

BRENDA BREWER: Good day, everyone. This is Brenda speaking. Welcome to the IRP IOT plenary call on 16 April 2024 at 18:00 UTC. Today's call is being recorded and is governed by the ICANN expected standards of behavior. Kindly state your name before speaking. Have your phones and microphones on mute when not speaking. Attendance is taken from Zoom participation. I have received apologies from Flip and Bernie. And with that, I'll turn the meeting over to Susan Payne. Thank you.

SUSAN PAYNE: Thanks so much, Brenda. And thanks, everyone. This is our call on the 16th of April. I'm going to mention just at the start, obviously, I'll give an update later if we have another person join us. But just to mention at the outset that at the moment, we don't have quorum. We need one additional person before we have quorum. I've taken the view that we can address at least some of our agenda where we're not strictly speaking really making decisions. It's more sort of closing matters off or noting that, you know, the time has passed for review on matters and that, you know, and so we can close them off. However, I think perhaps we can have some very preliminary discussions on some of our later agenda items, even if we don't have another member of the group join us. But obviously, being aware that we're not quorate, so we can't reach any actual decisions.

So first up, the usual kind of we'll do the quick agenda review and updates to statements of interest and so in terms of the agenda, I'll come back to action items. But we had various action items in terms of mostly about reviewing materials and raising any comments that we'll

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go through in a bit more detail when we come to that agenda item. But some are ongoing where the deadline is next week, but a number of them were to be dealt with by this call.

For agenda item three, looking at the formal sign off of the rationales document, and again, I'll come back to that when we get to it in the agenda. For item four, I put in a placeholder in the agenda in case there were any discussion that we need to have on standing panel training materials. However, at the moment, there have been no comments on either objections to the training materials or additional items. So I think that's probably an agenda item that we can pass over for this week.

Agenda item five is to discuss next tasks, particularly what the sort of feeling of the group is generally on whether we prioritize first the cooperative engagement or appeals. And then agenda item six was to start looking at one of the IRP rules outstanding items from the list of outstanding items that we looked at last week. And then finally, as usual, there's an opportunity for if anyone has any other business, and just noting that our next call will be in a couple of weeks' time on the 30th of April. So I'm going to go back to the top and just see if anyone has any updates to statements of interest. And if I don't hear any, we can keep going.

All right, on the action items then, I will just quickly sort of run through these all because there were a number of them. In relation to the rationales document, which is the version of the legal draft of the rules, which has been updated with our rationales that we developed previously, there was an action item for the group to review and provide any proposed edits or comments before this call. We had that

document before the previous call as well. So that's just to note that nothing has been raised on that. And then there was an action item for Bernard, which I confess he has done, and it's sitting with me to review before it gets circulated, was to create a red line version of that so that we've got a red line against the current insurance supplementary procedures so that the community can see the changes that have been made. So that will be circulated around shortly.

Okay, then we've got next set of action items is the standing panel training materials. The list of those training materials was circulated by Liz on the 29th of March. So we've had them now with us for a while. And there was an action for the IOT group to review that list and identify if there are any objections as soon as possible, but in any event by next week, by the 23rd of April, and/or to share any additional specific materials or types of materials that we think should be added to the standing panel's list. And I can see Kristina's hand. Just before Kristina speaks, I will just note that Becky Burr has joined us. So we are now at quorum, which is super news. So welcome, Becky, and thanks for joining us. Kristina.

KRISTINA ROSETTE:

Hi. Yeah, I was, and I will confess that I was completely unaware of ICANN Learn until I saw the list that Liz had sent around. And I think it's a super cool idea. I did actually take the IPC course just to kind of get a sense of what it was like. It seems to me, and maybe this is, I don't know. It would seem to me that at a minimum, there would be a good reason, notwithstanding the fact that there's different sets of bylaws, et cetera, but for the standing panel appointees to be directed to the

current accountability review section of the ICANN website, and in particular the IRP section. So that if they are interested in getting a sense of the types of issues that have actually become the subject of an IRP and get a sense of kind of the timing and the pleadings and et cetera, they have an easy way to find that material. I don't think it would necessarily be the case that you would want to, I don't know. I was going to say you wouldn't necessarily want to require them to read any of them, but I could also see that there would be kind of a good reason to suggest that at least for the ones that are being handled under the current, under the new bylaws, that they do so.

