

**Transcription ICANN Singapore
Policy Implementation
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Chuck Gomes: That's right. Okay, welcome all, six, seven, eight of us. That's okay, that'll give each of you a chance to participate more actively. Those of you that are sitting out in the - what I will refer to as the audience section hey it'd be great if you came up to the table even you don't speak at a mic we can see you better; I don't need binoculars. That would be great.

My name is Chuck Gomes. I'm co-chair of the Policy and Implementation Working Group. And this is a working group meeting, although it doesn't look like we're going to have a lot of working group members. But this is an open meeting and we're really looking for feedback from those who aren't part of the working group so we really encourage you to ask questions, make comments and so forth.

The - what I would like to do at the beginning is ask for those. And I think we'll start online. First of all we have several remote participants. If you are on the audio portion I'd appreciate it if you would identify yourself. And let's see what's the best way to do that. Is - I don't see Anne. Anne, are you on remotely?

Michael Graham: Hello, can you hear me?

Chuck Gomes: We can.

Michael Graham: Okay. If Cheryl is there you can tell her that I appreciate what she goes through to join our phone calls from Australia every week.

Chuck Gomes: Okay good. Get a little empathy there. Michael Graham is one of our co-chairs. And a lot of the work that you're looking at today he had a lot of influence on in terms of leadership as well as contribution so thanks, Michael.

If we could very quickly let's go around the room and we'll start with Mary as she's trying to get organized over there. And we'll just come back around. If you would introduce yourself I'd appreciate that.

Mary Wong: Thanks, Chuck. My name is Mary Wong. I'm ICANN staff and one of the staff members supporting this working group.

Chuck Gomes: Thanks, Mary.

Berry Cobb: And Berry Cobb, staff, just interested.

Chuck Gomes: I don't know if they heard your name, Berry...

((Crosstalk))

Chuck Gomes: You need to fairly close to the mic to be heard.

Berry Cobb: Berry Cobb, staff.

Chuck Gomes: Thanks, Berry.

Karen Lentz: Karen Lentz, ICANN staff, I'm observing.

Chuck Gomes: And, by the way, just to let people know before we continue with the introductions, it's really important - of course it's really important having Mary and Marika because they do lots of work for us in this working group. But it's very helpful in this particular working group to have staff participation

because staff has major responsibilities with regard to implementation. So their contributions are really key in this.

Oh okay so only Michael is on the phone bridge. Thank you. Michael, why don't you say hello to us?

Amr, while you're getting set up there why don't you flip on a mic and introduce yourself please?

Amr Elsadr: Hi, I'm Amr Elsadr. I'm with the Non-Commercial Stakeholder Group, a member of this working group and I apologize for being late. And Cheryl asked me to convey her apologies for not being able to make it today.

Chuck Gomes: Okay thanks. And he has a pretty good excuse for being late, the Council meeting went over quite a bit. I don't know if he's got other excuses too but okay. Jonathan.

Jonathan Frost: I'm Jonathan Frost. I'm with the Registry Stakeholder Group and I work at dotClub domains.

Greg Shatan: Hi, Greg Shatan. Member of the Intellectual Property Constituency. I'm at Reed Smith and I'm a member of this working group.

Marika Konings: Marika Konings, ICANN staff.

Rudi Vansnick: Rudy Vansnick, Policy Committee Chair of NPOC and CSG.

Klaus Stoll: Klaus Stoll, NPOC, CSG and GNSO councilor, proud group member but not active enough.

Jennifer Chung: Jennifer Chung, Registry Stakeholder Group. I'm with dotAsia organization and I'm just observing.

(Shirley): Hi, I'm (Shirley) (unintelligible) from NTU. I'm newcomer to ICANN meeting.

Tom Barrett: Tom Barrett from EnCirca, Registrar Constituency Group.

Claudio Di Gangi: Claudio Di Gangi, IPC.

Chuck Gomes: Thanks, everyone and welcome to the working group. The agenda, if you're - well let me back up a second. You may want to, if you have the link it may be beneficial to log into the Adobe Connect room, it's not required, but it is - it may be useful. For those that are in Adobe Connect you can of course raise your hand there but for those that are here physically you can raise your hand or signal to me some other way when you want to make a contribution or ask a question.

So the agenda is shown on the screen in the Adobe Connect window you can see there. We've taken care of the roll call. And the second item of the agenda is a brief update on the - on our mandate and status. And it's going to be very brief. You can - if you want to see the charter it's available. And you can look at that.

But let's go ahead and I'm going to ask Marika if she's give us a brief update and she'll put some slides up on the screen as well.

Marika Konings: Thanks, Chuck. So this is Marika. Let me try if I can actually - this works - so just very briefly as there are I think a couple of newcomers to this issue in the room and just to give you a little bit of background on why the GNSO is currently considering this topic, I think it's, to a large extent, was inspired by some of the conversations that have gone one in relation to the implementation of the new gTLD program.

Where topics came up and where people raised questions, "Is this actually an implementation issue or should it be a policy discussion?" And at the moment we don't really have a very clear framework around that conversation, there

are very clear rules and guidance when it comes to the policy development process. But when it comes to the implementation phase there is less details guidance available.

And I think we have recognized that in certain circumstances it may be possible that policy conversations come up as part of implementation related discussions. But we currently don't have an actual process to deal with that.

So as part of those conversations, which actually started off as a broader community conversation, staff actually provided a discussion paper in which we outlined some of the background to the issue as well trying to identify some of the questions and as well a couple of suggestions that the community may want to consider in relation to this topic. That served as a kind of kick off point for discussions.

Based on that the GNSO Council decided that, you know, it would be good actually if, you know, from a GNSO perspective we could look at these issues because I said, you know, policies also develop in other parts of the organization, it's not, you know, solely within the GNSO remit.

However, a lot of policy development does take place in the GNSO so they decided to actually start undertaking some work on that which also may help inform further conversation should there be a need or a desire to take this to a broader level only from the GNSO perspective.

So a drafting team was formed in June of last year which developed a charter so basically exactly defining what this effort is expected to look at. And these are the five questions that the working group has asked to provide recommendations on. So basically I'll just briefly read through them because I think it is important as it gives you an idea of what the remit is of this group.

So first of all the working group has been asked to provide a set of principles that would underpin any GNSO policy and implementation related

discussions taking into account existing GNSO Operating Procedures. The GNSO Operating Procedures basically outline the process for a policy development process including some guidance that currently exists in relation to implementation related discussions.

It's also tasked recommendations on a process for developing gTLD policy perhaps in the form of policy guidance including criteria for when it would be appropriate to use such a process for developing policy other than consensus policy instead of a GNSO policy development process or PDP.

And just to give you a little bit of background around that question basically the only formal process that currently the GNSO has at its availability is a policy development process which is a very detailed process with a lot of required steps in there.

And I think, you know, on average it can take, you know, at a minimum two years to really go from the beginning to the end. So the questions have come up, well, which ways can the GNSO make recommendations that are not consensus policies for which a PDP is a required step but for which - what process should we have or should be developed, be able to provide recommendations on other topics where we do want to have a formal process and a formal decision making mechanism but where we currently actually don't have anything formal in place.

We have a number of ad hoc processes that have been used over the last couple of years. We've had drafting teams; I think we had some committees. But there's nothing - no formal rules around that.

