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Nathalie Peregrine: Good morning, good afternoon, good evening. This is the Duties and Methods Drafting Team call on Thursday the 16<sup>th</sup> of August 2012. On the call today we have Alan Greenberg, Cheryl Langdon-Orr, Olivier Crépin-Leblond, Carlton Samuels, Rudi Vansnick, Yaovi Atohoum and Eduardo Diaz. We have an apology from Darlene Thompson saying that she might be joining quite late today.

Other apologies are Tijani ben Jemaa, Cintra Sooknanan and Sergio Salinas. From staff we have Heidi Ullrich, Matt Ashtiani, Silvia Vivanco and myself, Nathalie Peregrine. I would like to remind all participants to please state their names before speaking for transcription purposes. Thank you very much, and over to you.

Alan Greenberg: Thank you very much. The last meeting, three weeks ago or whenever the last meeting was, I believe we had concluded the discussion of ExCom responsibilities. Unfortunately it seems the minutes that were either taken are gone or they weren't taken. I'm pretty sure that I did see notes being taken during the meeting, but regardless they don't seem to be available right now. So I or someone will have to go over the mp3 or wait for the transcript. Do we have any idea when the transcript will be available?

Heidi Ullrich: Alan this is Heidi. We can expedite that; we'll call and work with Christina on that.

Alan Greenberg: Okay. Because it would be nice to have something from that meeting so we can start doing some drafting work based on whatever it is we did discuss.

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Heidi Ullrich:

I'll send a note right now.

Alan Greenberg:

Okay thank you. The next task which was the item we didn't get to on the last meeting and I think is the only, is the one we're going to be starting on this meeting and continuing is to review the document that I had put together just prior to the meeting in Prague on responsibilities and duties, prerequisites and such of the various positions. And I have had, I don't believe we've had any real comments on it, any substantive comments on it, although I may have missed some on the Wiki. If anyone knows of any then please raise your hand or speak up.

However the document did raise a lot of questions of things at the time I was drafting it I thought were issues that this group needed to look at or questions that came up while I was trying to interpret what was in the existing rules of procedure. And my suggestion is that we go through the document, make sure all the people on this call are comfortable with what it says and address any of the parenthetical issues, they're all in square brackets and highlighted in yellow in the document, which is in the window up on the screen right now that you should all have control over.

Any questions about what we plan to do or if this is a good thing or a right way to proceed? Rudi? We have more hosts than we have participants today, that's really scary. Alright, then let's start with the first item. If you get bored of listening to me or my voice goes because I do have a cold, then someone else I'm sure will volunteer to take over, either Eduardo or Cheryl as they feel appropriate.

The definitions which are not formally our responsibility but I think we need to vet what they're contents are – someone is scrolling – whoever is scrolling the thing is scrolling for everyone. I'm not sure who was doing that – Eduardo was, okay. If I scroll now do you all see it scrolling it too?

Cheryl Langdon-Orr: No, it's been un-synched.

Alan Greenberg: Okay, so Eduardo is special. Okay. What I had there is the officers, an ALAC officer is the Chair the vice-Chairs and the other perhaps untitled officers. There has been some discussion whether we want to call them officers or not, and I think that is a valid discussion to have, but for the purposes of trying to draft the rules I would suggest we keep the term and perhaps change it or drop it in the end. It just becomes very wordy if we don't have a term to describe these people.

And I would suggest that we say there are five officers, one per region. How they're selected is a subject, is not part of the definition. Of which one is Chair and one or two are vice-Chairs. And I think that covers most of the various discussions. In my mind having more than two vice-Chairs is going to look top heavy to the rest of ICANN and I'm not sure there's a lot of merit in that. I think there is merit in distinguishing between vice-Chairs and the other officers, because someone volunteering to be vice-Chair is implicitly volunteering to take on a larger workload than one of the unnamed officers. Olivier?

Olivier Crépin-Leblond: Thank you Alan. It's Olivier for the transcript. I was just trying to remind you that I think in the last call someone did mention that the term officer did not translate well in other languages, so we might need to think of other terms that that applies to.

Alan Greenberg: Yeah and that's why I said that might not be the term we use in the final version, but I was suggesting we keep that term just to have a term right now to describe the five people. Certainly I'm not wedded to the term officer and if it doesn't translate well then we need to fix that. It's a concept that's used within

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corporations and so I'm sure there is some term we could use that will translate properly. Eduardo?

Eduardo Diaz: Yes Alan. This is Eduardo Diaz. I'm just needing clarification. When we talk about officers like the Chair and five officers or whatever we call them, how does that differ from being the ExCom, the Executive Committee? Are we talking about the same thing or are they two different things altogether?