And as for the terminology, I can see why folks might bristle at training, I don't have a problem with it, but it would seem that two potential alternatives would be something like onboarding or orientation or something along those lines. Thanks.

SUSAN PAYNE:

Thanks, Kristina. I'll do the terminology first. Yes, one of our members felt particularly strongly about the term training. I think a number of us could sort of see where they were coming from and maybe weren't so concerned personally, but could appreciate that there was a feeling it was a bit sensitive. But it was, as noted here, it was something that Sam and Liz were going to take away. Not that we are dictating what they call the materials, but I think they did say that they would look at this again and actually both of those terms seem pretty good ones to me, I think, and maybe will help address that concern that was raised.

In terms of referring to the IRP materials or the accountability materials and particularly the IRP materials, I think if I'm recollecting our discussion on our last call, I think that was something that also came up. And it was suggested that there's a few areas where it would probably be helpful for there to be some kind of a request or recommendation from our group that certain materials might be useful or that certain things ought to be prioritized. And so we think that's something that we can definitely work on over the email. But I agree with you that I think there would be a benefit to the panelists getting a sense of parent cases. If I'm honest, I'd be surprised if they wouldn't read them of their own volition, but I don't think we should be assuming that.

Okay, I'm not seeing any other hands. So just to finish this section B off, that yes, that action for Sam and Liz, as we've mentioned, is around alternative terminology. So just mentioning that one for completeness. And then item C on the action items is around the sort of outstanding tasks and the next tasks for the IOT. We discussed on our last call as a first step that we really ought to look at the handful of items that relate to the actual supplementary procedures themselves that were originally on our list of items to look at and just work out whether there's anything there that needs to be addressed or not. And that, you know, given that we're trying to get rules finalized in relatively short order, that we should certainly, that should be the first task is just to knock those ones on the head. And then the subsequent task is really to look at what do we then work on next.

There was an action item for people to share views over email. I don't think I've seen anything over email, but it's down on our agenda item anyway to discuss this at number five. So I think we'll probably revert

back to this. So that's where we are for the action items, I think. As I said, a couple of them had a slightly longer deadline, the ones relating to the training material in particular. So those will stay on the list.

But I think then we can move to agenda item three, which is signing off on the rationales document. This is the version we currently have, the clean version, obviously, not the red line that will come around shortly. This is really just noting that as discussed on the last call, we had a deadline to raise any sort of issues or concerns or suggest any proposed edits if there were any in advance of this call. And that if there was anything that we needed to discuss, obviously, we'd do so. But absent that, we would view that rationales document now as in a sort of settled state for the purposes of going out to public comment. So this is just formally to note that, really. I don't think unless there is anything anyone wants to bring up now before we move on, I think that's as far as we need to take it on this agenda item three, just to formally note that that's finished off now.

And then agenda item four is with standing panel training materials. And noting Kristina's comments earlier, really good input. If there's anything else anyone wants to raise, please feel free to put your hand up. Otherwise, we will come back to this. We'll certainly, as we discussed last time, we'll try and progress this over the mailing list. And just a reminder for us all that it's not a fixed list. It's intended to be more of a living document. But the most important point was that if there is anything on that list that people feel is inappropriate to be referred to the standing panel members, the time for raising that is now before they get given the list of materials. It's hard to envisage what we might take objection to, but there's a sort of a deadline for us for next

week to do that, if that's the case. All right. I'm not going to belabor this one either.

So we can move on to agenda item five, which is a discussion on next tasks. And this is back on the agenda following on from last week. I think it was David's suggestion that we might find it helpful to get input from practitioners on this. There hasn't been any, certainly over the email. Flip, unfortunately, was unable to join us. And I'm not sure about Mike, but we don't have Mike here with us either. I know that Flip has various kind of NomCom responsibilities at the minute, and I think that's taking up a bit of his time at the moment. And so unfortunately, he hasn't managed to share anything with us over email.