So one of the things this working group will look at is should there be such a process and if so how should that process or processes look because the potential outcome could be as well that maybe there are a number of different processes that the Council has at its availability and depending on the issue

at stake they may decide which process is - would be the most efficient and effective to use for the issue at hand.

Thirdly they've also been asked to develop recommendations on a framework for implementation related discussions associated with GNSO policy recommendations. Fourth, a criteria to be used to determine when an action should be addressed by a policy process and when it should be considered implementation. And, fifth, further guidance on how GNSO implementation review teams, as defined in the PDP manual, are expected to function and operate.

As said, you know, GNSO implementation review teams is a relatively new concept that was introduced with the last revision of the GNSO PDP. It's intended to serve as a - basically a sound board or mechanism by which staff can actually consult with the community group that was involved in developing the policy to make sure that the implementation is actually in line with the intent of the policy recommendations.

And should there be any questions or clarifications they actually have a mechanism to do so. But as said there's relatively little guidance on how those groups should function, how they should work, you know, what should be the mechanisms for those groups to actually flag concerns at the GNSO Council, do they work on the same basis as working groups do, you know, doesn't need to be consensus before something is sent back. Do they vote?

So those kind of things I think will be the questions that eventually the working group will need to deal with.

And maybe very quickly back to where we're currently at, so basically the working group started its deliberations a little while ago and actually started off requesting input from all the supporting organizations, advisory committees, stakeholder groups and constituencies. To date we've received

input from the At Large Advisory Committee as well as the Registry Stakeholder Group.

As the working group developed its work plan it was suggested that it would be a good idea before actually diving into the working group charter questions to actually come to some kind of common understanding of, you know, the definitions and principles that should apply to this process.

So as of course, you know, we're very early - in the very early stages of this work it was very clear as well that those are definitely not - or very likely not going to be the final version of what definitions or principles should look like. So at this stage they're really intended to be working definitions and principles that are intended to guide the conversations and make sure that when someone says "multi-stakeholder" or says "policy advice" that we all know what we're talking about.

And the idea is that at the end of the process once the working group has finalized its recommendations we actually go back to those definitions and principles to see if they still apply or whether we actually need to make any changes or updates based on what has been recommended.

So to sub teams were created to look at those working definitions and working principles. And, you know, Chuck has been very diligent in handing out the materials that have been developed so far. I think on the proposed working definitions they're in a sort of final state.

I think the working group approved those but, you know, we do note that we've received some comments so I think those will definitely be either put on the hold list where we'll go back once we come back at the end of the process or if there are indeed issues identified that the working group forgot about or really overlooked, I think it's something to discuss whether further changes would need to be made.

And we're actually in the process of finalizing the proposed working principles. And a lot of work has already gone in there. I think we did already receive some further input and good feedback from some of the Council members with which the document was shared as well. So I think the next step the working group is really to look at those two documents and get those in the kind of final state and then start forming or looking at the charter questions themselves.

I think I already mentioned...

((Crosstalk))

Chuck Gomes: ...pull up the definitions too. I'm going to jump right to those.

Marika Konings: Oh, just maybe mentioning the next steps and I'll pull up the...

((Crosstalk))

Marika Konings: ...and I'll finish this one and I think Klaus has a question. So just to mention like once the working group feels that the working definitions and working principles are in a final state for now they will discuss how to move further on the charter questions.

The idea is to form a number of sub teams that will look at these charter questions that will work in parallel in order to try to speed up the process a bit. And, you know, these are the sub teams that they want to create and form. And I think that's where at least the introductory part finishes and maybe you want to take some questions.

Chuck Gomes: Thank you very much, Marika. By the way, it's not very often I get to correct Marika. But the Implementation Review Team is really not all that new. We did one for the Internet Registrar - Inter Registrar Transfer Policy when it was

originally adopted so it's actually a fairly old concept. So just a little historical information.

((Crosstalk))

Marika Konings: It's an old concept but it wasn't in the manual.

Chuck Gomes: That's right. It's not in the manual. Yeah, no that's right.

((Crosstalk))

Chuck Gomes: That's right, yeah. So okay so should I call that just a partial correction? Okay. Klaus, did you want to say something?

Klaus Stoll: Yes, I've got another question more a suggestion or an observation and we might act on it.

Chuck Gomes: Please talk fairly closely to the mic especially for those that are on - dialing in remotely.

Klaus Stoll: Okay, Klaus Stoll again, for the record. I think the working group advertently or inadvertently is actually providing a huge service to the overall process which is going on at the moment because if you look at the different discussion groups, if you're looking already in the operation and discussions which are going on for Brazil and the meetings beyond we are using the same words and meaning different things.

So to make long things short, I think we really could give the whole Internet governance ecosystem huge service by putting these online as a living document and using them to promote them in the different forms and to use them as a baseline for us to converse.

Because I personally already have the problem, talking with people who are outside the ICANN process and I'm using words like "multi-stakeholder" and so on and so on and they mean something completely different. And I would like to have a baseline from somewhere we are talking.

Chuck Gomes: Thank you very much, Klaus. And we as a working group, and I can't take any credit for this, it was really the working group as a whole, that thought it would really be helpful to have some baseline definitions and then some principles that would be the foundation of our work.

Now as Marika already indicated that does not mean that these definitions are in concrete or the principles that we'll talk about later are in concrete. We will probably learn things as we go through our future work that may cause us to make some adjustments and then we'll do that.

So now our goal today, the main goal today is to go over the principles because we spent quite a bit of time in Buenos Aires talking about the definitions. But we are going to take just a few minutes talking about the definitions. We're not going to spend very much time and we're not going to go through them one by one.

I did hand out a few hard copies of the definitions and the principles. I ran out of the definitions document. Back over at the end of the table there on my right are a few extras if somebody wants one of the principles ones just in case you'd like to see the whole package in one instead of as we're just going through them one by one.

Okay had another question.

Claudio Di Gangi: Thanks, Chuck. It's Claudio Di Gangi from the IPC. And it's sort of a question related to the charter. I think I have my own maybe thinking on it but I'm just curious because I just wanted to clarify whether this group is looking at issues that are not policy or not implementation.

There was just a Council meeting, for example, where they were talking about IANA. Other issues came up like contracts with, you know, ICANN has contracts with its business partners, for example. And to the extent that Council wants to weigh in on those issues that's outside of scope of this group, is that correct?

Chuck Gomes: Could you rephrase that, Claudio? I'm not sure I...

Claudio Di Gangi: Sure.

Chuck Gomes: ...got all of the question.

Claudio Di Gangi: Marika, can you put the slide back up with the charter? Maybe while she's doing that I think one of the charter - one of the charter elements is that this group is charged at - maybe it's Number 2 there - let's see. When you were introducing this topic, Marika, you referenced the new gTLD implementation. That was a policy that the GNSO developed.

During the implementation phase, as you mentioned, issues came up. And it wasn't clear if they were policy or implementation. That was a policy issue. I'm talking about other issues that were not developed from GNSO policy like IANA, this current - the current IANA transition.

If the Council wants to weigh in on those types of issues and are not policy matters or another example might be contracts, how are contracts with the Contracted Parties interpreted. Those are not policies, I don't think, I mean, the gTLD Registry Agreement came up through that but the RAA didn't; the RAA came through a separate process.

If the Council wants to weigh in on those issues are there operating rules - and I asked this question to Jonathan at the last session, it doesn't seem like

there's any operating rules to give the Council guidance on those issues. And what I'm wondering are those...