Alan Greenberg: I think we are talking about the same thing. We also had a discussion of whether we should call the ExCom the ExCom or something else, and at the last meeting I believe we came up with a set of words that we were comfortable with for what the ExCom does. I think my original draft had something like "Advises the Chair" and we changed that to "Works collaboratively with" and things like that. So yes, there is no difference between the five officers, in my mind, and the ExCom, both terms are ones that we may want to replace as we go along.

Eduardo Diaz: Thank you. So here, what we are defining here is what an ALAC officer is?

Alan Greenberg: That's correct.

Eduardo Diaz: Okay.

Alan Greenberg: And I mean as I look at it I see what it actually says is the Chair and the vice-Chairs, what is there does not include the other people rounding out the five, so

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that clearly needs to be fixed. But yes, in my mind the two are synonymous, the ExCom and the set of officers.

Eduardo Diaz: So why don't we say the ALAC Chair and five officers, I don't know, something like that.

Alan Greenberg: Well I did have some words that I threw out a little while ago. It is the five officers are the five ALAC members, one from each of the five regions of which there's the Chair, the vice-Chair, one or two vice-Chairs and the others. I'm not sure I want to try craft words on the fly here, but the intent is that we're talking about the same group as well as the ExCom.

Eduardo Diaz: Okay thank you.

Alan Greenberg: The next one is liaison, and I think that is a clean one. That is a person formally representing the ALAC on another body within or outside of ICANN. I don't think we need any more elaboration of that, but maybe somebody else sees something else missing. No hands, comments? I'll take silence as a oops – one tick. I'll take that as good. The next one I found a slightly awkward term, but I found as I was drafting the documents I needed something, and I called them a non-liaison appointee and that's someone selected by the ALAC. The duties are exactly the same but they're not deemed to be a liaison; the position does not hold the title liaison.

And again, this is a term that we may find we don't need as we do the final drafting, but for the discussion I thought it was useful to have a term. We may or may not keep it. And lastly, I ended up, in drafting the various statements that follow, I ended up often saying liaison or non-liaison appointee, and so I

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defined the term appointee to be either of them. Again it is perhaps redundant, perhaps not needed, but it made the sentences a lot easier as I was going through the rest of this. So if anyone has any objection I would suggest that we keep it for the moment.

Eduardo in the chat I did see you said “can you give an example” – I don’t know when you said that, so an example of what?

Eduardo Diaz: Of a non-liaison appointee. Have we had one before or do we have one now? I’m not sure what that is.

Alan Greenberg: Yes we have all sorts of people who we put on committees and groups formally representing us who don’t have the title liaison. I’m having trouble coming up with one. I’m not sure, the IDN one I don’t think we call liaison anymore, but I’m not sure. SSAC is not a liaison. Thank you.

Eduardo Diaz: Is the difference here between liaison and non-liaison appointee the fact that the liaison has to be elected and the other one is appointed?

Alan Greenberg: No I don’t think so because the rules in general say “selected,” and whether we have an election or not is up to us. I think the only difference is some of them are designated liaisons and some are not. I couldn’t find another real distinction between the two.

Eduardo Diaz: So do we need the two?

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Alan Greenberg: I don't know. As I was drafting it I found it was useful to, we may simply have appointees and then note some of them may be designated liaisons.

Eduardo Diaz: Well to me they are liaisons from ALAC...

Alan Greenberg: Well except typically the group that you're going to decides whether it is a liaison position or you're simply one of the members of the group. For instance, when Cheryl was put on the ATRT she wasn't a liaison but she was appointed by the ALAC to be on the group. And the same for the people we've put on the other review teams.

Eduardo Diaz: I must be kind of confused but we can talk about this later.

Alan Greenberg: Alright, well can you...go ahead.

Cheryl Langdon-Orr: Thanks. This is Cheryl for the record. Eduardo, our existing rules also have appointments which are segregated from liaisons with a capital L. So what we're talking about is appointments where the ALAC appoints someone often in a representational role. But liaisons, which are Bylaw-mandated in the cases of the GNSO and ccNSO, as well as referred to as in a number of workgroups outside of the ALAC we appoint people to be liaisons as defined in for example the GNSO workgroup rules.

So we kind of do need the two separate definitions even though really any leadership or representational role once given are really all I guess under the big heading of appointments.

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Alan Greenberg: Thank you Cheryl. I have Olivier, but I just want to comment. As I was writing this, when I started I thought the definition, not the definition but I thought the descriptions that follow for the two might be different. They ended up being identical. I couldn't find a substantive reason other than one of them had a title and one didn't. So we may end up simply saying they are ALAC appointees, some of whom are called the title liaison and some don't.

Again, I don't think we need to debate that here. What I really would like to get to is passed the definitions and start talking about the substance of what the prerequisites, requirements and such are. Olivier?

