as well, different ways how we, this group will invite community members to assist in these processes.

KATRINA SATAKI: That's correct.

Hello Lars, welcome. Yeah, please just come, yeah.

LARS HOFFMAN: You're the only group in ICANN that's ahead of schedule. Hold on.

KATRINA SATAKI: Oh yes, we always are.

LARS HOFFMAN: Noted. Right. My name is Lars Hoffman, thank you for having me. I'm just really here to give a quick plug and information about the kicking off process of the operating standards. With the new bylaws, with regards to specific reviews, which used to

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be called AOC reviews, so the CCT review that's going on right now, the SSR, the WHOIS reviews that are coming up, as well as the organizational reviews, such as the ccNSO review, which is also slowly creeping up for 2017.

There are going to be operating standards to be developed, through the community, and with staff assistance, we hope. And we're having a kick off meeting for that tomorrow, to kind of look at the various issues and subtext that ought to feature in this operating standards. Many of those are most likely just a collection of existing processes and best practices. But there is a number of substantive issues, where we will need and looking for substantive community input, most notably the selection process for specific reviews.

As you might be aware, previously this was mostly a staff run exercise, [inaudible] would endorse candidates, and then staff would put together a diverse, and accountable, and knowledgeable team. This task now falls to the SO and AC chairs. And the exact process for this, like the rough processes is sketched out in the bylaws, but the specifics of that process is, are not set, and are supposed to be featuring in these operating standards.

Another issue I think that will be very important is the question actually, how to amend those operating standards, or if we

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develop them, but most likely, with many ICANN things, things need, or but anything, really, you know, need improvement over time. And so then the question is, how is that done? Who has the authority to make that final decision about amendments?

What is the role of the Board? What is the role of the community in that process? And then also, there is an issue about managing the budget, for example, for specific reviews that is now also something that falls to those groups, and how is that oversight going to take place?

So those are probably the three big issues where there will be, we expect, let's say, diverse views within the community, and we hope we would be able to facilitate, from a staff perspective, a constructive discussion tomorrow, and see where this process goes. Before anybody gets scared, tomorrow is really just the very first step. We don't expect any substantive discussions on how these things should be solved, barring a miracle, I suppose.

But to kind of see how we can get all of the community together to make this happen, a very effective and efficient way. As you know, a lot of specific reviews are coming up. The SSR review, at the moment, the team is in the process of being selected. The WHOIS review, the call for volunteers has just come out. So, a lot of organizational reviews are coming up. The ccNSO as I said,

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but there is the ASO review, they do their review among themselves.

There is the NomCom review, and the RSAC review that are all kicking off in 2017. It's good for my job security, but it's probably something that will require a relatively swift community action, so that we have a document that is workable. As I said, it's not going to be set in stone, but something that we can start on, and building on, and kind of build on our experiences from these reviews to improve them further over time.

So, we are hopefully going to have that session tomorrow at quarter past three. I know you have sessions all day tomorrow, that is one of the reasons why I am here today. We will obviously report back to you through various means. We will also most likely offer a couple of webinars to make sure that all of the SOs and ACs are informed about what the outcome of that is, and how the community envisions the process to proceed.

And I think with that, I come to the end of my little spiel, and I'm looking forward to some questions. If you have them.

KATRINA SATAKI:

Thank you very much Lars. Are there any questions. I have one specific question about SSR 2. When are we supposed to have



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our members nominated? What's the date? Because I saw them... Okay.

LARS HOFFMAN: So I...

KATRINA SATAKI: Tomorrow is not the date.

LARS HOFFMAN: No, this is... I don't know is the answer, really. I need to... Somebody will know, but this is not part of my projects. I know that there is, tomorrow is a meeting with the SO and AC leaders, tomorrow morning, I believe 7:45.

Yes, I've been, anyway. I'm aware of the discussion that's been going on about that meeting, and I believe tomorrow will be, as I understand it, the process will be about, or the meeting will be about discussing the process, rather than making any decisions. So I think how you, as the ccNSO internally, if you want, nominate up to, I believe it's seven...

I mean, you can nominate up to seven, and then up to three, or three will then be selected by the chairs in a procedure yet to be determined. And I believe how you, and when you nominate, is something that hopefully comes up. Well, how you nominate

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will be up to you. That's completely up to the SO and ACs themselves.

And I think the timeline will be decided tomorrow. I think that's the hope of that meeting.

