

**Transcription ICANN Singapore  
SCI Update to the Council  
Saturday 07 February 2015**

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Jonathan Robinson: Okay, everyone, if you could take your seats at the table we'll begin the meeting in about one minute. If you could get ready we'll begin the meeting in about a minute.

Okay, everyone, welcome to the Saturday sessions of the GNSO Council and the GNSO. We'll get things going right away. Are we good to go with the recording? Thank you. So, Glen, if you could just kick us off with a quick roundtable roll call and then we'll move into the first session.

Glen de Saint Géry: Thank you, Jonathan. I will. Jonathan Robinson.

Jonathan Robinson: Present.

Glen de Saint Géry: Volker Greimann.

Volker Greimann: Present.

Glen de Saint Géry: David Cake.

David Cake: Present.

Glen de Saint Géry: (Unintelligible). Stephanie Perrin.

Stephanie Perrin: Present.

Glen de Saint Géry: Edward Morris.

Edward Morris: Present.

Glen de Saint Géry: Carlos Gutierrez.

Carlos Gutierrez: Present. Good morning.

Glen de Saint Géry: Mason Cole, our GAC liaison.

Mason Cole: Present.

Glen de Saint Géry: Avri Doria.

Avri Doria: I'm here, thanks.

Glen de Saint Géry: Bret Fausett.

Bret Fausett: Present.

Glen de Saint Géry: Donna Austin.

Donna Austin: Present.

Glen de Saint Géry: Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Present, thank you.

Glen de Saint Géry: Patrick Myles.

Patrick Myles: Present.

Glen de Saint Géry: Tony Holmes.

Tony Holmes: Yes.

Glen de Saint Géry: Osvaldo Novoa is not here, he won't be present at this meeting. Susan Kawaguchi.

Susan Kawaguchi: Present.

Glen de Saint Géry: Phil Corwin.

Phil Corwin: Present.

Glen de Saint Géry: Heather Forrest.

Heather Forrest: Present, thank you.

Glen de Saint Géry: Brian Winterfeldt. Brian Winterfeldt will not be here today. He will be coming late tomorrow. Amr Elsadr will also be arriving late tomorrow as will Dan Reed.

Have I left off anybody?

James Bladel: Yes...

Glen de Saint Géry: Oh.

James Bladel: This is James, again, I am present. Good morning.

Glen de Saint Géry: James...

((Crosstalk))

James Bladel: I'm still waiting for my name - apparently I've been fired from the Council, everybody.

Glen de Saint Géry: Okay, James, we'll put you back on again. Yoav Keren is not here yet. He will probably be arriving late but I've not heard anything from him. Has anybody else? Thank you, Jonathan, over to you.

Jonathan Robinson: Thanks, Glen. Morning, everyone. Welcome to the Saturday session, the first of the two days of the weekend session.

Glen de Saint Géry: Sorry, Jonathan, Thomas is just walking into the room.

Jonathan Robinson: Welcome, Thomas. We've got a full session today lined up, as you'll know, from the agenda running through from now until 6:15. We'll see how we go. Hopefully we can make up some time on that.

Our first scheduled session was scheduled to run from 9:00 until 9:15, we're already starting a little late but I think we can go straight on and hear an update from the Standing Committee on GNSO Improvements. is - have we got Anne on remote? Have we got her online? Okay, great. So, Anne, I believe you've got some slides to talk through with us and give us an update. And we can review those and then deal with any questions or issues arising.

Anne Aikman-Scalese: Yes, thank you Jonathan. This is Anne. And if you could load the slides, staff, I would appreciate it. I'm calling in from Tucson so I'm not able to attend the meeting in Singapore. But I do expect to be in Buenos Aires and Dublin. This is the chair's report for the first meeting of 2015. And as we soon as we get the slide up we'll begin.

Thank you very much. Just as a reminder on the scope of the SCI work - oh, something I forgot. I'm the chair - this is Anne Aikman-Scalese. I'm an IPC member. I'm the chair for 2015. And our vice chair on SCI for 2015 is Laurie Schulman from NPOC. Laurie is also participating remotely on the call.

So as a reminder on the SCI scope of work GNSO revised the charter at the end of October. The SCI reviews and assess the effective functioning of

GNSO procedures and working group guidelines. There are essentially two categories of work in our charter.

The first category is on request for those procedures and guidelines that have been identified as presenting quote, unquote, immediate problems. And then also a second category is a periodic review for all procedures and guidelines in order to identify possible issues and/or improvements.