Olivier Crépin-Leblond: Thank you Alan; it's Olivier and you've just caused me to change my mind so I put my hand down.

Alan Greenberg: Okay. I wonder how I did that. Okay.

Olivier Crépin-Leblond: Talk about the substance rather than the definitions I think.

Alan Greenberg: Well I don't mind talking about the definitions but the titles I don't think we need to talk about now because I think that we accept that pretty much all of them may change when we're getting closer to the end product.

Olivier Crépin-Leblond: Agreed.

Alan Greenberg: Okay. The next one is another awkward term, but I again found that in trying to describe things I needed a name for the place that we appoint people to, and I



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called it the target group. If anyone has any better suggestions. So, the GNSO liaisons target group is the GNSO. So for Julie Hammer it's the SSAC. For Cheryl's old appointment it was the ATRT. It's the group to which you are representing the ALAC. And staff again is a very generic term for the things that we expect ICANN salaried people to do on our behalf. Okay, yes go ahead.

Yaovi Atohoun: Thank you. Yaovi Atohoun here. As you said staff is a more generic term, I would suggest that we talk about support staff. Because the issue is [fine for me] (inaudible) talking about staff whether we talk about support staff or we don't put it [in here at all]. So it's not so different. We either talk about support staff or we just remove it. Thank you.

Alan Greenberg: Okay so you're suggesting we use the term support staff?

Yaovi Atohoun: Exactly.

Alan Greenberg: Alright. What I did was I defined the term staff which means ICANN support staff identified to work with ALAC and At-Large. Maybe the defined term should be support staff, I'm quite happy, like all the other definitions, I'm happy if we change them in the final one. Here I'm just trying to define what it is when I use the terms later on. So, if there's a feeling within the document we prefer to call it support staff instead of staff I have no problem with that certainly.

I just thought we should have a nicer term than "hey you" – that was a joke for those who don't know that. Now, so we can start going into the actual substance then. "All ALAC officers must be ALAC members." I think that has no disagreement. "An officer need not be an ALAAC member at the time of

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nomination but there must be a reasonable expectation that they will meet membership requirements by the time their term begins. Should that not prove to be so, the officer must be reselected.” That is basically the rules we have right now and I cannot explain why we wrote them that way but it turned out for a number of reasons that it has worked out very well, because we have potentially half of the ALAC turning over at any given transition. It’s important that we not restrict ourselves to just service ALAC people.

Okay, the next one. “Liaisons need not be ALAC members but they will normally be a current or past ALAC member or otherwise familiar with the ALAC, At-Large and the target group to whom they will be liaison.” The first part is pretty well identical with what we have now. Adding “familiarity with the target group” again, not as an absolute requirement, but with the term “normally” I think is a reasonable addition to that. You’re welcome Heidi by the way; I just saw your note. Dev, you have a comment?

Cheryl Langdon-Orr:

I’m responding to that.

Alan Greenberg:

Okay I’ll let you respond. Any other comments on this definition of liaison? Okay and the non-liaison appointments is basically similar except because the appointment may be to a different thing other than a group, I’ve changed the words there that say they must have sufficient knowledge of ALAC and At-Large. I don’t put the expectation that be past or current members, although it’s certainly not excluded. And they must have knowledge of the other group or the subject related to the appointment so that they can properly represent the ALAC and At-Large.

So, different wording but I think that’s appropriate for the wider range of groups of types of appointments that we may make. Any questions, comments on it. Darlene says she thinks it’s appropriate. Thank you. Next one, “an ALAC member may not occupy more than one office or position at a time.” I’m not

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sure any of the current group is masochistic enough to want to, and I'm not even sure it's possible given that we say "each officer must be from a different region."

Cheryl Langdon-Orr:

Alan, Cheryl here. That's the exact point. That one becomes redundant if the regional representational rule stands. Remembering that there was no regional representational rule when that part of that rule originally...

Alan Greenberg:

You're right. Okay so that one disappears. You're right there's absolutely no reason for it. It was there before but there is no reason for it Cheryl. So the fourth bullet goes away. "A liaison can serve in this capacity to only one other group." I don't think, again, I can't imagine anyone taking on more than one. There is no prescription about other appointees however. So one could be an appointee to two different groups or one could be a liaison and an appointee to some other group. I think that's reasonable, given the workload and given the interest of people I don't think it's unreasonable to think people might take on multiple roles.

Lastly, we currently have a rule saying "The ALAC Chair may not simultaneously serve on the Nominating Committee." I don't know why that was there.

Cheryl Langdon-Orr:

I do.

Alan Greenberg:

You do? Okay, elaborate.