((Crosstalk))

Chuck Gomes: Okay, I got it. Okay. Thanks. Now I know what you're talking about. And actually we will be looking at policy guidance. In fact it's in one of the definition too, that's separate from consensus policy, for example.

So I think the answer to your question is yes we will be looking at that. Now we're not going to get into detailed analysis of which kinds of items are - and try and identify all areas that would be policy and which ones would not and so forth. But I think we will because - because part of the problem that this group is designed to work on is those areas.

As you know, they came up, and what do we do with those? And what's the process for the GNSO - and I would say GNSO rather than Council okay - but the GNSO needs to know how - have some guidelines for how to handle those kind of situations. They may not be consensus policy but the Board may come to us and ask us for some advice.

And they've done that, okay? How do we handle those kind of things if a PDP is not appropriate at the same time community advice is needed? Okay? Thanks. Oh, Bertrand. Why don't you - okay. Oh...

((Crosstalk))

Chuck Gomes: Okay, go ahead. I thought you were pointing there.

((Crosstalk))

Chuck Gomes: Go ahead.

Marika Konings: Yeah, so this is Marika. And I think that's where indeed looking at the working definitions will be really helpful as well to see where the working group sees this going. Because for example if you look at the definition of GNSO policy guidance it's like a term suggested in the PI Working Group charter for policy-related input from the GNSO other than recommendations developed through currently established policy development processes.

So I think maybe in support of what Chuck was saying the idea - and of course it depends on your definition of policy but it's defined a mechanism by which if formal input from the GNSO is deemed desirable, and I think that's typically a, you know, a GNSO Council decision, they actually have a process available to do that formally.

There are currently mechanisms and, you know, those may still exist, you know, to write a joint letter and normally that happens - someone produces a draft, it gets sent around, does anyone object, sometimes there is a vote, so there are some ad hoc mechanisms that are used.

But I think what we're really looking at here in certain cases we may want to have a more formal process and also looking at the question of currently when we use an informal process we send a letter, there's no requirement whatsoever for the Board or anyone to even respond or acknowledge it.

I think the hope is as well, or at least I think that was one of the concepts raised in the staff paper, that such a process would also have a triggering mechanism. So if the GNSO Council adopts a certain position using a certain mechanism it would also require the Board to either provide a response to vote on it, to consider it or, you know, whatever the outcome may be.

But I think that's as well one of the reasons or ideas behind looking at should there be other formal processes that the GNSO Council has at its availability depending on the question at hand.

Claudio Di Gangi: Thank you, that's very helpful.

Chuck Gomes: Thank you. Okay if you can - Marika, put the definitions back up. And again we're not going to spend too much time on this because we spent most of our meeting in Buenos Aires on this.

I want to comment though while Marika is putting those up is we received a lot of great comments on the first cut of the definitions in Buenos Aires and online. And we considered every one of those. Now if you want to know what happened to your suggestion and the definition wasn't included, at the end of our definitions is a little explanation of what the working group decided in terms of relevance for this particular group.

Keep in mind the main purpose of the definitions and principles, although I agree with Klaus, these kind of things can extend way beyond what we're doing, but our primary purpose was to make sure they guided our work in the working group, okay?

That doesn't mean they don't apply elsewhere. In fact I had somebody ask me about the multi-stakeholder model and when I said that we have a definition that we're using she asked if she could see it so I sent it to her. I just did that this morning.

So now whether it works for what she's doing or not I don't know but it's not that these are proprietary to the working group but they certainly are designed for that.

So let's go to Definition 3 because that's one we received a comment on. Now Mikey O'Connor on the GNSO Council reviewed the definitions and the principles that we distributed in advance of this meeting. Unfortunately he wasn't able to make it to this meeting. And he commented on this one.

So that particular definition, in case you don't have it in front of you or can't read the screen, is for policy advice. And this comes right back, Claudio, to what you were talking about, okay? It - the definitions reads, "Community input on policy related issues such advice may be requested by the Board or offered independently."

And so Mikey commented that this is - he said, "This is really broad. By intent we've gotten in trouble when these words are used as a justification for action that didn't actually have broad support."

And Amr replied on our list on that. And to keep it fairly short and not read all the comments and certainly Amr can comment if he'd like to, the - I believe this is small A for advice. And the reason I say that is because capital A advice, at least in the case of the new gTLD program, was formal GAC advice. And I don't think there's any reason to capitalize the A in advice here. It doesn't have any official standing as far as I know in the bylaws or anywhere else so I believe it is a lower case A.

And it can come from - it can be requested by the Board, that's a common way that it happened. It happened with vertical integration, right? And actually that turned into a PDP so that's different. This is kind of advice is different than a PDP or formal consensus policy work. Anybody want to add anything to that?

So Mikey's correct, it's broad but - just a second, Stephanie, you're next - it is broad. We don't want to spend a lot of time getting too precise on these definitions so that we don't do our main work so - unless Mikey has a specific suggestion for changing it we may not do much with this, okay? Again, I will encourage Mikey to submit specific recommendations if he wants.

Stephanie, you're on.

Stephanie Perrin: Thank you. Stephanie Perrin for the record. And I'm not sure this question belongs here so please just tell me to keep quiet if it doesn't. But the NCSG met with the Board yesterday and registered what we felt was a need for ICANN to develop a privacy policy. And Steve Crocker suggested that we might think about offering advice to the Board, right? And that's small A advice.

And the issue has arisen in other discussions that were going on in the Proxy Services Accreditation group about how legal advice gets implemented. And I'm just wondering if somewhere in the - in the policy cycle, and I don't know, does it come in under independent advice? The legal advisors at ICANN are counsel to the corporation.

If you want legal advice on the implementation of a human rights regime you're not going to go to the legal counsel that's tasked with limiting liability, right? So how do you factor that into - in a multi-stakeholder model - how does that happen? Just a question. And forgive me, I'm a newbie here so maybe there's a good answer but.

Chuck Gomes: Thanks, Stephanie. I'll let Marika respond first and then I'll respond.

Marika Konings: Yeah this is Marika. That's actually already something that's foreseen in the PDP manual like any working group can identify whether they need, you know, experts involved or expert advice.

Of course in cases where there are budget implications that will require a discussion or maybe a timing issue depending on what is needed and in principle the manual does foresee that if the working group identifies that certain experts need to be consulted in order to, you know, get expert input or advice that is an option they have at their availability.

Chuck Gomes: Go ahead, Bertrand.

Bertrand de La Chapelle: Yeah, Bertrand de La Chapelle for the record. Just on Stephanie's question I think this goes a little bit out of the scope of the discussion in terms of what you're discussing is actually how the PDP functions and how potential advice and expert advice can come outside of what it comes to the staff or so. But I think here there's no - the point is more to focus on what GNSO generated advice is in this regard. The question you ask is probably a slightly different.

On this point I would like to come back to what you said about capital A or not capital a. First of all, it turns out that in the way it's presented in the document policy development there's a capital D and so every word is capitalized. I don't see any particular reason for not capitalizing it in here.

And in addition, I don't see why an advice should be more important when it comes from the GAC than when it comes from somebody else. The treatment of this advice afterwards may be different according to the bylaws but fundamentally an advice is an advice is an advice so as was said at one point.