I'll sort of say where my thinking is, and then welcome for people to express their own thoughts or disagreement with it. But to my sense, I think both of these are clearly important, and we heard from Sam to that effect last time around that they are things that would benefit from attention as promptly as possible. But to my mind, I think the fact that the cooperative engagement process is something that effectively everyone who brings an IRP or who's planning to bring an IRP is effectively required to enter into. It's not an outright requirement, but there are strong incentives in terms of legal costs for doing so. So pretty much there's an expectation everyone will enter into cooperative engagement.

And with that in mind, and the fact that the CEP rules as they exist at the moment relate to a procedure that is under the old bylaws, and also under a set of IRP rules that is now out of date. So it relates to timing for bringing an IRP that we have now amended, and it relates to it talks

about deadlines running from when minutes of the board decision when now an IRP is something that can be brought in relation to both board and staff action.

The current rules are being used because there's nothing else, but they're wholly out of date. And so although I think appeals is also important and something we will want to get onto as soon as we can, I think all of that warrants us dealing with CEP first. And then just as a sort of added point, I suppose the rules on CEP are really short. It's like a page of A4.

I don't think there's any need for the rules to become significantly more complex than that. And so it's a sort of much more kind of light touch version of rules or procedure than we've all been spending our time on the IRP at the moment. And so it hopefully doesn't seem so onerous as having gone straight from one set of rules into another.

And so my proposal, absent sort of strong objection or a discussion that leads to a different decision, is that we start with the CEP and then in relatively short order, we move on to appeals. David.

DAVID MCAULEY:

Thank you, Susan. Hi, everybody. It's David McAuley speaking for the record. I almost put my hand down, Susan, when you just said it's a single page of A4, because I didn't realize it was that simple. But let me just mention what I was intimating a couple of weeks now, why I think appeals would be the first in order to address. And it was me that suggested let's talk to practitioners Flip and Mike, but also Liz and Sam or from one of their colleagues on the ICANN side to see what their

practitioners think as well, to see which of the two should perhaps next be addressed, which they see as more important.

In my personal view, and I'm not a practitioner and have not been, you know, representing anybody at IRP, I would have thought that appeals are more important now that a standing panel is imminent. And my reason for that is the decisions that come out of IRP panels and perhaps appeal panels, but decisions are starting to create a body or they will start to create a body of precedent that could be and decisions could be enforceable. And so the litigants or the parties, whatever you want to call them, may wish to at least be able to consider an appeal and know what they're considering, know what the land, what the lay of the land is that they'll have to deal with.

And so I sort of thought that was more important for that reason. I came away from other discussions we've had with a general sense, and maybe I'm incorrect in this, but a general sense that CEP is a useful opportunity. It's good to have baked into the system, but that it's not critical. So those are where I'm coming from. It's not an objection. It is just my preference. So thanks very much.

SUSAN PAYNE:

Yeah, thanks, David. And those are really good points. Kristina?

KRISTINA ROSETTE:

So I think, and I had meant to do this before the call, but it occurs to me that Sam might actually have this information. I think one factor that we should take into account is how many active IRP proceedings are there

that are in a position where, but that an appeal could actually be lodged or would be capable of being lodged? Because it would seem to me that if there are a couple IRP proceedings that are in progress, but for the fact that there really aren't any rules, there could be an appeal filed, then I would think that would certainly be important factors to take into consideration.

As for CEP, I know many of you forget this because it's been a while, but I was a practitioner and did go through an IRP. And it always struck me that CEP was an opportunity or was a mechanism rather than wasn't the value of which wasn't being fully realized. And I don't know if that's because it is so, the official legal term, loosey goosey, or whether it's just for a variety of reasons, a party that actually gets the point of CEP and really wants to actually go through the IRP process.