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- Cheryl Langdon-Orr: If you need to know, yes I can. But just before I do it's beyond simultaneous. It's not only simultaneous, you could also not do it in I think it's 12 months if not up to two years after you serve as Chair of the ALAC.
- Alan Greenberg: Can you explain further because I still don't understand? There is some rules about who the NomCom can appoint.
- Cheryl Langdon-Orr: No it's the other way around. And it was all to do with hysterical paranoia and fear about people becoming Chair of the ALAC, moving straight into the NomCom and cronyism being an issue.
- Alan Greenberg: Okay well currently we have no rule about the 24 or 12 months. Currently the rule is only simultaneous.
- Cheryl Langdon-Orr: In the carryover, that was a carryover from very early rules established during the interim ALAC.
- Alan Greenberg: Okay. Ah, I see what you're saying. So the question is do we need such a rule now.
- Cheryl Langdon-Orr: I think it's already been raised in another drafting team as one of those that will be defined as bizarre and peculiar and unless someone could convince us all otherwise has no place.

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Alan Greenberg: Yeah I can't really imagine a serving Chair taking on that responsibility in terms of allocation of time. But we have had a serving Chair sit on a review team, so perhaps anything is possible, he says pointedly.

Cheryl Langdon-Orr: It had nothing to do with time or commitment. It was only there as a fear of cronyism.

Alan Greenberg: No, no I understand that. I'm just saying it's hard to imagine someone doing that. But if our current, if we look at our current situation, if EURALO felt that Olivier was the best person to sit on the NomCom because of his wide knowledge of ICANN and ALAC...

Cheryl Langdon-Orr: And experience of NomCom if he needs to be...

Alan Greenberg: And experience. And if he thought he could manage both roles without either of them suffering greatly, is there any reason we wouldn't want to allow it.

Cheryl Langdon-Orr: Only that it is something under these rules, which is a good reason to get rid of that particular rule.

Alan Greenberg: Okay. So I'm comfortable saying let's scrap it. If there was a reason for it we'd probably want to widen it to all officers or all ALAC members for that matter. Although we haven't in practice appointed ALAC members as NomCom delegates, I can't see why we would not want to other than workload.

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Cheryl Langdon-Orr:                      That’s true. But remember too this particular rules was enforced before RALOs were formed.

Alan Greenberg:                          Yeah, I understand. So I think – Olivier you have your hand up.

Olivier Crépin-Leblond:                Thank you Alan; it’s Olivier. Actually as you mentioned there is a NomCom rule that does not allow anyone to sit on NomCom to be part of one of the groups that NomCom is selecting people for.

Alan Greenberg:                          No that is not what the rule says. I could pull it up if you want, but I did get a word from legal counsel. What the rule says is no one sitting on the NomCom can be eligible for appointment by any group. So the title of that paragraph in the Bylaws is “Who can the NomCom appoint.” The actual wording of the clause is wider than that in that is says “Who may be eligible for appointment be anybody.”

Olivier Crépin-Leblond:                Oh okay.

Alan Greenberg:                          But if you look at the timing for your appointment, when you were just coming off the NomCom, you were only eligible for appointment the day after it happened. The fact that we were talking about it before is informal and legal counsel interpreted it that way at the time. But there’s nothing in the current Bylaws that stop a sitting member of a group to which the NomCom appoints people from participating in the NomCom.

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Olivier Crépin-Leblond: It's interesting because I'm not sure whether there had been in history any time when any of the officers of GNSO Council or ccNSO or others were appointed to NomCom.

Alan Greenberg: There have been GNSO sitting members I believe. I'm pretty sure of that. There's a whole aura of folk lore that goes around the NomCom. At one point I was told that a sitting Board member cannot give a reference for a NomCom applicant.

Cheryl Langdon-Orr: I've been told that too.

Alan Greenberg: And it's not true. There is nothing there about that. And I was told that by a former Chair of the Board but it's folk lore.

Cheryl Langdon-Orr: Alan I've also been told – two things while we're talking NomCom and then maybe we should stop – that you cannot in fact act as a referee under certain circumstances for example if I was asking to be considered for an appointment to the ccNSO, I could not act as a referee for anyone else, even if I was at that stage Chair of the ALAC or vice-Chair of the ALAC or anything else, or known as having once been a Chair of the ALAC.

I don't believe that is also a hard and fast rule. But I also believe that a dim view is taken if there can be an accusation in NomCom if a perceived conflict between a person appointed, not a potential appointee but a person appointed and one of the 13 members of the NomCom can be proven. And in that case I believe the legal advice is in practice for NomCom to have such a risk reduced by the NomCom appointee, sorry the person that's appointed to the NomCom stepping aside from any deliberations...

Alan Greenberg: You're saying if the NomCom appointee is part of the group to whom they are being appointed?

Cheryl Langdon-Orr: Correct. So that...