And under our charter, of course, that is subject to a clear definition by SCI as to which procedures and guidelines should be reviewed and a plan could be submitted to Council.

Finally, under the charter we consider requests that are identified either by the GNSO Council or a group chartered by GNSO Council as needing discussion. Next slide, please.

So in the first category of issues that SCI considers are the quote, unquote, immediate problems. And two of those have been identified in some of our discussions. The first is friendly amendments to motions. That is a topic which is not currently addressed in the GNSO Operating Procedures. This topic was placed on hold by GNSO Council in its January 15, 2015 meeting. And we have been discussing it a bit in the January 20 SCI call, on the list since then. And we also took a straw poll.

With respect to this particular topic, I think I saw at last count that five of the nine voting members had weighed in suggesting this should be considered. And I may not have had specific responses from the other four stakeholder groups and constituencies.

Then the second topic of a, quote unquote, immediate problems nature is the interplay of the 10-day waiver rule with resubmission of motion rule. This is the rule that was enacted based on SCI recommendation in the fall last year that the 10-day advance notice rule for motions could be waived under

certain circumstances and that would of course include unanimous consent of the Council.

Some SCI members feel that this was not directly addressed - the question of whether the waiver can apply to resubmission of a motion. And again, this was discussed in our January 20 call, on the list and with a straw poll. And, again, I had five votes coming in out of nine saying they thought this should be considered. And then I believe there is at least one SCI member who is opposed to considering this and assuming that her opinion is still the same I think that Avri may want to address this particular topic further after our report is over.

So, next, slide please. So the second category of work item under our charter is the periodic review item and that is a pretty broad category. It can include such things as voting thresholds, a topic that was placed on hold by the Council on January 15; it could include working group consensus levels, which I'm advised by staff that the Council had agreed to consider initiating some of this work; and finally a full review of GNSO operating procedures including the PDP manual and the Working Group Guidelines.

And in our discussions in the January 20 call, as well as on the list since then, all SCI members I think are well aware that this work could be affected by the GNSO review process.

Next slide please. So the next steps on SCI's work for 2015, we would begin work on, quote unquote, immediate issues if any are assigned to us by GNSO Council, for example, with respect to friendly amendments or the 10-day waiver effect on resubmitted motions.

The SCI work is based on a full consensus and so there would be a consensus call of course prior to forwarding any recommendation to Council. If we do not receive any instructions with respect to the immediate issues we might also begin to develop a consistent plan for the periodic review which,

as per the charter, calls for items to be reviewed, propose timelines as well as any additional resources that may be needed.

And, again, because SCI works based on full consensus we would be issuing a consensus call prior to forwarding any recommendation. And if we do any of the above work we would be presenting our written recommendations to the GNSO after the consensus call.

So that is in short the little bit of work that we've done thus far this year. And we look forward to working with Council and any matters that may be of assistance to Council. Thank you. If there are questions I can take those; if not we can move on to Avri's portion as Council liaison from the SCI.

Jonathan Robinson: Thanks, Anne. So just to remind everyone that SCI was set up in the wake of the previous set of improvements to the GNSO and at some time - I don't recall exactly when - a little while back - we - a year or so back - we decided to maintain the SCI as a continuous standing committee. And so that's the role and function to provide for the prospect of - as part of really, I guess, the continuous improvements thinking. Are there any questions or comments for Anne at this point?

Okay, let's pass the baton over to Avri and then if anything else comes up we can come back to questions. So you'll stay on in any event, Anne, I expect?

Anne Aikman-Scalese: Yes, indeed. Thank you, Jonathan.

Avri Doria: Thank you. I wanted to say a couple things and really not anything to do with my views of particular issues within the SCI that's, you know, an issue for the SCI. What I wanted to get into is I'm slightly concerned about the SCI.

In one respect, and if you look at its charter, it's supposed to respond to issues that are brought to it and not necessarily chase after issues that it thinks it wants to do. And it also is supposed - and this is something we've

actually never done - is basically put together a review plan with timelines, etcetera, for any reviews any items we want to.

The other thing is it's supposed to, if there are any crises, get reports from various chartered working groups. I think it's actually miraculous in all the years we've had an SCI. I don't think any working group has ever come to the SCI saying we have a problem, we have a question.

So - and in some ways I've sort of felt it to be floundering lately because it's looking for stuff to do. Now I think that's fine but I don't think that's what we really should be focused on. I think that we either need to put together a review schedule of things we want to review. And at this point we'd have to be careful for that not to interfere with the ongoing review of the GNSO so not sure what it would do in that case.

