
YEŞİM NAZLAR:

Good morning, good afternoon, and good evening to everyone. Welcome to the ALS Mobilization Working Party call taking place on the Monday the 23rd of March 2020 at 18:00 UTC. On our call today we have Alan Greenberg, Cheryl Langdon-Orr, Barrack Otieno, Raymond Mamatta, Roberto Gaetano, Eduardo Diaz, Dev Anand Teelucksingh, Yrjö Lansipuro, David Mackey, Ali AlMeshal, Bastiaan Goslings, Nadira Al-Araj, Judith Hellerstein, and Justine Chew. We have received apologies from Maureen Hilyard.

And from staff side, we have Heidi Ullrich, Silvia Vivanco, Alperen Eken, and myself, Yeşim Nazlar. I will also be doing call management for today's call. Just as a reminder, please state your names before speaking for the transcription purposes, please. And now, we leave the floor back to Alan. Thanks so much.

ALAN GREENBERG:

Thank you very much, everyone. Thank you very much, Yeşim and everyone. It looks like we have a pretty good turnout today. Are there any comments on the agenda? Seeing nothing, we will accept the agenda as presented.

The first one is a very brief report on the meeting during the ALAC regional leaders' call a week ago Thursday. The report was presented. We had a couple of comments and questions, not very many, and I don't believe there was any significant pushback in terms of what we were doing. I haven't had a chance to go over the call again yet but I believe everything was pretty well accepted.

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I know a number of you were on that call. Are there any comments or anything that you want to raise at this point? There were certainly a number of questions, largely due to my lack of explaining a few things properly but I don't think there was anything significant that we need to worry about, unless I am misremembering. Any comments or thoughts?

The full report, and the link, and the presentation are linked to this current agenda. A comment on the report: it essentially is all the information that has been in our document but it was reorganized to separate expectations from criteria.

So, that's a part of the work we're going to have to use going forward, but just to say that was already done. You may want to look at that if you haven't. The content is, essentially, what has been in our operational document, though, and still continues to be.

All right. Seeing no comments and seeing nothing in the chat, either, let's go onto the next agenda item. That is the review of the work plan. If we can bring up the agenda? Thank you. At this point, we still have some additional items to go over on the document. We may be finished today or certainly will be finished the next week.

A lot of what is left are things that were added as comments by Maureen or others. I suspect we're going to find a lot of redundancy with what we've already done but there may be some new items, there.

Once we do that, we're going to have to draft a report. As noted, the report I gave at the meeting was, effectively, my report. At this point, we might need to have full committee support/working party support for what we're doing. We're going to have to add rationales in some cases

where we have good reasons for doing things but it may not be well enough documented for people who haven't seen this before.

That report will be distributed, and although we don't want to spend a lot of time in that phase we do need to make sure that people take a look at it.

I will note that there have been some comments, particularly out of one region, that if we are talking about what ALSes must do, that the ALSes must vote on it. I'd like to have a comment on that and a discussion if anyone feels it's necessary.

Pretty much everything we are doing here is based on the At-Large review plan that was presented. That review plan was reviewed extensively by both the ALAC and all regions, and it had the full support of all regions.

So, to what extent ALSes may have been involved in that review at that time, one could ask, but at this point we really don't have any discretion but to go in the direction we're going. It is what we have committed to the board, and unless we feel at the ALAC level that this is a mistake, that we really have made our commitment to go forward.

The details, of course, can be adjusted, but it's really not a question of, do we want to do this or not? We have decided we want to do this and we are committing to it. So, I don't foresee anything such as a vote at the ALS level because, aside from anything else, what would we do if the vote was negative? I just wouldn't see a way forward. I see Eduardo. Please, go ahead.

EDUARDO DIAZ:

Yes. To that question, you had a call for volunteers for creating this working group and you made sure that this working group was balanced. We have representations here from every region. So, we don't have to go back to the ALSes. I mean, this was open to everyone.

Again, if eventually we go to the ALAC, every region has their own representative so if there is an issue with this with some people they should take it with their representative. But I don't think we mention ALS here or we have to go and look for [a book]. That's my position.

ALAN GREENBERG:

Thank you, and I think it's certainly the position that I take. Cheryl has said, "Agree totally." I don't think we have any other method. I'm just pointing out that there has been comment from a number of people, and we may well see that again as we move forward, and we need to be prepared for it.

But I think what Eduardo and others who are commenting are saying is we have made the decision and, if indeed there are ALSes that don't agree with it and decide they don't want to stay part of At-Large because of it, then so be it. That may happen. But I'm not expecting it to be a widespread phenomenon, nor do I believe that what we're asking ALSes to do is so totally outrageous and unreasonable. If it happens it happens, and we'll take it as it does.

All right. At that point, we are going to seek ALAC approval and, hopefully, if we get comments back along the way that there are individual things, that may be an iterative step. It may have to come back to us to see if we

want to revise something if we get an indication that something may not be acceptable to the ALAC.