KATRINA SATAKI:

Thank you. Actually, this is one of the things that we discussed when we worked on our internal procedure for selecting members to these review teams. Yes, we know that we can select up to seven, but our belief was that, even though we can select up to seven, we should be, we should have a say who are those three that must be selected for those three mandatory, or not mandatory but assigned seats.

And those come above, like four of them, those are really for SO AC chairs to select from. In case they decide to have 21 members on their review team.

LARS HOFFMAN:

If I may, I kind of want to take off my ICANN staff hat, and kind of speak as somebody who has been dealing or looking at these bylaws, for one who has been thinking about how this could or could not work, let's put it that way.

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How this is done, it will be up to the chairs. I don't think it's for staff to decide, in any way, how that procedure should take place. I also think that when you speak with your fellow chairs, that what you just said makes perfect sense. You know the members of your community best, you know who is the most experienced and the most knowledgeable. And so if you have, let's say, three candidates with an a star, then if you go into that meeting, I think it's probably, all the other chairs will feel the same way, is my guess.

They will know who are their top three candidates. And then I think it's for you to make sure that, unless there is some severe objection for a specific reasons, that I can't even think of at this moment, that those three will go forward. I wouldn't see a situation whereby the GNSO chair or the ASO chair can say, no these two ccNSO candidates, we don't want. I don't see how that would be feasible, but at the end of the day, that is something that, you know, you among chairs should agree on, and that it would then feature eventually be codified, if you want, in the operating standards for future reviews.

KATRINA SATAKI:

Thank you. That's exactly how we felt. But if you talk about how to justify somebody from another SO AC saying no, no, these want to, or something, are not... Good enough is not the right

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term here, but there is a word, diversity, mentioned. And, for example, we have all three, our top candidates from one region, for example. This could be a valid reason to say no.

But I'm not saying that we are agreeing with that. I'm just giving you one of the possible examples.

LARS HOFFMAN:

You see, if I were to facilitate that session, I would say to you, well, maybe the three people from the ccNSO are all, you know, people from the African region, so it's not very diverse. But I think it's the team as a whole that should be diverse, right? And so, if you look at them, at the 21 members, and see now we have a problem, and I think then you might be able to go back to your people and say, look, you know, we have 15 people from Africa, three of them are from the ccNSO, you know, can we maybe, exchange one for somebody else?

That's maybe something that you can do then internally and talk about it. But I think, there shouldn't be a concern from the beginning, because it's really the group overall, rather than just the three of the ccNSO session, right?

KATRINA SATAKI:

Yeah. I totally agree. Yes, of course, it's the group overall, and that is a challenge in any case, yeah. And actually, a necessary

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challenge. Not that I don't want 15 people to be from Africa. On the contrary, I would be really happy to see that. But it's... If we select the best regardless of region, or size of the ccTLD, or anything...

LARS HOFFMAN:

I mean, diversity is one of the criteria, right? Expertise in the areas, and representatives of the ICANN organization overall, are very much part of that too. And so, I mean, we know that you can't have 21 people who are perfectly representative of ICANN. That's never going to happen. There is always going to be some, either gender over representation, regional over representation, etc.

And so I think, if you decide among chairs that, for example, that qualification and knowledge is the most important issue, and then after that, you look at regional and gender diversity, I think that would be a very logical and acceptable way forward. And I don't see how other community members will object to that, quite frankly.

KATRINA SATAKI:

Thank you. Any more comments, questions? No?

So thank you very much Lars. I think it was very helpful and useful, so thanks a lot.

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So, we're moving to the most important agenda item, AOB. So is there any other business?

No? So we're going to have a call, next call, in two weeks? Or three weeks? So probably in three weeks.

Three weeks, okay. Noted, yeah. Should I say the date? 21<sup>st</sup>. Okay? 21<sup>st</sup>, usual time, usual place. And thank you very much for being here today. And working on all of these documents. So thanks a lot, and see you in, not three weeks, but definitely see you today and tomorrow, after tomorrow.

And yeah, unfortunately we won't see David. David, special hello, special greetings to you. And we're looking forward to welcoming you on the call. Stephen?

STEPHEN DEERHAKE: David, we're [inaudible] to get out of bed before one.

KATRINA SATAKI: Yes, okay. So, thank you and have a nice rest of the meeting.

**[END OF TRANSCRIPTION]**