Jonathan Robinson: Avri, can I just check something? When you say we need to put forward a set of items you mean the Council...

((Crosstalk))

Avri Doria: Well no, sorry. The SCI needs to - if it was going to do one of its - its periodic reviews of some part of the GNSO practice it needs to put together a plan for doing that and sort of not have just a couple bullets that say we want to look at A, B and C but sort of say we want to - the SCI wants to review the following things in a procedural way and with timelines and gears. And that's something that we've actually never got around to doing in the SCI. And I say "we" because I'm as guilty as any of us of not having done that.

In terms of point issues like, you know, friendly amendments or 10-day rules, I don't know - and this is, again, something for the GNSO - whether it's actually appropriate for the SCI to sort of be picking these issues out of the air that no one's come to them and said, hey, we have a problem with this.



Because you can always find an issue that you can have a discussion on and so I'm just sort of concerned at the moment that the SCI is sort of not strictly following its charter, it's not doing some of the things it was chartered to do. And it's going after what could be called long-hanging fruit that's of course very difficult to process. So I just wanted to bring up that concern I've got at the moment for how the SCI is working. Thanks.

Jonathan Robinson: Any comments, questions? James.

James Bladel: Thanks, Jonathan. James speaking for the transcript. So it's been now, I don't know, two plus years since I - I fully admit not being up to speed on the SCI and what's been going on. But if, you know, if Avri's assessment is correct then I completely share her concerns that the SCI, in my opinion, was set up to resolve these sort of procedural issues that were referred to, and my understanding was, primarily, from this Council, that would be sending those questions to the SCI. Where are they coming from now?

Avri Doria: They're coming from essentially the members. They can also come from any of the GNSO's charter working groups.

James Bladel: Okay.

Avri Doria: There is a whole procedure and there's a whole proper way for them to actually send an issue in so it's not just the Council.

James Bladel: So maybe, just as a thought, we kind of circle back with the leadership of the SCI and make sure that we have taken inventory of the current work stream and say, you know, making sure that these things originated from one of those two chartered paths and not coming from some, you know, coming out of the ceiling or something like that.

Jonathan Robinson: Marika.

Marika Konings: Yeah, this is Marika. And maybe just to add to James's point and I think that's something we've seen as well with issues from the Council. Maybe it's worth considering, indeed, if you deem it worth, you know, continuing in the same vein that there should be a kind of request template. And, you know, my personal view would be as well even if it would come from any of the groups that are chartered that it would always come through the Council for confirmation that it is something you want the SCI to work on.

But that kind of specific information needs to be provided because we've seen in the past as well whereby - and it would even come from the Council certain questions would go to the SCI but actually the scope of those questions wasn't really clear or it would be given an interpretation that wasn't actually what I think the Council was asking for. The group would need to come back to the Council and say, what did you actually mean?

So maybe if, you know, for continuing in this vein it would be really important to specifically scope what those issues are. And Julie is pointing out that, indeed, there are specific, you know, sets of information that are supposed to be provided, although I don't think we've been following those very closely in the past.

But again it may be as well make sure that any of those requests, even those coming from chartering organizations or, you know, if the SCI has issues come to the Council for confirmation that those issues should be worked on as a priority. I think also taking into account the current workload that the GNSO is facing.

And one thing I wanted to raise as well is that I think the group is also - and I'm looking at Avri there - is struggling a bit with attendance. I think due to its makeup of the group having, you know, primary and alternate and it's not an open group like other efforts, you have a more limited group of people that are, you know, expected to show up. And if you have certain groups that are not participating in meetings it immediately means you miss a whole part of the GNSO.

And I know I think there has been some recent calls to refresh membership and making sure that those that are on there are there assigned by their groups. I'm not really sure if that has fixed the participation issue as such.

Jonathan Robinson: Response, Avri?

Avri Doria: Yeah, I think the participants - there was a note that I was supposed to speak on that and didn't - that the participation has been incredibly spotty. And it would be actually interesting if records are maintained to see it so that the various groups that hadn't been participating would be able to see for themselves what their level was.

Yeah, the charter is actually quite specific about whether it's the Council or a working group that, you know, when it comes up as an issue it's, you know, which group do you represent? To which rules or processes do you refer? Please outline the problems. What specific changes do you propose to address the identified problems? Do you have any additional suggestions for making the rule process easier to administer?