In parallel with the seeking approval, I think we have to assume that most of what we're doing will be going forward and we have to review the ALS application process, the documents, which means the application form, the framework document, which is part of our rules of procedure, and the documentation of how this process works. That's going to have to be revised. I'm expecting staff will take a lead on the actual revision of some of this but we may not be involved at all.

And lastly, to the extent necessary, we will have to seek board approval and/or agreement. It's not clear to what extent they have to formally approve as opposed to just not object but we'll be working on that. I open the floor to any questions or comments.

So, the initial part of our work is almost done. The overall work is not done but I'm still hoping that we will have ALAC approval, hopefully before the time of the Kuala Lumpur meeting but, at worst case, at that meeting. A question about individual members. The individual member process right now is set individually by each RALO.

To what extent there would be willingness to have uniform procedures across regions and, in particular, uniform provisions for what individual members can do and how they do it, I don't know. It's not our job, although, hopefully, the At-Large will start working on that pretty quickly because all of this has to be done in line with it.

We have taken pains to side-step and avoid issues where there may be significant pushback from within RALOs and that may not be possible

with the individual-member case and, in particular, the individual members, as stated in the bylaws, are dependent on the memorandum of understandings, which will have to be revised, and those clearly are going to have to have support from the RALO.

Actually, I didn't include memorandum of understandings/the MOIs between the RALOs and ICANN in this list but we probably have to look at those, as well.

So, individual members are going to be a critical part of how we move forward. How to handle them, I think, is going to be an interesting question. Comments or questions before we go back onto the main agenda item of reviewing the document? I see nothing, so if we could pull the document up, please? The Google Doc.

YEŞİM NAZLAR: Sorry, one second, Alan.

ALAN GREENBERG: That's okay.

YEŞİM NAZLAR: This one, right?

ALAN GREENBERG: That's the one. Scroll to ... I don't know where. First item, I believe, is one that's highlighted in yellow and it is toward the bottom of page eight. No.

YEŞİM NAZLAR: Is this what you are talking about?

ALAN GREENBERG: I'm sorry, bottom of page six. Six. I misread the number. There we go. Okay. All right. This was one of the three items that was in my e-mail for an e-mail decision. The response was pretty well uniformly, "No, we don't want to do this."

Now, this has me a little bit puzzled and I don't know to what extent the rejection was because I didn't word things clearly enough or I don't know what. So, a little bit of history. We have had discussions within the ALAC and At-Large for years now about people who hold responsible roles in multiple organizations in both At-Large and in NCSG in particular, although there have also been comments about Intellectual Property Constituency.

Those comments were almost uniformly that we don't want to allow that, but we've never tackled it. This is part of addressing that. Now, we can't address whether someone can be on the ALAC or can be appointed by the ALAC in a critical position, a liaison to an AC or SO or a representative on a CCWG or PDP.

The only part within our discretion is the ALS representative. Clearly, if we are to do something with ALS representatives, which have less power than other leadership positions of At-Large, there will have to be comparable action on the part of At-Large and ALAC to address those.

But we're looking at our little tiny part of it. So, the question is, there was significant pushback on this, although my impression is this has been something that we have agreed to in the past. So, I'd like to go, if we can scroll to the bottom of the document, the second-to-last page.

What I've done is come up with a number of specific cases that we can look at, almost all the way to the bottom. So, there are two tables at the end. I'm looking at the second-to-last one. All right. That's the one. All right. Now, what I'd like is a discussion. Well, first of all, Cheryl has her hand up. Cheryl, if you want to speak, go ahead, then we'll go back to the work.

CHERYL LANGDON-ORR: Thanks, Alan. No, I'm happy to hold because it relates to terminology then linking to this [title].

ALAN GREENBERG: Okay. All right. So, what I've done is put together a chart of whether we think for ALS primary reps and secondary reps, any of these situations are okay or not okay. Now, I personally think secondary reps should be subject to the same rules as primary because they can become the primary, effectively, just because the other person is not available at any given time.

But there was at least one comment that we should treat secondary differently from primary so I have separated them out, here. I'd like to look at the primary rep first.

So, if the primary rep has no other role in any other group within ICANN, clearly that is okay. The next category I'd like to look at is, what if the primary rep is also a member of another group? NCSG, NCUC, NPOC, IPC are the ones that are typically being mentioned. But conceivably, it could be a registrar, or registry, or something else as well, or a member of the GAC, as we have examples.

So, is there anyone on this call who believes that that would be problematic, if an ALS primary rep was a member of some other group? I'm hearing nothing so could I ask staff? Judith, you're saying, "Yes, it's a problem"?

JUDITH HELLERSTEIN: Yes, it's a problem.

ALAN GREENBERG: Please, then, speak up.

JUDITH HELLERSTEIN: I'm trying. I'm on my iPad and I'm trying to get to the chat.

ALAN GREENBERG: Okay. Well, your chat, "Yes," came in. You're speaking, so please speak.