So I would recommend not saying advice from the GAC is a big A and advice from anybody else is a little A. I mean, it's advice and the qualifier is in front, it's GAC advice or GNSO policy advice but...

Chuck Gomes: And thanks, Bertrand. And I wasn't referring to GAC advice in the general sense within the Applicant Guidebook, that's what I was talking about. There was that but, you're right, I totally agree with you. Now we have two hands up, one in the room. Let's start - and I still want to come back and respond to Stephanie's question too but go ahead, Michael. Michael Graham online.

Michael Graham: Yes, can you hear me?

Chuck Gomes: Yes.

Michael Graham: Okay thank you. First it'd like to say I appreciate Klaus's comment (unintelligible) that listening to the (unintelligible) I've come to appreciate (unintelligible) definitions and (unintelligible). In connection with (unintelligible) I think...

Chuck Gomes: Michael, you're breaking up quite a bit. I don't know if there's anything you can do on your end or if it's just the transmission.

Michael Graham: Let me see if this is any better. Is this any better?

Chuck Gomes: So go ahead.

Michael Graham: Okay is that any better here?

Chuck Gomes: Yes.

Michael Graham: Okay I just wanted to say that in response to Mikey's comment I think his comment that the (unintelligible) has been quite broad is right on the point of clarification that these definitions are meant to be starting places so that we can discuss all of the advice in the sub teams that are going to be formed.

Chuck Gomes: Thank you, Michael. That's helpful. Amr.

Amr Elsadr: Thanks, Chuck. This is Amr. I had maybe my memory is shoddy but I thought that the policy advice definition we were including here is the - is a capital A advice that includes advice coming from any advisory committee for example, not just the GAC but also the ALAC. And I thought that's why we chose to include this term.

I might be mistaken but we might need to revisit that because we should address that. ALAC does provide advice which I thought we labeled as a capital A advice just like the GAC's. And it certainly has some bearing on the work the working group is supposed to do.

Chuck Gomes: Thanks, Amr. I think Bertrand is right that we probably shouldn't distinguish capital A or lower A. I don't think it's capital A. But this advice, in my understanding, and I'm glad to be corrected, has to do with advice that the GNSO would give.

Now in preparing that advice it can get advice from the ALAC, it can get advice from the GAC, etcetera, or from other organizations. But this is - the situation where, for example, the Board comes to the GNSO and officially a request, "Could you give us advice on this matter?"

And assuming it's not a - something that requires a PDP and that's all part of the work we're going to get into, okay? So I think this is different than advice we receive; this is GNSO advice that is requested and that the GNSO gives via its mechanisms with the Council managing that process. Does that make sense? Go ahead. Yeah, Amr again.

Amr Elsadr: Yeah, this is Amr. The reason why I don't think that really makes sense is because that process is what we will be developing for the definition or how we see policy guidance should be. And I note that in the wording of the definition here it uses the word "community" so it's not GNSO input, it's community input and community suggests something broader than just the GNSO which is the comment Mikey submitted is that this is a broad definition.

And this is just me thinking when we were on the definition sub team that this is what we meant to include. And I'm just suggesting that perhaps we should revisit that and make a decision on what definition we would like it to be.

Chuck Gomes: Thanks. And I think that makes sense. Marika would like to respond. Greg, you're going to be up next, okay?

Marika Konings: Yeah, this is Marika. And I think it's worth looking as well at the other definitions because you see that the first one is just a very general one. I

don't think we necessarily mean to say, you know, put it at the same line as GAC advice or ALAC advice, we're just saying in general, you know, policy advice is something where community input on policy-related issues is sought like the same for policy development, it's the process for which policy is developed.

So I think it's intentionally just at a very high level to kind of introduce the topic and then the next one in this category, which is the policy guidance, (unintelligible) is then specifically applied to what it would mean in a GNSO context. So I think in that sense maybe not read too much in that capital A or small A or - but I think it's more kind of introducing at the more broader level what policy advice may be and then saying how is that specific for the GNSO? What would that look like, I think.

Chuck Gomes: And, Amr, this is Chuck again. I definitely think you're right, I do think we need to revisit this one. I fully get what you're talking about. And, Michael, I assume you heard that so - so we will have to - and whether we want to do that as a working group or ask the definition sub team to work on it we can deal with that later. Greg, you're up.

Greg Shatan: Greg Shatan for the record. I think there are a few issues here that are kind of flopping around on the table. I don't know if I can remember all the ones that kind of stacked up since I first raised my hand much less the ones that were there before I raised my hand.

But first I think the reason that we refer to GAC capital A - GAC Advice - is that it's based on the very specific use of the term GAC advice in the ICANN bylaws and how the ICANN Board has to deal with Capital A, GAC advice, as contrasted with other advice that may have other meanings.

The GNSO Council cannot give - is not tasked with giving advice in the same way as the GAC is tasked with giving advice in the bylaws. The GNSO, through the Council, you know, under the management of the Council, rather,

is tasked with giving policy recommendations to the Board. And if you use the term policy recommendations that triggers certain super majority issues with the Board.

So the issue here is that the GAC gives capital A advice to the Board and a certain treatment is given to it by the Board. And the GNSO gives policy recommendations to the Board and that's given a certain treatment. And you can't call other advice capital - the reason we've been using capital A advice is to kind of distinguish GAC advice from all other advice, which doesn't have the same standing. It's all great advice but it doesn't have the same standing in the Board.

So I think a lot of, you know, one of the things that people should do on this - and I haven't done it recently enough to claim, you know, that I wear a halo on this - read the bylaws, all of them from the beginning to the end. You have a long plane ride, you want to go to sleep, you read the bylaws, they'll take you through the whole flight because you'll fall asleep several times.

But really all of this goes back to very specific kind of legal boxes that everything, you know, was fitting into or maybe - not say legal boxes, policy boxes that everything fits into which is why we have this group because GNSO, you know, supervises policy but not implementation in the same way. And then we get into what's policy and what's implementation and then we have a working group. And here we are. So it's very important that why we started to get into doing definitions is so that we could understand which, you know, things we were dealing with.

I haven't looked at the bylaws to see whether - what ALAC advice is and if it has a capital A too and if the Board has to deal with ALAC advice in some special way that is mandated. But if not then it's not capital A advice in the same sense. And (unintelligible) capital A advice is a stupid term for it but maybe we need to mean, you know, just say GAC advice as defined in, you

know, Section X of the bylaws in terms of the way the Board deals with GAC advice.

We could give advice until we're blue in the face it doesn't - the Board doesn't have to deal with it in any special way. If we give a policy recommendation as the GNSO they do have to deal with it in a special way whether in the case of the IGO/INGO they have dealt with it exactly the way they should have; that's a discussion for a different working group or maybe for a drink.

But there are specific mandated paths. So I think one of the issues here is when we get to definitions of policy development, policy advice, policy guidance each of these things kind of fall into different buckets. And this policy advice definition here particularly seems very tenuous, very ill-defined, amorphous because we don't - what community - is this not about the GNSO? Is this about policy advice from anybody to anybody?

And is it only community input? Because what if the Board - I mean, if the GNSO Council (unintelligible) wants to give advice can they do that at all or do they have to go back to the community and institute some sort of a procedure? Can they just say, "Hey, we want to write a letter giving advice to the Board as to how they should handle some legal matter and we don't have to go through any policy - any procedure other than the kind of one we make up."