Alan Greenberg: That may be a practice, it's certainly not a rule. But that doesn't have anything to do with the references. Sorry I thought...

Cheryl Langdon-Orr: No, no I know. The references are another (inaudible).

Alan Greenberg: The only rule with references is that if you're reference is also applying for the same job then their reference will not be counted for that particular application.

Cheryl Langdon-Orr: It actually goes beyond that which is even equally bizarre.

Alan Greenberg: Okay, anyway that's outside of our domain. So I think that we've decided that this last one disappears, so we've removed two of the bullets from here. The fact that you cannot occupy to officer positions at the same time and the reference to the NomCom, both of those will disappear from the new rules. Did I get the intent of the group right? I'm not seeing anyone yell and scream. Alright, the next section I put together was prerequisites and co-requisites and I'm not sure we have co-requisites but the term was used elsewhere and I just maintained it for the moment.



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Okay, “All officers and appointees upon nomination shall submit an appropriate statement of interest” – it has been pointed out that we use the term “statement of interest” in two completely different ways. One is that it’s sort of your declaration of conflicts and what you do and things like that. And the second is people submit a statement of interest to say they’re applying for a position.

Cheryl Langdon-Orr: Actually Alan, ALAC does not do that. Some RALOs do that and occasionally ICANN has been guilty of that.

Alan Greenberg: Well yes correct, but I believe we are – the thing that we are asking everyone to fill out, that automated survey form that was put together, aren’t we calling that a statement of interest.

Cheryl Langdon-Orr: Yes and that’s appropriate if you look at that link, that’s what we’re asking for. That’s the intent...

Alan Greenberg: Oh okay. I’m sorry, you’re correct. We are not using it but ICANN in general uses it for its...

Cheryl Langdon-Orr: And it (inaudible).

Alan Greenberg: Applying for a review team of the NomCom calls it a statement of interest. Okay, sorry. We are not using it in a confused way and I was going to suggest that we try not to, but apparently thanks to Cheryl we know we’re not doing it. Now this particular statement of interest may well go farther than a regular SOI that we have because of whatever the person is being appointed to. And I’ve

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added something which I'm not sure is in the current one, it might be. I don't remember. "Should there be a situation where a public disclosure of a conflict is not advisable; a private disclosure may be made to the Chair or his or her delegate." And one can imagine things that are sent to them because of perspective employment and things like that one doesn't want to make a public comment. And my question is – a draft of the ALAC SOI is being developed, it already has, presumed that the end will incorporate...yes, so that's already in process.

And we need to look at that SOI and make sure that it really fits the needs of this particular use of it. So that's a to-do which we should be doing in parallel with all of this. Okay, "ALAC members must submit an appropriate statement of interest detailing among other things conflicts" and so on and so forth. It's the same wording up above. Olivier or Cheryl, I don't remember. Do we currently have a rule? Did we decide that SOIs are mandatory or are they voluntary right now?

Cheryl Langdon-Orr: You'll have to ask Olivier to rule on if the resolution indicated mandatory. It certainly was [totally] expectation.

Olivier Crépin-Leblond: Yeah. I don't know if the word mandatory was used. But it was a resolution which everyone voted on and which everyone said yes it's a good thing to do.

Alan Greenberg: Yeah I think the resolution used the word like required or something like that, so I think it did make it mandatory. There were one of two people who were objecting, but I believe it did pass.

Olivier Crépin-Leblond: Correct yes.

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Alan Greenberg: Okay, so it's already there so including it here is not controversial. "ALAC members are expected to participate regularly in ALAC meetings and formal ALAC votes." I'm just going to keep on going unless anyone raises their hand or calls out. "Are expected to prepare for and participate regularly in ALAC discussion, face to face meeting, teleconferences, mailing lists, Wikis." Now again these are things that once we have them we will try to develop real metrics for, but these are the basis for it.

"Are expected to actively participate in ALAC workgroups and preferably in workgroups sponsored by other ICANN bodies." Now, we currently have used the expression take a leadership role in, and I'm not sure that is well enough understood that we want to confuse the issue by saying that. In some context all ALAC members are ICANN leadership because they're leadership of the overall community and ICANN refers to all of its volunteers as leaders. And yet we certainly don't expect everyone to be Chair of a working group.

And then I had "unless otherwise specified such participation is on an individual not formally representing the ALAC." Olivier?

Olivier Crépin-Leblond: Thank you Alan; it's Olivier. You just said something, my answer is why not.

Alan Greenberg: Because some people are really rotten Chairs.

Olivier Crépin-Leblond: Well I think that one looks at a leadership....

Cheryl Langdon-Orr: A leadership role is not necessarily a Chair.