JUDITH HELLERSTEIN: So, my issue is I have no problem with you saying there can't be a leader.

ALAN GREENBERG: No. Right now, all we're asking is, can they be a member?

JUDITH HELLERSTEIN: Yes. I have a problem with that because I think they should be able to be a member.

ALAN GREENBERG: No. Then you don't have a problem with them being a member.

JUDITH HELLERSTEIN: Oh! I thought you were asking a problem with ...

ALAN GREENBERG: No. Let me restate the question. Is there anyone on this call who has the problem/who believes it should not be allowed to have a primary ALS rep also be a member of some other group, such as NCSG? This is something we have allowed and blessed for a long time. We have many members, even ALAC members, who are members of NCSG, so we've never had anyone indicate a problem with that. Is there anyone on this call who thinks that it is a problem?

I hear no one, therefore I ask staff, in this document—this is the one time that I ask you to make changes in the document—under “members of other groups, primary rep,” please put “okay.” I see the cursor wandering around. Is there a problem? Thank you very much. Perfect.

Next option. The primary rep is a leader within the other group. That is a chair of NCSG, a vice-chair, a secretary, or some other formal leadership

position. Is that problematic or should that be allowed? In other words, we can—

JUDITH HELLERSTEIN: Please, I have a question on that.

ALAN GREENBERG: Please, go ahead.

JUDITH HELLERSTEIN: So, the question is, I understand what you mean by “leaders” but we had a difference of opinion whether they were selected by leadership to be on the CCWG or another committee.

ALAN GREENBERG: No. I’ve tried to print this down—

CHERYL LANGDON-ORR: Alan, would it be better for you to read through every piece of this? Because otherwise, we’re going to lose every time.

ALAN GREENBERG: All right. You’ll notice if you read down the column, either on the screen or in the document if you have it open privately, I’m talking about different other roles that you may have.

This one is if you are a leader in that group, as an example a chair, a vice-chair, a secretary, or something else. There are other categories we'll look at later. So, do you consider it problematic if someone is the leader? In other words, could a primary ALS rep be the chair of the NCSG? Is that allowed? Yrjö has his hand up. Please, go ahead Yrjö.

YRJÖ LANSIPURO: Yeah. Thank you, Alan. I think that that should not happen. That would be problematic. Thank you.

ALAN GREENBERG: Thank you very much. Does anyone else either agree or disagree with Yrjö? Eduardo, please go ahead.

EDUARDO DIAZ: No, I just wanted to understand. Can Yrjö explain why it's problematic?

ALAN GREENBERG: Yrjö, please go ahead.

YRJÖ LANSIPURO: Yeah. That would be pretty hard for the person concerned, to begin with, because as a representative of his ALS or her ALS, and then as a leader in another group, sometimes there might be a conflict of interest between those positions. Also, yeah, I would like to keep things apart when we come to this category.

ALAN GREENBERG:

The term has been used, “double-dipping.” That is, you have an opportunity to participate at a policy-setting level in multiple different places. Now, one could ask whether an ALS rep is in a policy-setting position or not. In many ALSes, we know the ALS proper is not consulted and the ALS rep takes decisions.

I see we have some hands up, a comment. One thing Justine says, “Perhaps we should eliminate the word ‘etc.’” The reason I put “etc.” there is we have no real control what various groups call someone. They can call themselves an administrative director or they could have co-chairs or something like that. The “etc.” was there to cover nomenclature but the intent should be straight. Cheryl, please go ahead.

CHERYL LANGDON-ORR:

Thank you. Just working backward now from Justine’s question there and your response, Alan. Rather than “etc.,” we should perhaps look at specifying executive roles because I believe executive roles is what your intent is and executive roles would, in fact, cover all of those things. Whether we call them bananas or eggplants they would still be defined in function as an executive role.

I have a problem, however, and this is where I was originally putting up my hand. I, first of all, support the necessity and I think it’s a strong necessity to have this table. That needs to be linked back to the text, which is what I was going to say originally.

I think we need text up in earlier that says, “As defined in a non-exhaustive example,” or whatever. You know what I mean.

ALAN GREENBERG:

Cheryl, if I may interrupt, this table is a device with which I'm trying to get to a decision point. It's not going to be the definitive document.

CHERYL LANGDON-ORR:

And I can continue. I believe it does need to be part of, and not a polling tool. I think we do need a bleedingly obvious and absolutely unequivocal effect of “this is what it means,” because for me to support this at all it's going to have to be very specific because, believe me, people will misinterpret it in as many ways as they possibly can.

Coming back to that, for example, it was in this because I believe it needs to be part of the final documentation. We also need to be very particular in how we even define words and reuse words within the table. I can see it happening now because, for me, the second line, “leader within other groups,” it uses “group” there the same as used in the “group” in the line above.

If it is, then I'm fine. If it's not, then I'm not fine because “leader within another group,” if it is going to be interpreted to be inclusive of, say, policy development working groups, drafting teams, task forces, then I don't agree.