I think this raises, you know, the idea here of policy advice versus what we have on the next page...

((Crosstalk))

Chuck Gomes: Okay, what I'd like to do - I don't want to spend so much time on this definition.

Greg Shatan: Yeah.

Chuck Gomes: We're going to revisit it, okay?

Greg Shatan: Okay well I think we should revisit it because I think...

((Crosstalk))

Chuck Gomes: We've already decided to do that. We're going to revisit it but this isn't the time to revisit it. Okay? So we're going to do that. I want to come back to Stephanie and then I'm going to go to Anne. Is that your previous hand up, Amr? Oh, no your hand is down, I'm sorry, you did put it down. Thanks. I saw it before.

An example with regard to - first of all let me say that with regard to when a PDP is going on or actually any working group, doesn't necessarily have to be a PDP, it's practice in the GNSO with working groups. If there's a legal issue we go to the general counsel's office and request advice or advice as to - I'm sorry to use that word - wrong - very poor choice of words.

The - and in fact in the IGO/INGO PDP Working Group there was a question about do IGOs or INGOs have any legal rights in international law - and that we should be aware of as we're developing this policy?

And so we went to the general counsel's office and we asked for expert opinion in terms of that. And they went out and they got that with some legal experts in this both with the Red Cross, with the IOC, with IGOs in general and with INGOs.

And then we based our - one of the reasons we did not recommend acronyms, for example, there was no legal basis for it. Now we didn't stop there, we went beyond there to look at public interest and so forth. But that's what we do. And we rely on the general counsel's office. They don't

necessarily give us the expert legal advice but they will contract with appropriate legal experts in that regard, okay? I hope that helps.

Now let's go to Anne.

Anne Aikman-Scalese: Yes, thank you, Chuck. This is Anne Aikman-Scalese and I'm on the working group. And I am calling in. I'm with the IPC but not representing the views of the IPC just participating individually. And I had only wanted to say that even though I was not on the sub team for definitions it was my impression in the definition here of policy advice that it did relate to advice not just some kind of GNSO advice but advice coming from a community in its various forms and that it included, for example, GAC advice.

And that a lot of the issues that Greg raised are issues that the sub teams will look at in particular because there's probably a frustration level within the GNSO that GAC advice seems to have that, you know, higher - well does have that higher priority in terms of the Board's obligation to respond to if it does not follow GAC advice.

And so my understanding was that this definition was intended to be broad and that the issues that Greg has underlined would be looked at on the sub team level in terms of, you know, other mechanisms that might need to be developed within the community. Thank you.

Chuck Gomes: Thank you, Anne. That's very helpful. And we are going to revisit this. We could end up with two definitions, one for advice that's given to the Council; another one that's advice that the GNSO gives to the Board or something else. But let's not belabor that any further. We can work on that as a working group.

David, you had your - I think you wanted to speak. Okay all right. Marika.

Marika Konings: Yeah, this is Marika. First a comment for myself and then I saw as well that Michael has a comment in the Chat that he would like to have read out. I would actually like to offer a practical suggestion because we've actually already, you know, gone quite a number of rounds over the definitions and actually they were approved.

We did specifically create a column in the fourth row in which we've captured those kind of items where we either felt that they didn't belong in - at this stage in the definition but were more for broader consideration. Could we maybe agree on actually noting down those comments that we've received now and actually parking those and saying, look, those are items that we need to come back to as we finalize the definitions at the end of our process.

And also I'll make note of those as those may come up as well in the conversations because I think if we go into the conversations on the policy guidance process it may come up indeed that we need one process that, you know, relates to the GNSO providing guidance to the Board or, you know, to other bodies.

So I'm just concerned that as we, you know, we still need to finalize a principles work. We still have five charter questions that we need to answer and I think this is something where we can work on endlessly.

So my concrete suggestion would be can we maybe instead of reconvening the sub team or taking this back to the working group actually just note down all the comments I think that we've received which all I think very good and very valid but actually park those in the fourth column so they're not lost and people, you know, they're officially on record that those are items that we do need to go back to and clarify or add or change depending on the outcome and at least for now consider the last part - or the first three columns closed for now.

Chuck Gomes: I think that's a good suggestion. And if members of the working group want to suggest that we do revisit it sooner because you think it's going to be a definitive factor on our work going forward we can consider that as a working group. So you have an action item to add those things to the column, right?

Marika Konings: Yeah, and this is Marika. And I actually forgot to read Michael's comment which I said I would do as well. So he put as well, "To Greg, policy advice was a concept specifically mentioned in the charter as a subject of the PI Working Group."

Chuck Gomes: Thank you, Michael. Okay please be brief, our intent is really not to spend this whole meeting on definitions, okay? Go ahead, Greg.

Greg Shatan: I'll be brief and I won't respond to what Michael said because I have to look back at the charter to figure out what was meant in the charter because clearly we have a definition that's kind of in the wild. But it was actually to respond to Stephanie's earlier point about what - how legal advice is implemented because I think if legal advice requires a policy decision in order to deal with it then that goes into a PDP.

And legal advice isn't - I mean, not - the ICANN - ICANN may decide to implement legal advice, they do all the time obviously. But if there's a policy - if there's policy around a piece of legal advice it doesn't just get implemented, that comes back to us if it's GNSO, you know, if it's related to the gTLDs then it comes back to us. So I think it's kind of a good example of where - of thinking about policy and implementation. Thanks.

Chuck Gomes: Thanks, Greg. Amr, did you want to add something?

Amr Elsadr: I just wanted to make the distinction between advice and guidance and it's guidance that's included in the working group charter, not advice I don't believe unless I'm missing something, thanks.

Chuck Gomes: Thanks, Amr. Could you go to Definition 8 please? And this one we're not going to really discuss because I think it's a straightforward change. Mikey pointed out a suggestion in the definition of GNSO implementation review team - excuse me, in the GNSO consensus policy I think it is - my dotted lines here are hard to tell where it's going - that we might want to give a reference to the picket fence that's referred to there and so we're going to do that.

And then go back up to Recommendation 6 - or excuse me, Definition 6 which is GNSO consensus. And I think Mikey rightly observed that there's no such thing as GNSO consensus but there is something called working group consensus that's in the Working Group Guidelines so we'll just correct that and we don't need to discuss it.

If you have further input on the definitions it's still welcome. Feed it to us either through a representative on your organization or even to one of us directly or one of our staff support people.

I will just allow a minute or two; does anybody have anything really hot that you want to talk about with regard to definitions at this time? Okay let's go on to the principles.

And these we're going to go through. There's still a few that we haven't finished but we think they're in pretty good shape. Certainly in good enough shape to get some discussion here.

And because of the fact that the working group has already gone over these some I'm going to give first priority to any people that are not part of the working group if you thoughts on these and then I'll let the working group members provide input. But we'd really like to hear from people that are not part of the working group and take advantage of this in person time that we have.

Okay, do we have them up there? Okay you will notice on this that we start off with an overarching principle. That is not where we began; we actually started in some other principles and it was actually suggested by Cheryl Langdon-Orr that we think about an overarching principle and the working group supported that concept.

So for the sake of some that may not be able to see it on the screen because of the size of the print or you don't have one of the hard copies there which I know - again, are there any more - Claudio, are there any more hard copies down there?

So if anybody - how many do we have? One more. Does anybody want the remaining hard copy you're welcome to get it, just go down by Claudio and you can have that one. All right so - and Greg has one that he would let somebody use if you'd like.