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Olivier Crépin-Leblond: Yeah a leadership role can be Chair or vice-Chair of a liaison; there are several layers of leadership roles in working groups. So if we want to define a leadership in a working group we can define it as Chair or vice-Chair or liaison.

Alan Greenberg: I guess you're more ambitious than I am. I'm happy if we actually get everyone working in groups, whether they're leading a particular group or not.

Olivier Crépin-Leblond: What I'm trying to do here is if we scale, and we are going to continue to scaling up, ALAC members really need to be doing things. It's not a position that you just do for your CV. I'm not saying that's what some people are doing at the moment. What I'm saying is you do need to put it in there that they need to take leadership, they need to Chair working groups and need to get things done. I think it would be very bizarre of the Chairs of all working groups, the majority of the Chairs of the At-Large working groups are non ALAC members, because it introduces problems with those working groups having to meet face to face during ICANN meetings and needing to fund non ALAC members to be able to Chair their working group effectively in face to face meetings.

Alan Greenberg: Okay let's go on to Darlene and then I'll give you my counter argument.

Darlene Thompson: I'm just basically - Darlene Thompson for the record. I just basically cannot agree more with Olivier. There are more than one leadership role. You don't have to Chair. You can be a pen holder. You can be a liaison, or not a liaison but a representative. But we do have to put leadership because I have been on too many working groups where the ALAC members sat back and did very, very little if not nothing, except to occasionally agree or something like that.

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They have to take a more active role, whatever wording we can use in there, but I don't think leadership is inappropriate.

[background conversation]

Alan Greenberg:

Yeah Darlene I agree completely with that which is why I have "actively participate." I understand that's a qualitative issue.

Cheryl Langdon-Orr:

Alan I have an issue with your counterpoint before you get to it just so you can argue against us at the same time. You see I do not think that we can say that just saying leadership is being in the ALAC is good enough. And one of the reasons is it's often, as we saw even in the chat, then put to rationale like "ah but the RALOs have elected us," "the ALSes have elected us out of the RALOs and therefore." In fact, you can end up as an appointment to something like a council or indeed the ALAC because you are the least disliked, not the best leader, or indeed the best for the job at all.

We've had Chairs of councils in other parts of ICANN who served their terms through no other reason than the politics were such that no other candidate actually managed to get through the process. Now to that extent I would argue that just because you're on the ALAC doesn't mean you're – yes, ICANN might think of you as a leader or they should think of you as a member of the At-Large Advisory Committee, the committee being a leadership role. But within the ALAC we expect active participation just like Olivier and – well I think we're all agreeing on that.

So we need another word that equates to what we're saying "leadership within ALAC is" if you're not going to have that term "leadership role" used. You need to articulate it somehow. Now, see if you can come up with one.

Alan Greenberg: I'm not going to have a counterpoint to that because I agree with that 100%. We cannot put rules in place saying "you shall not take the easy pick, you shall pick the best person." I'd like to put rules in place, it's value judgment and we probably cannot do that. I would like to, when we get to the part of our tasks talking about if we set metrics and people fail them what do we do next. And we start having the discussion of if a RALO appoints someone no one else can take them down, and if they stand behind them then the person stays. That's a discussion we're going to have to have. It's not today's discussion.

But I think it's important that we try to define what our expectations are from someone who is sitting on the ALAC. And what is starting in front of us is part of it, but it doesn't capture what you just said Cheryl. And I think we need to capture that somehow. I don't think it should be in the section "participate on working groups."

Cheryl Langdon-Orr: No it should be right at the top.

Alan Greenberg: Because taking a leadership role in representing users to ICANN is something I could definitely stand behind.

Cheryl Langdon-Orr: And if I may Alan. That all really should go up as a definition in the first section. I mean we're sitting in a different section, but to be honest I would be happy if this drafting team proposed to the one that is doing the definitions of what is the ALAC that that's exactly the sort of language that should be right at the top. "The ALAC is a 15 person blah, blah, blah, blah, blah" and the expectations are – and that...

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Alan Greenberg: I like that. So we not only have it in the place where we enumerate the requirements but we actually incorporate it into the definition. I like that.

Cheryl Langdon-Orr: Right up front. Don't even come to the table unless you can walk the walk, talk the talk and in all good faith believe you will perform to that level.

Alan Greenberg: I'm not watching the notes but I hope the summary minutes that we have today have captured that or at least noted that it is something Cheryl brought up at about 45 to 50 minutes into the discussion so we can go back to the voice. And I think it's a really important thing that we need to capture because I think the wording you used was really good.

Silvia Vivanco: This is Silvia from staff. If you can just repeat the idea I can take notes.