But what I'm saying is the specificity is vital, and so vital that I think this table is a tool that should continue to define the document. Now, I will shush up. Thank you.

ALAN GREENBERG: Thank you, Cheryl. My point was right now this table is a tool to make the decision. Yes, the specificity in it will have to be replicated in any decisions we make. From my perspective, “other group” was referring to other organizational parts of ICANN, not working groups or something like that.

CHERYL LANGDON-ORR: In that case, I vote differently depending on that definition. Now, you’re telling me specifically that you mean NCSG, NPOC, IPC. And I assume you also mean AC or SO?

ALAN GREENBERG: Yes.

CHERYL LANGDON-ORR: Well then, you get my point, right?

ALAN GREENBERG: I’m talking about organizational parts of ICANN, not operational groups.

CHERYL LANGDON-ORR: Well, you see, a policy development working group. Okay. Fine. So, we need to then say “operational or otherwise,” because if it’s operational then I have a problem. If it’s organizational then I don’t.

ALAN GREENBERG: I did not intend to include, and I will refine the wording to make sure that they are not included, such groups as CCWGs, PDPs, working groups to decide or recommend on something. I'm talking about the formal organizational parts of ICANN as defined in the bylaws and sub-groups that are because of it. If you can provide wording that will give you a level of comfort better than what I have done, I welcome them. Eduardo.

EDUARDO DIAZ: Thank you, Alan. I don't have a problem with the way it's stated there. I will have a problem here because the ALS and a leader being on a group, they have different scopes and different powers with people. I'm talking here about voting and things like that. Now, I will have a problem is they are leaders within the executives in ALAC or in At-Large and a leader in another organization because I can see instances that they might be in conflict of interest of divergent ideas that they have. It has to do with power. Thank you.

ALAN GREENBERG: Thank you. We are only looking at ALS representatives. That's the only part of At-Large leadership which is within our scope right now. So, it is conceivable that we would decide that an ALS representative could do anything they want in other parts of ICANN and it would be okay, but it's not okay for a RALO leader or an ALAC member. But the RALO leaders, ALAC members, and all of the other positions appointed by the ALAC are not within our scope to look at.

We are looking only at the ALS representative and we may decide that because their amount of discretion and power is limited we have no

problem putting “okay” in every box, here. That’s what we’re trying to decide. Let’s not confuse the issue with other roles.

I think I have heard so far, but I'm not sure that those who have spoken say that there should be a “no” in this box, not an “okay.” Is there anybody who believes I have this wrong?

EDUARDO DIAZ: Hi. I believe that’s wrong. I'm okay with it.

CHERYL LANGDON-ORR: I believe it’s wrong, yep.

ALAN GREENBERG: Okay. Cheryl, you’re saying it is okay to have an ALS primary rep be a leader within another group of ICANN, such as the chair of NCSG as an example?

CHERYL LANGDON-ORR: I am because that is my line of cut-off when I am referring to specifically a mere—and can I just remind you, mere—ALS primary or secondary rep.

ALAN GREENBERG: Okay. So, we have some people saying, “ALS rep is fine, but not a leader.” Ali said, “Could you please tell me, not a leader of what?”

ALI ALMESHAL: A leader within the ALAC or At-Large. So, if I am a leader there then I cannot participate or be a leader in another group.

ALAN GREENBERG: We are only talking about ALS representatives, here.

ALI ALMESHAL: Exactly.

ALAN GREENBERG: Not ALAC members. [cross talk]. Yeah, okay. So, you're saying—

ALI ALMESHAL: That I wanted to be clear, here.

ALAN GREENBERG: Okay. You're saying this is okay. Cheryl is saying this is okay. Bastiaan says, "Believe it's wrong." Jacqueline says she believes if wrong. Can we have one of those people who think it's wrong explain why? No. That's saying, "No, I think it's okay."

JACQUELINE MORRIS: I hope you can hear me. What I mean is it is okay in the chart because an ALS rep is simply a conduit. An ALS rep is not a decision-maker in any serious sense of the word. He's not a leader in At-Large, so why not let them? Especially if they are smaller ALSes where we don't have an awful lot of people who have time and ability to participate.

You can be a rep and do the conduit things from At-Large to your people, through the decisions and so on and so forth. But that is not a position that I think would cause any major conflict with another group.

ALAN GREENBERG:

Okay. Thank you. Just for the record, in a lot of ALSes the rep is not a conduit but actually makes the decisions, but I'm happy. So, the general belief is this category is okay. Do I now have that correct? Okay. Next line.

A member of their ... For instance, the NCSG has a policy council. This is a group of people who, together with the other members, make decisions on formal positions of the group. This is not replicated in every group but some groups have such a thing. Is it okay for an ALS rep to be in such a role? Eduardo, please go ahead.

EDUARDO DIAZ:

Thank you, Alan. The question is this if this member of [inaudible] that second example that you represented. If this person participates in that council and validates X policy, that might be 180 degrees different from ALAC. Now, that policy becomes political [inaudible] recommended to the whole group via the [support that's going on]. So, there is a big difference.