So here's the overarching principle. And again for the sake of those who may not have the text in front of them I'm going to read it so I apologize for that. But it says, "Since its inception ICANN has embraced the multi-stakeholder model," MSM is the way we abbreviate it there, "As a framework for the development of inclusive global Internet governance policy." And there's a footnote there that - where that came from.

"Multi-stakeholder model is an organizational framework or structure for organizational governance or policymaking which aims to bring together all stakeholders affected by such governance or policymaking to cooperate and participate in the dialogue, decision making and implementation of solutions to identified problems or goals."

Now by the way, that's taken right out of the Definitions document just to connect what we were just talking about.

"A stakeholder refers to an individual, group or organization that has a direct or indirect interest or stake in a possible outcome." And there's another footnote we obviously took from other sources.

It goes on to say in the second paragraph, "The ICANN multi-stakeholder model is a multi-stakeholder model composed of different Internet stakeholders from around the world organized in various supporting organizations, stakeholder groups, constituencies and advisory committees and utilizes a bottom up, consensus-based policy development process open to anyone willing to participate."

And then the last paragraph is, "GNSO policy development processes and in particular the policy development process, PDP, enshrine this concept of a robust MSM and to that end the following principles apply."

So again apologize for reading the whole thing but I want to make sure everybody heard it if you can't see it. So what I would like to do right now is open it up first of all to people who aren't part of the working group at this time, by the way you're welcome to join still, the - if you have any questions or comments we would appreciate those right now. I'm not seeing any - I think both the people online are on the working group. Does anyone in the working group want to add anything here?

Bertrand, please.

Bertrand de La Chapelle: Thank you. I'm a little confused by the repetition of the term "model" in the second paragraph. "The ICANN multi-stakeholder model is a multi-stakeholder model composed..." I think the fact that we have the same word makes little sense; it's probably the implementation of the multi-stakeholder model by ICANN is based on different - is involved in different stakeholders around the world, etcetera.

The second thing is there is a confusion that needs to be clarified between ICANN and the GNSO here. Because we're talking about ICANN in general and in most of the things afterwards we're talking about the GNSO per se.

So for instance just consensus-based policy development process actually it should be processes at least if we're talking about ICANN in general because the PDP in the ccNSO, unless I'm mistaken, functions slightly differently from the PDP in the GNSO. And maybe it is necessary to focus immediately on the GNSO which is the main purpose there.

Chuck Gomes: So first of all your first edit seems like a pretty straightforward edit that certainly flows better in my opinion. Anybody disagree with that?

Greg Shatan: What would be the edit?

Chuck Gomes: Go ahead, would you give that first edit where we didn't redundantly say "multi-stakeholder model" again?

Greg Shatan: Well I don't think it's redundant because, first, we define multi-stakeholder model above in general starting on the third line and then we state that the ICANN multi-stakeholder model...

Chuck Gomes: I get that but let's see if his still works...

((Crosstalk))

Greg Shatan: Okay.

Chuck Gomes: ...and avoids the sounding of it anyway because I know what you're saying.

Bertrand de La Chapelle: No, basically the idea was ICANN's implementation or - yes, ICANN's implementation of the multi-stakeholder model is built upon different

stakeholders from around the world organized in various organizations
etcetera...

Greg Shatan: We could just cross out, "a multi-stakeholder model" so it just says, "is composed of," or, "is built on," and put the preamble that Bertrand suggested before that.

Chuck Gomes: Does that work for you, Bertrand?

Bertrand de La Chapelle: Sorry, say it again?

Greg Shatan: We take the preamble to that sentence and you suggested the introductory clause that ICANN's implementation - I can't remember what it was actually - of the ICANN - ICANN's implementation in the ICANN multi-stakeholder model is composed of...

Bertrand de La Chapelle: No the general reason why I'm making this comment is that I've always had a problem with the notion that there is one multi-stakeholder model. My formulation is usually that there is a multi-stakeholder approach...

Chuck Gomes: Yeah.

Bertrand de La Chapelle: ...and that there are various implementation just like there is representative democracy and various...

((Crosstalk))

Chuck Gomes: Let's jump - this is Chuck. Let's jump to your second point and then come back to this because it probably helps us complete the whole sentence. But you made a - I think a very valuable suggestion. And we need to get to Rudi as well.

Did - you may be right and does anybody disagree with that that we should replace ICANN with GNSO at the beginning of this sentence? Because that really is true, I think, but we may need to think about it...

((Crosstalk))

Bertrand de La Chapelle: Sorry, the suggestion was slightly different. The paragraph - the second paragraph can remain, the ICANN - the implementation or the ICANN implementation of the multi-stakeholder model provided that there is consensus based policy development processes in the plural to cover the fact that they work differently in the ASO and the ccNSO and the GNSO.

And then the next paragraph would be, "In the case of the GNSO the policy development process, PDP, enshrines this concept..." dah-dah-dah with the following principles.

Chuck Gomes: Chuck again. So you're okay with ICANN multi-stakeholder model...

((Crosstalk))

Chuck Gomes: ...in that other sentence.

Bertrand de La Chapelle: And then the next paragraph being more precise to say, "In the specific case of the GNSO."

Chuck Gomes: Okay. Let me ask Marika if she needs some - just a second. Okay you heard what he said first of all; we'll decide in a minute where we're going with it. Greg, go ahead.

Greg Shatan: I'll just let this develop linguistically.

Chuck Gomes: Okay. All right. Let's go to Rudi. Rudi, did you have something else?

Rudi Vansnick: Yeah, Rudi here. Well I was going to mention the same direction of Bertrand was saying so I'm not taking that air space.

Chuck Gomes: Thank you. Okay Amr.

Amr Elsadr: Yeah, I think it would be all right to scratch the second multi-stakeholder model; it is a bit redundant and switch processes and process in the two paragraphs, that sounds more accurate.

I would like to point out that this is the principles document now and it is not terribly important to try to define the term in the paragraphs here because both these terms, ICANN multi-stakeholder model and multi-stakeholder model are defined in the definitions document at the request of this sub team so I think we just need to differentiate between the purpose these paragraphs are supposed to serve and just make sure we're not trying to define them.
Thanks.

Chuck Gomes: Good point. Thank you.

Stephanie Perrin: Stephanie Perrin for the record. And I may be channeling Marilyn Cade here but I was going to propose that you drop the second multi-stakeholder model and put in instead it's a bottom up model because unfortunately the string at the end of that very long sentence slash paragraph you have - you do have the bottom up consensus based policy development process, it gets lost there. And it would be nice to say at the very beginning that the ICANN multi-stakeholder model is a bottom up model.

Chuck Gomes: I think that's a good suggestion because - and it's come up this week here in Singapore and I don't remember which meeting it was somebody made the point that we shouldn't say multi-stakeholder without saying bottom up. And so thank you for that.

Anne.

Anne Aikman-Scalese: Yes, thank you, Chuck. It's Anne remotely. And I'd like to underling that I agree actually with Bertrand that no matter that the definitions are contained in a different section that really this language should take into account other processes that occur within the overall ICANN picture or the overall multi-stakeholder model and that it's helpful to everyone if that's made clear in this document. So I agree with Bertrand.