Cheryl Langdon-Orr: Actually no Silvia, what Alan just did – sorry to counterpoint Alan – Silvia what Alan just did is exactly what he needs to do, he marked the time. It stops the flow of the meeting being interrupted by this constant revomiting and regurgitation of who said what and when and then pausing and then analyzing a sentence, and it allows for full flow to go on. But it also allows someone to go back to the mp3 and get it out in the absence of a transcript, and also go through a transcript which is oftentimes marked as well.

Alan Greenberg: Just put in the summary minutes right now in brackets or something that we need to go back to the recording and capture the words. But I think you got the tone right, and I think that's important. Olivier?

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Olivier Crépin-Leblond: Thank you Alan, it's Olivier. And with all this talk of walking the walk and talking the talk and all that I'm getting confused now at the 45 minute mark. What I was going to say was to actually make sure what we write there basically means the same thing as what would be written in the other section; just to flag that to make sure.

Cheryl Langdon-Orr: Absolutely. We want the other section to say what we just said.

Olivier Crépin-Leblond: Okay and this current section to agree with the other section as well.

Alan Greenberg: Well we're talking about three things. We're talking about a new section which we don't have in this particular bullet that we expect ALAC members to play a leadership role in representing users to the ICANN community or whatever the right words are that Cheryl used. We will also want to put it in our, something related to that in our definition of an ALAC member. And I for one have made it clear to the definitions group that at least some of their definitions are going to come straight from the other work design teams who are actually working on that substance. So I think we've already covered that. We may get some flack, but that's a battle we'll fight if and when we have to.

Olivier Crépin-Leblond: Okay so that's clear. Thanks.

Cheryl Langdon-Orr: And actually Dev, that's one of the reasons, if I may just to make sure that everyone, not only this drafting team but all of them understand. That's why every month and a half we will all come together as a committee of the whole again to make sure that we are all on the same page at these crossover points.



Alan Greenberg:                   Okay. Next – yes go ahead.

Olivier Crépin-Leblond:        Alan, it's Olivier again. Sorry to jump in, but you said you were going to come up with a counterpoint with regards to my...

Alan Greenberg:                   Well I was going to come up with a counterpoint to your comment saying we must keep the word "leadership" in the workgroup section. And I think the discussion morphed into "you need to actively participate in working groups, but you need to take a leadership role in your overall job." And I support that. I have no intent of countering it. So this is a good, a case where people working together actually come up with something better than any individual does. I'm happy with where this went.

Olivier Crépin-Leblond:        So Alan it's Olivier again. I'm now quite unclear. So you're basically taking it that we are not going to ask for someone on the ALAC to take a leadership role in the working group, is that correct.

Alan Greenberg:                   I believe, the words may need to be strengthened, but it currently says "active participation," but I believe we should not use the term "leadership role" in the working group, but rather a leadership role in your overall responsibility. Someone can take a leadership role and not work in any working groups, they can be doing other things that make them a leader.

Olivier Crépin-Leblond:        Did you list them?

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Alan Greenberg: I'm not sure we need to. Let's go to the other speakers because now I'm a bit confused. Eduardo?

Eduardo Diaz: Yes Alan, this is Eduardo. If we're going to take this "leadership role" in the context we have to define what leadership role is because maybe for some people leadership role it's like what Darlene said – commenting and saying one thing here and one thing there and that...

Cheryl Langdon-Orr: And that's not leadership.

Eduardo Diaz: I know, but that might be the definition of somebody else.

Alan Greenberg: I agree with you Eduardo. I think we're going to have to work on coming up with the right words, especially when we're worried about translation. I don't have the right words in this call, but I think the tone of what Cheryl said, I think was clear to me anyway at the time. And I don't think we expect you to tick off which working group are you a leader in, but it's a much wider responsibility than just leader of a working group. Darlene, I think Cheryl wanted to say something, you're next then. Darlene said "I don't agree."

Darlene Thompson: Yeah I don't agree. Yes you have to take an active leadership role as an ALAC member, but I don't think it's asking too much for them to take a leadership role in at least one working group as well. I think that's kind of a given that a person should be doing that. I mean we have people that aren't ALAC people taking leadership roles in working groups to try and help carry the burden. And just using the wording "actively participate" I don't think will work. Because you

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can have people saying “Well I showed up to every meeting and I commented,” so how do you refute that statement.

Alan Greenberg: I agree we need to strengthen active leadership, but sorry – there is so much noise now.

Cheryl Langdon-Orr: I apologize.

Alan Greenberg: Ah, okay. Darlene go ahead.

Cheryl Langdon-Orr: Can I go on from Darlene, because I hear what she says and she might not be surprised I’m in fairly serious agreement with her. But I think we can find a way forward with the appropriate wording to ensure that if you are a member of the ALAC amongst the expectations will be that active participation in activities and key activities of ALAC and the wider ICANN community is an expectation. And we can give some “such as’s,” you know, such as and not limited to if need to be. I think we can get there with the right language.