ALAN GREENBERG:

My understanding of NCSG—and someone who is a member might want to step in—is the policy council makes decisions. It's not put to a vote afterward.

CHERYL LANGDON-ORR: Would you like me to step in, then?

ALAN GREENBERG: Yes, please. Yeah.

CHERYL LANGDON-ORR: Okay. Policy council is a drafting effort and, just like the CCWG, within At-Large it is subject to, dare I say, less scrutiny, but nevertheless scrutiny and involvement by the list. Now, what that means is if you are concerned you can complain, as opposed to, "Here it is, and can you affirm?" I prefer the way we do it but it isn't, in fact, a final arbitrator of the policy. It's basically trying to ensure that slightly more than just one single penholder is always seen during everything. That's all. Thanks.

ALAN GREENBERG: Thank you. I stand corrected. The implication, therefore, is that it is okay to take on these roles for an ALS primary representative? I see tick marks. I realize there is a category, which is why I left blanks here that we have not covered yet, but let us deal with the next one first.

This is formal representative of the other group on, for example, a PDP or a CCWG. There may be other examples but I'm not sure we want them included. We might want to include specific reviews, here. I will look to, perhaps, Cheryl to comment on whether we should include specific reviews in this category.

I will add a category under this which is “leadership of these kinds of groups,” but right now we’re just talking about appointed by an AC or SO, typically to represent them on a group like this. Cheryl, please go ahead.

CHERYL LANGDON-ORR:

Thank you. In keeping with the rest of my—this is my personal information first, and then I’ll give you the definition—views. I think these should be all okay all the way down from an ALS rep point of view. It is different when you get to a leadership role.

That being said, the formal representativeness on another group, for example if by some amazing reason an Internet Society chapter which you can be a member of was also a member in NPOC, shall we say, and that structure was appointed as a formal representative in a seat for NPOC, NomCom, for example, I don’t believe that that should be an undeclared issue, and I believe all of the groups have sufficient accountability and transparency that that would be declarable.

But we are now deciding whether for an ALS representative ... From a representative point of view, it would mean they would need to step down from being the primary rep while they had that role. So, formal representative is a capital-M Member, someone who by virtue of the status of their membership is able to exercise a “poll or vote” in a final decision or consensus call.

Now, again, the problem here will be, does that include things like liaisons are ex-officios who may not have any power to exercise? But that’s just me being very picky with definitions again. There you go, Alan.

ALAN GREENBERG: All right. Let's assume it is referring to those with votes, not liaisons or ex-officios. Is your answer okay or no here? I'm sorry. I want to make sure this is stated really clearly.

CHERYL LANGDON-ORR: Well, you only asked me to give you a definition and I wanted to give you a definition that included that every one of the groups I am aware of has some form of accountability and transparency mechanism to ensure that it is declarable. So, it would not be a hidden thing. It would be an obvious thing. And so, now, if you want my personal opinion, I'm okay all the way down.

ALAN GREENBERG: Okay. So, you're an "okay" on that. Ali, please go ahead.

ALI ALMESHAL: Thanks, Alan. Just to clarify, can you help or clarify this, for anyone on this? If there will be any type of conflict involving this role or participating in this, being a former representative or a member of policy, compared to his being an ALS rep? So, between the ALAC and the other part that he is on? [Is anything] like that will happen or any scenario that will cause any conflict?

ALAN GREENBERG: If you're asking me, I'll give you my personal opinion. I don't think there are strong conflicts for any of these positions and ALS rep. I do acknowledge that, in many cases, an ALS rep may vote on behalf of an ALS on some issue which could ultimately be policy issues in our future. But it's a relatively weak influence of it and I don't see it as problematic.

CHERYL LANGDON-ORR: Alan, if I can follow? The other point there is when one is a formal representative then one has, under normal circumstances—and if not, one can always have them imposed—some formality in how one voices the group's views as opposed to one's own. That's where people like me spend half of their life saying "in the view of" and "in my personal view," because they're often, in some cases, entirely different things.

ALAN GREENBERG: Okay. Cheryl, I agree with you in theory but in practice we know many of our ALSes do not invoke the rest of their membership in making these decisions. So, we're dealing with reality. I'm saying I still don't—

CHERYL LANGDON-ORR: No, don't get me wrong, Alan. I wasn't working on the ALS [facts], I was working on the representative role forward.

ALAN GREENBERG: I understand that. I have no problem with this going forward. Eduardo, please go ahead.

EDUARDO DIAZ: This table that you put together, we answered the question for ... Once we answered the second slot, neither with other groups, the rest are below that. All of the groups are only for councils – are CCWGs, are PDPs. All of them are going to be okay because we answered the second slot, “Can you be a leader within another group?” Now, within an executive group, I know.