Chuck Gomes: Thank you very much. And let me - Marika, are you up to date so far on what we've talked about? I think we still need to decide on the wording for the second paragraph. The suggestions that were made - none of them sound terribly different to me but what do you have, Marika?

Marika Konings: Yeah this is Marika. The issue I have is that it's difficult to combine the suggestion that Anne made with Bertrand's so I think that's something where we need to get a conclusion whether we go for one or the other or there are some further changes that bring the two together. But otherwise I have captured everything.

Chuck Gomes: And Greg may have a third one so, Anne, would you repeat please your suggestion for wording for the...

Marika Konings: I meant Stephanie.

Chuck Gomes: Oh you meant Stephanie, okay I'm sorry, that makes more sense to me. Stephanie, could you repeat your suggestion for that first sentence second paragraph?

Stephanie Perrin: Yes. It's Stephanie. The ICANN multi-stakeholder model is a bottom up model composed of blah, blah, blah.

Chuck Gomes: Thank you. Now let me go to Bertrand. Does that work for you or would you like to try and improve it?

Bertrand de La Chapelle: I just had a semantic dissonance in having twice the term ICANN - the term multi-stakeholder model. And again I've always had a reluctance with the term "model" in general so having it twice is making it even harder.

Chuck Gomes: Okay. Stephanie and then I'm going to go to Greg.

Stephanie Perrin: If you don't like repeating "model" - it's Stephanie - you could just say is a bottom up approach composed of blah, blah, blah, blah, blah. And of course you have to get rid of bottom up in the last line, right, you know...

Chuck Gomes: Correct. And, Claudio, I'm sorry I bypassed you there. You're next please.

Claudio Di Gangi: Oh no worries. And I mean, if we're going to stick on this point I don't know if it addresses Bertrand's concern but since you've already defined it the second multi-stakeholder model you could use a single quotation instead of the double to just demark it off a little bit there grammatically.

But my point was actually on a different - was just on the first sentence. And I was looking at the quote there and I'm looking specifically where it says, "ICANN has embraced the MSM as a framework for the development of inclusive global..." and then what follows after that to me, Internet governance policy it seems - it's a little vague. I'm thinking of like the things that are getting discussed in NETmundial, those types of issues.

And I was wondering is there something from the mission if ICANN that goes in there? Is ICANN developing, you know, Internet governance policy or is it developing rules about the domain name system and is there something more specific there? Maybe that's more...

Chuck Gomes: Yeah, good question. First of all we're dealing with a quote so we - at best I think we can leave that part out or - and do dot, dot, dot or we can qualify it. We don't - it wasn't our intent to get into the whole issue of Internet

governance policy so you're raising an interesting point there. If you have a specific suggestion of how that could be fixed we welcome it.

Claudio Di Gangi: I would remove the quote and basically keep the text, keep everything up until "global" and then refer to what ICANN - whatever is in the mission statement of ICANN.

Chuck Gomes: So how would it read?

Claudio Di Gangi: The mission - I don't have the mission statement so I'm not sure exactly what ICANN's mission statement says in the bylaws in front of me. But it would - I would just insert that.

Chuck Gomes: Okay. Okay. Marika.

Marika Konings: Yeah, this is Marika. I'm not sure if it's in the bylaws but I think we'd be referring to it in a general description as DNS policy because I think that captures basically, you know, the naming part, the numbers part so I think we refer to it as DNS policy so maybe that may be a way to address that concern.

Claudio Di Gangi: Yes, I agree with that.

Chuck Gomes: Thank you very much. Does anybody have any objection to removing the quote and of course Footnote 1 as well? Not seeing anyone or not in the Adobe either. Yeah, Marika.

Marika Konings: This is Marika. Just to clarify so we're basically just removing that actual quotation marks and changing the Internet governance to DNS policy. Right? Did I get that right?

Chuck Gomes: Is that correct, Claudio?

Claudio Di Gangi: Yes, I think that's right. Yeah, I would cross out "Internet governance policy" and add "Domain Name System policy."

Chuck Gomes: Thank you. Greg, you had some opinions on this, do you want to weigh in?

Greg Shatan: Sure, a couple things. First I'll remind everyone that the second N stands for Numbers. Secondly, the mission in the bylaws says that, "The mission of the Internet Corporation for Assigned Names and Numbers is to coordinate at the overall level the global Internet systems - the global Internet's systems of unique identifiers and in particular to ensure the stable and secure operation of the Internet's unique identifier systems."

So it does go beyond kind of DNS in a sense. But we don't necessarily need to stick on that. And second point is just, you know, kind of with my lawyer hat on that when we do definitions with capital letters it's so that when we use those for the same word with capital letters throughout the document it means exactly the same thing as it's defined in the beginning so that's why we have kind of all these capitalized definitions here at least, you know, from my point of view so that when we say multi-stakeholder model it always means multi-stakeholder model as defined above and the definition doesn't kind of move around.

I guess the last point is just kind of all this - these are kind of working definitions, working principles so we're going to keep coming back to them iteratively at some point at least should actually get to the point of discussing policy and implementation.

Chuck Gomes: Point well taken. And that's what our goal is. Remember, Marika put up there the three new sub teams that we're trying to get volunteers for right now. And that's really the meat of our work, not the definitions and the principles, although I think we can tell by the discussion that these are important. They're not the crux of what we're supposed to be doing.

So now Marika, you wanted to make a comment.

Marika Konings: Yeah, this is Marika. I first have two comments from Michael and then I have a comment myself as well. So Michael first says, "Paragraph 2 the ICANN multi-stakeholder model is a bottom up multi-stakeholder model. And I would leave bottom up in the last line since there it is referring to the process or as in the opening line it refers to the structure of the ICANN multi-stakeholder model."

Just to note, I mean, between the two versions I think from a flow perspective I think Bertrand's definition actually follows more logically because indeed repeating the two times the model is just from reading it not as nice as I think Bertrand has suggested.

Maybe there is still another way of, you know, moving the bottom up part up but you may still want to consider having indeed the flow as Bertrand suggested and maybe looking again is there a way to highlight the bottom up part of that in a different way if it's now too hidden at the end of the sentence.

Chuck Gomes: So you want to read that back - Bertrand's suggestion?

Marika Konings: Yes, so this is Marika. What it would read is, "ICANN's implementation of the multi-stakeholder model is composed of different Internet stakeholders from around the world organized in various supporting organizations, stakeholder groups, constituencies and advisory committees and utilizes a bottom up consensus-based policy development process or processes open to anyone willing to participate."

Chuck Gomes: And help me out there, I wasn't concentrating at the beginning, was bottom up located in two places or just one?

Marika Konings: One.

Chuck Gomes: At the end? Towards the end?

Marika Konings: Correct.

Chuck Gomes: Yeah, okay. Stephanie, you're one that wanted it earlier in the paragraph. You want to comment on that?

Stephanie Perrin: Yes, I'd kind of have to see it written down and then do the editing from there. Call me visual. But you kind of lose it. I think it's so important that it needs to be at the beginning. And once you get all of those descriptors in opposition to one another you lose it. And that's only in English; it gets worse in certain other languages, you know.

Chuck Gomes: Before I turn it to Rudi, one of the thoughts that has come out of the working group is if we come to a point where there may be repetition or redundancy in some cases we decided if it makes it clearer, even if it is redundant or repetitive, we kind of lean towards that, at least that's in our discussion so far. So that's a note in that regard. Rudi.