I don't have the answer to that. But I do think that if there are no IRPs in a position where an appeal is capable of happening within the next six to eight months, then I would vote for starting with CEP. I also think quite frankly that for me, the value of potentially starting with CEP is that the rules we've done is a pretty heavy lift. And it seems to me that as between CEP and appeals, that CEP has the potential for frankly being easier to handle efficiently and effectively. Whereas I think appeals, we may end up with some pretty heavy workload there. Thanks.

SUSAN PAYNE:

Thanks, Kristina. Sam?

SAM EISNER:

Thanks. So in response to Kristina's question, I believe that we have two IRPs that are currently ongoing and there's always the potential for new ones to get filed. One of them is subject to a, there's a pending motion to dismiss that's still before the panel. So I don't know the timing of when that would be heard or the process for that being heard, but that is an opportunity for the disposition of the IRP, which if it results in a declaration, possibly could be the opportunity for appeal. So there are two that are pending and one that could be in a place to come to conclusion sooner rather than later. I think the other one, the dot web one has, it's a little earlier in the process, I believe. So we're not really, even though we'd like them to conclude expeditiously, I don't think we're really at that six month window on that one. Be nice if we were, but I don't think that that's necessarily practical.

So we do have one that's likely to come to some level of conclusion without pre-identifying whether it would be a disposition of it that would be subject to appeal or not. That would be a different matter, of course, for people to brief up and I'm not really involved in the day-to-day defense of that within ICANN. So I don't really know all the details of what's going on. I can follow what's going on online.

I'm kind of of two minds as to which one's more important. I agree with Kristina's description of the CEP process that it's a process that could have a lot of potential and it hasn't really lived up to that potential. Particularly having people who've been through that process, it would be interesting to see how we could make it a more meaningful process for the purpose of really trying to identify if there's a way to resolve something before filing a really help to narrow those issues that are presented within an IRP.

At the same time, we don't have really any rules governing appeals and appeals aren't necessarily a normal thing within arbitration processes. So we have a place where we have outdated rules that we know aren't serving the community or ICANN well on the CEP side, but then we have the appeals where there's kind of a void of process really.

So I feel needs to move both of them. So I think it's really up to the IOT which one to move more quickly. I get that idea of the quicker win, bringing it to closure more quickly on the CEP that Kristina raised, but I think also there's a need to really start digging in and start getting some work done on the appeal. So I don't know if there's a way to maybe dual track it or to set some time limits to devote to one and see if we get anywhere and then move to the other if we're not able to make quick movement.

SUSAN PAYNE:

Well, thank you. That's really helpful. I'm hearing what you said and the comments from Kristina and David and [inaudible] given the sort of two to three IRPs that potentially might be in scope for an appeal, that does seem to suggest we might want to prioritize that one more than the CEP. Albeit that I do agree, I think the CEP probably is the lighter lift.

So I guess something for us to think about is, do you think with the size of the group we have and that we could dual track this or is that just going to drag both of them out unnecessarily? I'm sort of willing to give it a go at least to start with. As I said, I think our first task is to knock these sort of few issues on the interim rules out of the to get them off our plate. But do we try when we've managed to do that to do sort of

half a call on one and half a call on another and see how we get on? And if it's proving unworkable, we'll focus on one and take it through to conclusion. Kristina?

KRISTINA ROSETTE:

Thanks very much. So I'd like the idea of dual tracking. I don't know whether we realistically have enough people to do that. And I will also note that it seems to me I've just taken a super quick look at the IRP page with the list of IRPs and which ones are still kind of in process. And this is kind of awkward, but I'm just going to go ahead and say it.

I do think that folks who are either involved directly in those IRP proceedings or employed by entities that are party to those IRP proceedings. I think for optics reasons, I would prefer that they not necessarily be involved in the decision of do we do CEP or appeals first. I think that could color or be interpreted to color more accurately be interpreted to color kind of our direction. And I'm not necessarily comfortable with that. Thanks.