ALAN GREENBERG: Yeah. Eduardo, I think I tried to make it clear that the other group—and Cheryl shared the issue—I was referring to in this second text line was other formal part of ICANN such as the following, not including PDPs, CCWGs, specific reviews. So, I separated them out to try to make sure that we are all coming to an agreement.

At this point, I'm sensing that no one has any problem with any of these. Unless I hear otherwise, I'm going to put “okays” in here, in these. And if there are okays here, I'm presuming there should also be okays on the secondary rep.

Last question is, “Do they have to formally declare that they are holding other roles or do we simply know that since all of these other roles are effectively public, someone will know anyway?” Nadira, please go ahead.

NADIRA AL-ARAJ: [inaudible] muting. Just one point I put in the chat regarding that the [all] which we already approved to be [inaudible] is understanding that they don't hold any ALAC or RALO leadership position because it's by [defect].

We don't want, then, somebody saying, "Oh, okay. I can't be a leader," and they are holding a leadership in the RALOs, for example. So, it's just to [evince] the title of the table which we are working on. Have you got my point?

ALAN GREENBERG: We are only talking about the role as ALS representative. If you are holding some other leadership role in At-Large it's a different set of questions and it's not under our scope.

NADIRA AL-ARAJ: Okay. No, it's better to make it clear, here. That's why. Does it apply? None of them. We have to say "okay" on them.

ALAN GREENBERG: Okay. I don't sense any disagreement on the okays. I see Cheryl has her hand up. Are you expressing disagreement on the okays?

CHERYL LANGDON-ORR: No, I'm not.

ALAN GREENBERG: Okay. Thank you. All right. Now, Cheryl, I'm calling on you, then. Thank you.

CHERYL LANGDON-ORR: Okay. Dealing with the [declares], my personal opinion is absolutely. It needs to be yes, yes, yes, all the way down. We've had the "not applicable" on the top row.

I believe that a strengthening and essential nature of a properly and candidly filled out statement of interest by every single person who is at least in an ALS representation role and beyond— in other words, and upwards—is important, just as it is essential and required to even act in some of these things like a PDP drafting team/task force, etc.

In some parts of ICANN, you cannot function in these administrative or ... Groups that are active, these activity groups, until your SOI is lodged and the lodgment of that is called out at the beginning of each meeting as an admin point until you do lodge it.

So if, hypothetically, Alan hasn't got around to lodging his SOI for the GNSO for a particular policy development working group he would be asked at the beginning of each meeting to lodge it and we would all know he hasn't. That's the level it should be in my very biased view.

SOIs also need to be—and this is again my personal opinion—under continuous disclosure. In any group I run, I make sure that's enshrined and part of the admin. That is not the case throughout ICANN but it perhaps could be the case for our ALS representatives. Thank you.

ALAN GREENBERG: Thank you very much. Roberto.

ROBERTO GAETANO: Yeah. I think that they must declare it. It's for transparency. The problem that I see is, what if they don't? I don't think that we cannot apply any sanctions on this. So, it all has to be done in good faith. Thank you.

ALAN GREENBERG: Thank you. If they don't and we find out about them we call them on it, and since it will be an explicit rule they either have a choice of to step down as the ALS rep, or not be considered an ALS rep, or fill out whatever the form is we're asking them to fill out. That's why we have multiple reps. We can disenfranchise a rep if we find out they are not following our own rules.

The same thing is, what if they say they're distributing information to their members and we find out they're lying? We'll have to take some action. All right.

This table is now complete. Is there anyone who has a problem with it as completed? Then it will flow into the document. There will be explicitly no restriction about holding other roles and they will be itemized as well as possible. I ask anyone who believes whatever text I come up with is insufficient, then please provide alternatives. And yes, for any of these roles they must explicitly declare. And of course, we will have to provide a format for them to do that.

If we scroll back into the document—but we're going to be coming back here again—we are looking for the top of page seven. That's it. The next item that is highlighted is a similar discussion but we're not talking about the rep, we're talking about the organization, the entity. We can scroll down to the table again, please. The next table, now. The last page. Okay.

So, I've introduced an expression, here: the root ALS organization. I don't know what the proper term is, I don't think we have one, but this is the organization that is applying for or did apply and be certified as an ALS. So, it might be a local computer club. It might be an Internet Society chapter. It might be something else. That's what I am referring to.

And the question is, is it okay for an ALS root organization, such as an Internet chapter but not related to it, to be an ALS and not be affiliated with any other part of ICANN? Clearly, that is okay. That might be the norm. Jacqueline, did you want to speak before I finish with this introduction?

JACQUELINE MORRIS:

No, sorry. Go ahead with the introduction. I was just trying to get my hand up there early.

ALAN GREENBERG:

Okay. The next category that I thought should be delineated, and I'm willing to be told I'm wrong, is this ALS root organization which can vote in its RALO—as by default all ALSes can vote—is also a non-voting member of some other part of ICANN. Now, I'm not debating how they become a non-voting member of some other part of ICANN. I'm told that such entities do exist in some cases. Is that okay?