Rudi Vansnick: Rudi for the record. I prefer the bottom up at the end of the sentence because it's clearly defining and precisely giving the context of how the multi-stakeholder model is implemented. If you move it upwards it's not related anymore to how we do it, it's out of the implementation scope if you move the word bottom up in the beginning of the sentence. That's my feeling at least.

Chuck Gomes: Okay. Bertrand.

Bertrand de La Chapelle: The objective is not to belabor too much but if I understand correctly what Stephanie is saying it's a more general comment regarding even the use of the multi-stakeholder model in the first line of the principles. What you would like if I understand correctly is that every time we say we've endorsed the model we say the bottom up multi-stakeholder model.

And as a matter of fact, it still connects with the notion that Marika was mentioning which is the structure of the second paragraph is about the structure, which is it's multi-stakeholder, and the processes that are bottom up.

So what you're suggesting, if I understand correctly, is that even in the first paragraph we said, "Since its inception ICANN has embraced the bottom up multi-stakeholder model as a framework," dah, dah, dah. And we need another acronym for the bottom up multi-stakeholder network because it's long.

But fundamentally coming afterwards you can then keep the implementation - ICANN's implementation of the bottom up multi-stakeholder model is based on different stakeholders being organized and you can even scrap bottom up in the second part, consensus-based policy development processes that do - is that what you have in mind?

Stephanie Perrin: That's it exactly. And I think framework is a good word to use in terms of understanding how the models are different.

Bertrand de La Chapelle: Yeah.

Stephanie Perrin: Because there's plenty of multi-stakeholder models that are anything but bottom up. They're also anything but consensus-driven, you know, and they're anything but democratic. You know, there's - you could have 10 models out there but it's really important that the bottom up is attached to that as a basic high level concept.

Bertrand de La Chapelle: And if I may that even gives an explanation of why some working groups that are composed in a multi-stakeholder manner may not be producing right results because they are composed but they are not bottom up.

Stephanie Perrin: Right, exactly.

Bertrand de La Chapelle: So...

Stephanie Perrin: Exactly.

Chuck Gomes: Okay. Great - this is Chuck again - great discussion. I'd like Marika to read back that last suggestion because it may be a compromise that is really not a compromise, an improvement, that is maybe works for all of us and I'll let you comment on that.

Marika Konings: Yeah, this is Marika. And I hope I got it right. I think Bertrand's suggestion is actually in the first sentence under A, overarching principle, to make it, "Since its inception ICANN has embraced the bottom up multi-stakeholder model as a framework for development of inclusive global DNS policy." And then we basically the second paragraph would be as Bertrand has suggested earlier. I think that's...

Chuck Gomes: Anybody...

((Crosstalk))

Chuck Gomes: ...have a concern about that? By the way, Rudi, I don't know if you saw the agreement in the Chat from Anne on your comments earlier. I think that's what it was to so - okay I'm not seeing any objections - oh, Amr.

Amr Elsadr: I'd like Marika to possibly read it out one more time please.

Marika Konings: So the first sentence under the overarching principle would read, "Since its inception ICANN has embraced the bottom up multi-stakeholder model as a framework for development of inclusive global DNS policy."

And then the start of the second paragraph would be, "ICANN's implementation of the multi-stakeholder model is composed of different Internet stakeholders from around the world organized in various supporting organizations, stakeholder groups, constituencies and advisory committees and utilizes a bottom up consensus - and utilizes," and I should remove then the A as well, "and utilizes bottom up consensus based policy development processes open to anyone willing to participate."

Amr Elsadr: And just a really quick comment, this is Amr again.

Chuck Gomes: Go ahead, Amr.

Amr Elsadr: I think the change in the first statement makes it a little messy. And I'm going to go with Greg on this is not just about DNS ICANN - we're talking about ICANN here and just describing is not just DNS.

The second paragraph is what I think is a little messy and I would stick with Bertrand's initial recommendations to just scratch out multi-stakeholder model when it's redundant in its second form and change processes and process in both paragraphs because that would be the accurate thing to do. Thanks.

Chuck Gomes: Okay, Stephanie and then we'll come back for a clarification that Marika needs.

Stephanie Perrin: Stephanie here. I just want to put in a plea for plain language. I don't think "utilizes" is as good as "uses." And the fact that Marika made the stumble and went to "uses" we don't need utilizes. Let's go for simplicity whenever we can because goodness knows often we can't.

Chuck Gomes: Oh wow. And I have an obligation at 5:00. So okay I think what we're going to have to do here is - go ahead, Marika.

Marika Konings: Yeah, this is Marika. I think indeed I didn't completely capture what Amr was suggesting or his concern. But maybe what we can do indeed is incorporate what I think most at least agree to and then maybe Amr can actually come back on the list to further clarify where you were unhappy or what you would like to see changed, does that work? Okay.

Chuck Gomes: Okay. So as has been pointed out we're out of time. That went fast. At least it seemed fast to me. You know, I really appreciate the input. I think when we get done with this it's going to be better. And that was the goal.

Now what I'd like to ask all of you to do if you haven't already done it is look through the rest of the principles and give us your feedback on those. These principles are really fundamental to the work we're going to do the rest of the way.

And there's pretty good agreement except in cases as noted, on the principles within the working group there's pretty good agreement on them. Okay? If you disagree let us know and tell us why and if you can suggest an alternative or some other direction.

We won't have another chance for a meeting like this until the meeting in London and we hope to be well on our way in the main part of our work which will depend on these principles. So if you can provide any input you have in the next couple weeks before we meet again as a working group that would be really helpful and we would greatly appreciate that.

The - so the next steps we will finish the - try and finish at least the first cut at principles and we're looking for volunteers in those three sub teams, take a look at those, see if you'd like to participate in one of those.

We're hoping that we can get enough volunteers, hopefully only one sub team per individual that then simplifies the scheduling and other things and minimizes over work load for people.

But let us know if you'd like to participate in those. If we can't get enough participants, and the groups don't necessarily have to be real big, but if we can't get enough participants to do the work simultaneously we'll have to do it differently which will take us longer.

And I think everyone that's here today, based on what I've heard, recognizes the significance of this particular effort in everything that we're doing in the GNSO with regard to policy development and implementation of those policies.

Marika, what would you like to add before we close?

Marika Konings: This is Marika. Actually not much, maybe just to confirm our next meeting in two weeks' time which I think brings us to 9 or 10 April if I'm not mistaken?

Chuck Gomes: Any problems with that? And I see Anne's hand up. While people are thinking about that or checking, Anne, please go ahead.

Anne Aikman-Scalese: Yes thanks. I just wanted to mention that I think that this issue about the first sentence that Claudio originally raised about global Internet governance policy versus global DNS policy should actually be put on the agenda for our next meeting in two weeks because, you know, I think Amr and Greg feel one way and then there are others who feel the other way. And I think we - it's worth - it's definitely worth discussing beyond just the list.

Chuck Gomes: Thank you.

Anne Aikman-Scalese: Thank you.

Chuck Gomes: We will do that. Make sure you're on that call, okay?

Anne Aikman-Scalese: Will try.

Chuck Gomes: I know, you know, sometimes we have things beyond our control. So thanks, everybody. I hope those of you that are new to all this that it was helpful to you. And please feel free to contribute, we would very much appreciate that. Meeting adjourned. Recording can stop. You're welcome.

Anne Aikman-Scalese: Thanks.

END