SUSAN PAYNE:

Okay. All right. I'm kind of noting that comment. Obviously that [puts Sam and Liz also] in that camp to some extent, because they're obviously a party to all of these proceedings. I think we still have a bit of time. We don't have to necessarily start next time. I'm minded for us to see if we can try and dual track it at least to start with. And if we can't do so effectively and people are getting confused or we're just not making progress, we'll have a rethink. But I'm cognizant of your comments, Kristina, I've tried to take on board what people have said,

but bearing in mind that obviously some have some sort of skin in the game or an employer's skin in the game at a minimum. But I think it's a challenge for our group altogether, because even if we were joined with some of our other members, I suspect that probably the practitioners representing in those cases as well. So it is a challenge with the group of the size and the people who are participating actively. But a number of people have active involvement at the minute. David.

DAVID MCAULEY:

Thank you, Susan. Kristina's point about disqualification, I can understand it. It would disqualify me and I think Sam and Liz. And I worry a bit about the size of our group. If ever something like that was going to happen, I think you would want to poll all of the members, at least the members that normally come to the meetings. And that would include at least Flip, Mike, Greg, Kavouss, and maybe a couple of others I can't recall right now.

But the group is so small, we have such a hard time now. And I think Kristina made a decent point about dual tracking. I think we can try it. I don't have any problem with that. But I would suspect it may be a better approach to call people out if you think that those of us who would fall into that camp are being overbearing, unfair, partisan, or whatever. I've already put out a slide deck about appeals issues, at least I think we should address. And so I've already engaged in the process to some extent. But I will be happy with whatever the group decides. Thank you.

SUSAN PAYNE:

Thanks. And I will come to you in a minute, Sam. I will just say that I didn't understand Kristina to be suggesting exclusion from the discussion on the actual rules, but more on the discussion on which one we take forward first. Although, if I've misunderstood that, it would certainly be helpful to know that. But in terms of working on the rules, I think we arguably all in some sense have some skin in this game or maybe about to have. So it becomes even more difficult if people have to start recusing themselves. And so maybe it is a question of us all just being aware and calling each other out if we think we're overstepping. Sam?

SAM EISNER:

Thanks, Susan. I was going to react on the same point. First, I take Kristina's point, and I appreciate the sensitivity she's raised around this, and I'll take that in mind. You know, we're actually not in a position of advocating one over the other from the ICANN side, though I appreciate the IOT sensitivity to the fact that each of these need to move.

In terms of making sure that we remain aware of where there's potential interaction I think that the IOT itself, it works like many other groups around the ICANN community, and then there's been a specific identification of ICANN's role at the table here, too, which is that ICANN is participating both as ICANN but also as we have things to bring to the table that don't necessarily happen within other working groups, but that special nature of ICANN participation has already been recognized. But also with the other people who are serving on the IOT maybe as we're entering into some of these other phases, we could think about Susan, you're always calling for statements of interest, but maybe kind

of a renewed focus on statements of interest to confirm whether or not there's intended or potential interaction with ongoing or likely to be filed IRP claims, because we do maintain that tracking of things that are within CEP as well.

And so maybe there's some place for us to have some additional rigor as we look at statements of interest, just to make sure that there's the record, not just for everyone who's participating, to be reminded of the fact that those who are participating might have specific use cases in mind, but also to create that record for the future that we took it as a good practice among the IOT to remind ourselves and remind each other of the interests with which we come to the table, because we don't necessarily need to disqualify people, right? I think that's the heart of what Susan was saying, but that we do need to make sure that we're all aware of the interests that we're bringing to the table. And it's easy for you to tell from me and Liz, because we have eye-candidates to our name, but sometimes for others, we might not always remember who has a pending CEP or who has a pending IRP, et cetera.

SUSAN PAYNE:

Thanks, Sam. That's a really good suggestion. I think maybe we do do it. It's more or less a standing item every sort of call, but I'm not sure that any of us really spend that much time thinking about our own SOI or anyone else's. So perhaps I should even make that an action item maybe on our next call, I'll ask everyone to just take some time before the next call and review their SOI and really think about if there's anything they need to flag. You know, it may not be something new, but just a reminder to people that by the way, I am representing a party on

an IRP or by the way, something came up recently and there's no IRP at the moment, but it's conceivable we might bring one something like that. I think perhaps that's a worthwhile exercise for us to just quickly do at the beginning of the next call or even over email. But people don't necessarily always handle action items over email. A combination of both, I think.