So there really is a specific, you know, input that's needed to take on a problem from the Council or a working group. Likewise, with the periodic review that the SCI has never done, there's a very specific plan that's supposed to be built up and then, you know, sent to the Council for - it doesn't actually say approval, it just says for information purposes to say this is the work we're going to do, this is the timeline, this is the milestones of actually being intentional.

And so there is value in having the SCI but I think it needs to find its way back to its chartered way of working. Thanks.

Jonathan Robinson: What about Marika's suggestion of a template? Is that...

Avri Doria: Well there's sort of, I mean, in the charter there's already a list of items to be answered. Now whether a template includes an online form with boxes or just looking at the charter and saying these are the things I need to put in a thing, I think the template exists but it's not an automated template.

Jonathan Robinson: I think it's also - there's a suggestion that the charter is converted into that format which is a sort of practical resolution of it. And I haven't got the Adobe Connect open at the moment so I'm assuming if you would like to come in just make yourself known.

I think the other point is that there was - on the shorter term work or the immediate - the 10-day rule and the resubmission of motions I think were the two items, my understanding is those did originate with the Council; those were Council requests. That's my recollection.

But there's also the interplay with the work going on in the GNSO review which is one of the reasons I think we put that on hold potentially. Marika.

Marika Konings: Yeah, this is Marika. Both of those issues were indeed on the action item list but specifically to be further scoped. So, again, to the point of really framing, you know, what are the issues that have been identified and indeed what may be some of the solutions or what would need to be looked at.

And I think indeed it was put on hold because those I think that were assigned to it weren't able to provide that work. And as you said, I think it also raises the question of, you know, the work that's going on on the GNSO review, what may come out of that.

And something that I think from the staff side what we've seen as well is that every time you make a change to the operating procedures it needs to be put out for public comment. So one of the (unintelligible) I think on the last ones we managed to bundle some of that stuff because otherwise you basically get as well every month you'll have a public comment forum on the GNSO operating procedures.

And if people see that passing by I'm not really sure how much attention that will garner either. So one question as well (unintelligible) how can you make sure as well that you don't overload the community with, you know, sequence of public comment periods and also, you know, looking ahead at the GNSO review, which will likely result in probably broader issues that need to be considered, is there any sense of bundling that?

And I think it also brings back to the question is that, you know, the SCI or we also have the GNSO review working party that's looking at the review. Does the Council already have clear in its mind what would be the approach for dealing with the GNSO review when once those recommendations come back and it may be worth there as well to look back at how the previous review was done because that actually - well, maybe not going back to that structure because I think it had quite a complex structure in place.

But there I think the structure was it was actually a broader community group that was dealing with developing the proposed implementation which would then be approved by a kind of Council setup - steering committee I think we named them.

So again I think that's something as we continue conversations something to think about as well. What is the vehicle that would eventually do that? Does that still leave, you know, is there still a place then for the SCI? Is it the SCI? Does it need to be reshaped? You know, how does that link with GNSO review working party?

So again as we, you know, GNSO review is still some months out but it's probably something we're to start thinking about to make sure you don't have duplication of work and the most effective vehicle to actually do that because I know, you know, the last one we all spent a lot of months if not years and actually doing the implementation.

Jonathan Robinson: Thanks, Marika. Lars.

Lars Hoffman: Just to say that Anne is in the queue.

Jonathan Robinson: Anne, why don't you come in then and then we'll try and sort of wrap this up with the different threads that have come through. Go ahead, Anne.

Anne Aikman-Scalse: Yes, thank you Jonathan. I certainly agree with much of what Avri said with respect to the periodic review responsibility. And I certainly agree with I guess previous comments that the two topics that were considered as, you know, smaller topics with procedural aspects were things that had been previously considered in Council.

I guess what I struggle with is nobody wants to add to the workload of Council. We on the SCI want to assist Council and help things, you know, run more smoothly.

I believe that one reason is the charter was changed at the end of last year was that there was some recognition on the part of Council that SCI's work had been helpful to Council and help the procedures go more smoothly.

And of course we do have on the SCI some members - Council members. And I'd have to say there's been fair amount of comment notably I think from Amr and Wolf-Ulrich about the friendly amendments issue and that that's something that should be clarified.

I personally am not vested in any particular issue in relation to SCI. What I love about SCI and the reason I accepted to be chair is that it's very neutral and very nonpartisan and very procedurally-oriented, oriented toward making things move more effectively within the organization.