And the last category: is an ALS organization that can vote within its RALO is also an institutional voting member—because remember we're not talking about the rep, we are talking about the organization—of some other constituent part of ICANN. I open the queue. Jacqueline, please.

JACQUELINE MORRIS: Right. I would like to say that I believe that both of them should be an okay, mainly because there are many organizations that have multiple interests in different areas of ICANN. So if, as an example, I use my Internet Society chapter, we currently sit on NPOC and in At-Large. That's because we've got interests in both areas. If we had to choose, would that mean that we would have to give up ...? I mean, I'm not sure which one we would choose. I would be very depressed if we chose to drop out of At-Large.

But the thing is, I don't think it's fair to say that an organization that might have broader interests within ICANN should be forced to just say, "Yes, this is the only place that I can work in ICANN," or, "this is the only place I can work in ICANN." I think it's fair to let them work in any space that they can contribute. That's it. Thanks.

ALAN GREENBERG: Okay. To be clear, I did not specify what the remediation should be if there is a no in one of these categories. So, you said you're assuming you would have to resign from one or the other. That may not be the case. So, let's not consider the—

JACQUELINE MORRIS: No, no. I didn't assume. I said, "Suppose if we had to go that far."

ALAN GREENBERG: Okay.

JACQUELINE MORRIS: Not the “this is what I think would happen.”

ALAN GREENBERG: Okay. I'm trying to make it clear.

JACQUELINE MORRIS: Okay. I was just saying that I think any organization should be able to contribute to ICANN in whatever way they feel and in whichever place they feel that they can contribute well, especially for organizations that have a broader range of interests.

ALAN GREENBERG: Okay. I don't think voting, certainly in the ALAC and At-Large sense, says whether you can contribute or not. We have regions that have individual members who have no voting rights but we're presuming they can contribute. Otherwise, why are they there? So, I would not equate voting with contribution, just to be clear. Eduardo, please go ahead.

EDUARDO DIAZ: Yes. I'm not sure what we are doing here. Are we selecting okay for each one of these slots or are we selecting the best one?

ALAN GREENBERG: I haven't heard answers yet to these two except I think I heard Jacqueline say okay to both but I'm not sure. You're speaking so I'd like to hear your answer.

EDUARDO DIAZ: On those last two, is what you're talking about?

ALAN GREENBERG: Yeah.

EDUARDO DIAZ: I'm okay with both.

ALAN GREENBERG: Okay.

EDUARDO DIAZ: [Not wrong] with that. I mean, I find organizations to be ... They have different scopes. They are looking at a specific thing. But they can interact at one point in time. Yes, maybe, but you know ...

ALAN GREENBERG: I'm not trying to influence the conversation, I'm just trying to see what the consensus is. Judith, please go ahead.

JUDITH HELLERSTEIN: Yes. I would say okay to all but I don't see the point of number two. I would think that if you're a member you should not lose your voting rights just because you want to contribute to policy discussions in more than one constituency. I think you have information to give. I think it's good to educate members of what other policy options are out there, and I think it would be very difficult to have people lose voting rights if we say that they can only vote in one. I think it will detract people from coming to At-Large.

ALAN GREENBERG: Okay. To be clear, there are other organizations within ICANN which already have the concept. For instance, an organization can be a member of the registry stakeholder group and registrar stakeholder group but cannot hold voting rights in both. That is an already long-established rule within those groups. I believe there is a similar rule between the Business Constituency and the IPC, where there is considerable overlap.

So, these rules already exist in many parts of ICANN. So, that is why the second row was there as a different one from the top row. There are many other groups in ICANN that you can participate in and be active but not hold a vote when a decision must be made. That's why that point is there. Cheryl, please go ahead.

CHERYL LANGDON-ORR: Thank you, you've done a perfect segue for me in responding to Judith because I did want to point out that where there are restrictions that I am aware of in other parts of ICANN they are actually more commonly,

but not universally, relating to within the component part of ICANN, not between component parts of ICANN.

So, your examples are a perfect reason where they are controlling quite reasonably, “double-dipping” within a power structure within the GNSO. So, that makes perfect sense to me.

What doesn't make perfect sense to me is to have ALSes, the entity with root organizations, the ALS entity limited within At-Large because of the nature of what we do in At-Large and how we structure any critical vote in At-Large. So, even though I understand why the last one could say “not okay” or “not,” my personal opinion is in line with others that you've heard where it should be okay all the way down the line.

If that view did not prevail, if we had sufficient people in this team to say no, they're not happy with the third option, and we do want to have some limitations in terms of the organizational entity and voting within [allowers] and where it does vote in other activities, then I would want to play with the words because, to me, it's not the “can vote” but more the “exercises the vote.” Thank you.

ALAN GREENBERG:

Okay. Thank you. Two things. Number one, I'll just report an anecdotal statement that has been made in the past by Greg Shatan, that yes, he is a member of the IPC but he is not a voting member of the IPC. That is completely irrelevant to this statement/to this discussion. I'll just point out that the issue has come up that some people consider it relevant to participation in At-Large, whether you're a voting member or not.