All right. I think that's probably as far as we can go. I've been sort of persuaded by the discussion we've had and by some of the considerations and the fact that there are these active IRPs that theoretically could need to bring an appeal. I have been persuaded that perhaps we should, we'll try dual tracking it. We'll see how we get on. And if we can manage to handle both, then we will.

All right. So, agenda item six is, I wanted to give us something sort of substantive rather than kind of procedural to at least start thinking about. And so this is one of the outstanding items on the IRP rules, or at least it was one of the items on our list for us to consider whether any work needs to be done. I don't want to go so far as to say it's an actual outstanding item. It may be that we'll look at this and decide that we think that what we have in Article 10 on interim measures is adequate. And in which case we can then just take that one off. And if we think it isn't adequate, it hopefully is a relatively easy task for us to maybe propose some small amendments and additions. So, Brenda, could you pull up the attachment that was with the agenda that was the one on the interim measures? I can't remember what its actual name was.

BRENDA BREWER: Yes, I can. I have a couple open here, so let me find the right one.

SUSAN PAYNE: I think it's called IRP Outstanding Items in Interim Measures or something like that.

BRENDA BREWER: Okay, got it. Thank you very much. That was helpful. Does that look right?

SUSAN PAYNE: Yes, perfect. Thank you. And looking at our time, I think we aren't going to be able to do much more than just kind of introduce this subject. But really this is just a sort of kickoff. And to the extent that people have immediate views on this, we can obviously have a bit of a discussion, but also tee this up for a bit more of a detailed discussion next time.

So, the questions that were identified for us for consideration, and this is just, again, taken from that outstanding items list, was for us to consider codifying typical arbitral practice in clarifying that an emergency panelist or the IRP panel has authority to modify interim release measures. And then a second point, for procedural equity, consider defining a page limit and write a reply for a request for interim measures. And then that NB, there might be some overlap with work on consolidation. That was a comment that I added when I put that list together. Because I think at the time, at one point, we were talking about whether we utilize that emergency panelist concept for requests for consolidation or participation as an amicus. I think that's kind of

fallen away now that we've concluded our discussion, and our decision was that that was a decision we were deferring to a full three-person panel. So, actually, I think that overlap point is perhaps not so relevant now.

And then just to try and sort of help the discussion, I reproduced what the current Rule 10 says. So, it's in the interim supplementary procedures. It's a fairly short section. But I wanted to highlight what it says on those two different items. And so, without reading the whole of Rule 10 out, but allowing people the time to just quickly cast their eye over it, if you could scroll down just a tad, Brenda, that's perfect.

I highlighted first the part in green, which refers to any party whose arguments were not considered prior to the granting of interim relief may submit any opposition to such interim relief, and the emergency panelist must consider such arguments as soon as reasonably possible. So, that somewhat goes to the question referred to us about a right of reply for requests for interim measures. It doesn't address, actually, the page limit item, to be clear. I haven't quite got my highlighting right, I think.

And then on the second element, the bit in yellow talks about the emergency panelist may modify or terminate the interim relief if they deem it appropriate to do so in the light of further arguments. And so, that goes to the point on our sort of identified for us to consider about codifying arbitral practice on clarifying that the emergency panelist or the IRP panel has authority to modify. So, it addresses the emergency panelist element of that, but not the IRP panel element.

And then what I also shared, just for convenience, is what ICDR Rule 7 says, or rather Article 7, which is about emergency measures of protection. And bearing in mind that the supplementary procedures are to be read alongside the ICDR rules as well. Yes, and if you wouldn't mind scrolling down a bit, Brenda, that would be super. Somewhere I've highlighted. Perfect.

So, we have a bit highlighted in green in paragraph three, which talks about the emergency arbitrator as soon as possible and in any event within two business days establishing a schedule for consideration of the application for emergency relief. Such schedule should provide a reasonable opportunity to all parties to be heard and may provide proceedings by telephone, video, written submissions, or other suitable means as an alternative to in-person hearing.