And my bias, if you will, is that I think it's probably better for SCI as a chartered group to be working on something rather than sitting idle. I don't honestly believe that either the IANA transition or the GNSO review should actually stop a chartered organization from doing any work.

Although, if you guys decide that we shouldn't do any work then I guess that makes my job much easier. So those are, you know, from my standpoint the considerations we do want to be helpful to Council as possible. And I think, you know, Avri is certainly correct that we've not ever addressed the periodic review elements. And it's also correct though I think that there are those who are concerned about the two issues that have been identified as, quote unquote, immediate issues.

And if that would cause Council to have to do a great deal more scoping work that would be, you know, potential problem. On the other hand, those two issues don't seem to me to necessarily require that much scoping because I think they're very small in nature. So those are my thoughts. Thank you.

Jonathan Robinson: Thanks, Anne. I'm going to try and pull this together. I know certainly the one thing that's been talked about is attendance and membership. So it feels to me like we've got to do something about that. Can I check who from staff is going to capture the actions on this? Are you, Lars?

Okay so point 1 is that we need to refresh the attendance and membership. So it feels to me like it would be useful - is it Steve? Okay, Steve, thank you. So it feels to me like it would be useful to get a note out to the Council confirming who are the members from the different groups and ensuring that that's either acknowledged or refreshed and those people are reminded.

This template idea, Marika, sounds good. I think we should formalize that. I'm minded to agree with Anne, I don't think it's a lot of work to scope those two particular issues. And they're both potentially useful. So it feels to me like it wouldn't be a bad idea to get that - get some work done on that.

The challenge is more about then batching that up and linking it in with the GNSO review. So I don't see - my thought is that there's no reason why the SCI shouldn't continue and sort out some recommendations for those but it

should be on the - providing they're properly scoped by the Council up front according to the template.

And that doesn't feel like a lot of work, I agree with - I'm tempted to agree with Anne there. But the key point then is in terms of actually getting it implemented we should make sure that that's synthesized or synchronized with anything that comes out of the review and that we don't do ad hoc big, you know, the whole public comment thing for relatively small items.

So I think there's had to be an understanding in the SCI that whilst the work may be done the implementation, the end of it, may be impacted by the outcome of the review. How does that sound? Does anyone disagree with that sort of path or anyone got any concerns with that path forward? Avri.

Avri Doria: Only one concern which is the GNSO Council actually writing out the template and probably as liaison that's something I should make myself the designated victim for.

Jonathan Robinson: As in populating the template, once - I mean, I...

((Crosstalk))

Jonathan Robinson: Yeah. And...

Avri Doria: What I mean is for those two issues that you're saying okay we should follow through then somebody has to do it and that probably needs a victim.

Jonathan Robinson: And how do you feel about that? Are you in a position to do that?

((Crosstalk))

Avri Doria: Oh yeah, no, I understand both of the issues. One of them - in fact it's an interesting issue that when I first started playing chair eons ago I tried to bring



up and was told to go away. It's the way we do things. So it'll be interesting to bring up the issue again.

The other one is sort of a complicated issue and I'm sure that, you know, the staff members will help because we actually did already present a solution to the GNSO's request. And then various members of the SCI looked at it and said, oh but that wasn't complete, we should really do something else. So scoping that something else and seeing if the GNSO wants to follow through with it is not - it's easy to do. Just work.

Jonathan Robinson: Can I clarify an understanding? My understanding is that once that template is populated the Council actually sign off on that populated template prior to referring it across the SCI. Great. So I think we have a plan then that feels right. Are you okay with that, Anne? Any further final comments or input from you?

Anne Aikman-Scalese: I am absolutely fine with that. My only question would be shall we then not convene any calls until we receive those scoping documents?

Jonathan Robinson: That feels right. And unless there's a good reason to do so I think there's - we should try and refresh your membership, plan to have a call as soon as you've got those two scoping documents and give you the right handoff for doing that work, that feels right.

Anne Aikman-Scalese: Perfect, thank you very much, Jonathan.

Jonathan Robinson: Thank you, Anne. I'm not sure what time of the day it is for you but thank you for being available at this time of the day for us.

Anne Aikman-Scalese: Thanks, the very reasonable hour of 6:39 pm in Arizona.

((Crosstalk))

Jonathan Robinson: Great. Well enjoy your weekend and thank you very much.

Anne Aikman-Scalese: Good. Have a wonderful meeting. Bye-bye.