Now, whether it's important or not, I'm not going to comment. Looking at the chat, pretty much everyone is saying row two should be okay. We have a divided group saying row three is not okay. I'd like to talk a little bit about the remediation, then, if row two is not okay.

CHERYL LANGDON-ORR: Alan, I'm sorry. I need to go. I have to run another meeting now.

ALAN GREENBERG: All right.

CHERYL LANGDON-ORR: Over the hour.

ALAN GREENBERG: Whatever decision we make today will be reviewed next week anyway, so if I've got it wrong from your point of view I'm sure you'll be speaking up or via e-mail.

JUDITH HELLERSTEIN: Alan, mine is a new hand.

ALAN GREENBERG: I understand that, and we're next on David. Actually, David, will you allow me to go forward? If we end up with a no in the last column ... If we end up with okay, that is no discussion. If we end up with a no, the

remediation that we could decide on was you can have a vote in the other organization but promise not to exercise it. That's a self-commitment.

The other remediation that I see as viable is you no longer have a vote within the RALO as an ALS. We already have categories within some RALOs that you can go into inactive status and you're still an ALS but you don't vote. So, we already have the concept within some RALOs that you can be an ALS but don't vote.

So, that could be a remediation. The other remediation is you simply cannot be an ALS and a voting member. So, there are three remediations that might apply if we say no in the third column. I go to David, please.

DAVID MACKEY: Hi. I just want to [quick tap]. Am I on?

ALAN GREENBERG: Yep.

DAVID MACKEY: Okay, good. So, at this point in time I don't want to make a definitive opinion for myself on okay or not okay. However, I do want to ask that you, Alan, or anyone else a question that goes somewhat orthogonal to the table.

In the discussion on the last table at one point, Alan, you briefly mentioned, with respect to the power that an individual ALS has or an individual ALS leader has, it was practically on the minimal side of things.

So, the question I had with respect to this table is, taking the theory that's in the table, is there any way to approximate the practical impact if we make a decision of how many ALSes this would affect?

The reason I'm not taking opinion is I want to know, before you make a theoretical thing, is it possible to predict what kind of power distribution? Is it minor, or is it major, or does anyone know? That's my question. Thank you.

ALAN GREENBERG:

Okay. Thank you. The reason I did the tables in that order was because if we decided that an ALS rep in exercising their vote has no real conflict then does that vote in the hands of the organization really matter? So, they are linked somewhat. I don't know the answer. That's why we're here discussing it.

In terms of how many, I'm guessing that we probably don't have more than a half a dozen ALSes that are also organizational members of other parts of ICANN. I may be wrong on that. I'm not sure we have the ready ability to do that other than by going through the list of members of, in particular, NCSG, and seeing where we recognize overlap.

I presume their list of members is public and we could do that. There is one ALS that might be an overlap with the IPC. I don't think there are many more than that.

So, we probably only have small things and it was pointed out we're ten minutes over so I think we're not going to have a definitive answer to this.

Thank you for pointing that out, Bastiaan, or whoever it was first. Judith, do you want to make your comment, and then we'll close for the day?

JUDITH HELLERSTEIN: Many of the ISAC chapters that are members of At-Large are also members of NPOC. When you said the examples, as Cheryl was mentioning, you were talking about examples of constituencies that are members of the same overall area. So, IPC and Business are all members of the GNSO. What we're talking about is cross constituencies; people who are members of At-Large and also members of NPOC or another. I think cross constituencies should be allowed.

ALAN GREENBERG: Thank you. Okay, thank you. Judith, you're saying it's okay?

JUDITH HELLERSTEIN: No, I said ... All right, I'm saying it's okay for all three. But I think we have to make a distinction between cross-constituencies and—

ALAN GREENBERG: Yeah, but we're only looking at ALSes versus other parts of ICANN so it's all cross-constituency.

JUDITH HELLERSTEIN: Okay. But then, you gave the examples of ones that were not.

ALAN GREENBERG: Okay. We've got people dropping off by the second. Do you have anything else to add before I—

JUDITH HELLERSTEIN: No.

ALAN GREENBERG: Take it under advisement? No? Okay. Could I ask staff to take a look at the organizational members of NCSG? I'll point out NPOC is part of NCSG, so if you're a member of NPOC you're a member of NCSG. Look at the organization members of NCSG and do a quick scan to see how many you see as overlap. We don't need 100% precision, but are we talking about three, or 20, or 50? Could I have someone from staff acknowledge? Okay, Heidi says, "Will do."

All right. We haven't gotten very far today so clearly we are going to have at least one other meeting, and I suspect two. My sense of the group is that we have okays everywhere, here, but probably also should be [declares] in this column. I'll propose something and see where we get. Thank you very much.

YEŞİM NAZLAR: Thank you, all. This meeting is now adjourned. Have a lovely rest of your day. Bye-bye.

[END OF TRANSCRIPTION]