So, again, it doesn't call out things like page limits, but it definitely envisages this as being something that the emergency arbitrator can make some provisions on themselves and also addresses, again, this requirement for opportunity to be heard for the other party.

And then in paragraphs four and five, we've got in four the emergency arbitrator being, may modify or vacate the interim award or order. And then in five, it points out that once the tribunal has been constituted, so that would be the full three-person panel, the tribunal may affirm, reconsider, modify, or vacate the interim award or order of emergency release that was issued by the emergency arbitrator. So, again, that's addressing that aspect that we didn't have in our own rules about it being a power of the panel themselves to change the emergency relief order.

And so, again, this is really just teeing this up, but I think it's for us to consider when we read what we currently have in ICDR Rule 10, in conjunction with these aspects of the ICDR rules, do we feel that this issue is adequately covered? Is there a strong feeling that some of those items that are in the ICDR rules ought to be picked up into the Rule 10 so that it's more convenient for parties? Or bearing in mind that the whole of the interim supplementary procedures is being read alongside the ICDR rules, is there a gap that really requires us to fill? And with sort of five minutes to go, happy, obviously, to hear any immediate reactions, but I think this is really just teeing this up for us to perhaps circle back to on our next call. David.

DAVID MCAULEY:

Thank you, Susan. I think it's a really good tee-up that you've done. I would add one question, and that is, by the way, the interim rule that you read very much tracks bylaw 4.3(p). We also should look at 4.3(o) because it relates to interim measures, too, and I think we need to read the two together and make sure that they cohere when we come up with our rule. So my question or comment is also in the nature of teeing something up. I think we should look at the two together. And I think it's possible that we could approach this and make the – they seem somewhat, at first glance, in conflict, but maybe they're not. And I just wanted to tee that up. That's all. Thank you.

SUSAN PAYNE:

Yeah, thanks for that, David. Okay. That's a good flag. I'll circulate an additional version then, or rather a new version of this document that's

also capturing those bylaw sections that might be useful for people to have all of that in front of them when they're thinking about this. Okay. All right. And I'm not seeing any other hands, so I'll just pause briefly. But otherwise, really, this is just, as I say, teeing up for more fulsome discussion.

Then in terms of AOB, it's something that those of you who, as you were joining the call, Brenda and I were talking about. And I think I probably will need to email the group. I also need to catch up with Bernard. But it was just a question about who is planning to be in Kigali, just so that we can determine whether we have a face-to-face meeting there. I do also need to catch up with Bernard and understand whether we're likely to have documents out for public comment. And therefore, we maybe ought to be doing some kind of a community session explaining the public comment. So really just trying to get an idea of who, if anyone, is actually planning to be on the ground in Kigali. Yeah. People are saying, Christine doesn't know. David's probably, but not a definite. Okay. And that's really, I'm sure Becky is obliged to be there. Yes.

And that is the other issue Sam was mentioning. She'll be there, but her schedule is always in flux. And that's the other issue. I mean, we've really struggled at the last few meetings. We've done what we could. We in wherever we just were, we had quorum for one meeting, but not for the second meeting, but not for the first. I have a feeling that people on the ground in Kigali are likely to be a relatively small number and it may be that we get more done if we actually just stick to our regular kind of Zoom call at a kind of regular time. But I will also double check with Bernard, because it may be that we should be doing a community

session on the public comments, assuming we've managed to get something put out by then.

All right. Thanks for that. And I'm also noting Liz, unfortunately, won't be in Kigali, but will have the pleasure of trying to participate remotely at some awful time of day, which is obviously very appreciated. All right. And then flagging our next meeting is due to be the 30th of April. And so keep an eye out for a calendar of invites for that.

All right. I think with that, we're at the end of our agenda for this call. And I can ask Brenda to stop the recording and we can wrap up. And I've lost Brenda.

BRENDA BREWER:

Okay, I will stop the recording. Thank you so much, everyone, for joining.

SUSAN PAYNE:

Thank you, Brenda. Thanks, everyone. Bye, everyone. And thanks for your participation.

[END OF TRANSCRIPTION]