But I just wanted to pick up on something Darlene said about non ALAC people taking leadership roles in current workgroups. That’s actually deliberate, and I don’t want to make it that you have to be ALAC to be a leader in a workgroup – I think that would be counterproductive Darlene, and I’ll tell you why. Because the things like, as we did with the implementation review of the review of the ALAC, all that implementation work, that actually did need to be run as workgroups or drafting teams. The leadership in that did need to be non ALAC where possible, or balanced so not just ALAC where possible, because it needed wide regional buy in.

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But you also couldn't have the situation of ALAC being in control totally of a review of itself. It sort of gives this accountability and cross check and balancing. And so there is often a time where you will deliberately want pen holders or a Chair to be non ALAC. But that doesn't mean ALAC members get off the hook. They should be having other defined or highly active roles in those things. I think we can do it with the words is what I'm saying.

Alan Greenberg:

Cheryl I think you're capturing it exactly again. You don't have to play a leadership role in a workgroup to say what you're just saying and I think you just said it again. By the way, in terms of who Chairs working groups, in the current GNSO very, very few working groups are Chaired by GNSO Council members. And I think that's very healthy. Some GNSO Council members participate in the groups, but in general they're Chaired by people who don't already have a heavy workload in another venue.

Someone put in the chat that they think it's unfair for the non ALAC members to work hard and the ALAC members to sit back and do nothing. That's something that we have to capture with the kind of wording that Cheryl was using. Not just forcing someone to take the vice-Chair position and they never do it but say they're a leader I don't think is going to solve our problem. Darlene your hand is up again or is still?

Darlene Thompson:

It's up again. I just want to say...

Alan Greenberg:

Okay we're at the hour so we're going to have to cut off soon.

Darlene Thompson:

You know I talk fast. Darlene Thompson. Cheryl I realize that it's often very beneficial to have non ALAC people in working groups and Chairing working

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groups and I have no problem with that at all whatsoever. I didn't mean to imply that even. I'm just saying that there is a tone of work out there, and if we can't expect at least the 15 people on the ALAC should be taking some kind of leadership role then there is something very wrong with the system. And it doesn't have to be Chair or vice-Chair. It can be rapporteur. It can be pen holder. It can be whatever they're good at. There is enough working groups, enough work out there to spread around to all the ALAC and need also regional support.

Alan Greenberg:

I think there's a big difference between working your body parts off, whichever body parts you care to mention and being the leader. And I think that's what we have to capture if we can. I believe we have made a tentative decision or suggestion that all future meetings be an hour and a half, not an hour. I hope no one has any objections to that and we'll be scheduling future meetings so that we are not limited by an hour. But this one was scheduled for an hour and I would suggest – we've actually gotten quite far into this document and I think we've achieved a number of significant decisions.

We have to go back to the mp3 once it's out and find out what we actually said and try to capture it in writing, but I thank you all for a great meeting, and we'll meet again in about three weeks I guess.

[background conversation]

Alan Greenberg:

Anyone else want an extra word in before we cut off?

Cheryl Langdon-Orr:

I heard Yaovi, that's all.

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Yaovi Atohoun:

Yes I would like to make a comment. Thank you. I want to comment that active participation is enough. Something has to entice the various RALOs when we are selecting the members to ALAC. [When we sit in the working groups] sometimes, it's some activities that [may be going on] for three months and we have skills in the RALOs that are [good] for that particular job, [if not an explicit] ALAC member. So I think it's also fine that sometimes we have people [in a current issue], having people who are not ALAC members being leaders on working groups [is going to happen].

Sometimes [when they are going to be in it] for a short duration, but at the same time the ALAC seems to have maybe more (inaudible) than work for one year or two years. So for me we just say there's positions in active working groups. Sometimes having some members from [RALOs] fill the roles in the working groups. It is the way to keep (inaudible), to prepare themselves or to participate or to bring their skills to work in them. So we may not have this [for the same job that would be necessary] in ALAC. Thank you.

Alan Greenberg:

Yaovi I missed part of that because your voice was a little bit garbled. Perhaps you can put that in an email or a Wiki post also to make sure that we capture it.

Cheryl Langdon-Orr:

Alan, Cheryl here. I believe the primary intent of what Yaovi was saying specifically went along the lines of if we have these things properly articulated, then the region when they're selecting their representatives for the ALAC can ensure that the people that they are looking at are well aware of these requirements and expectations. Is that right Yaovi?

Yaovi Atohoun:

Yes exactly.

Alan Greenberg: And I think that will also go more than part way into ensuring the NomCom names people who can do the same thing.

Cheryl Langdon-Orr: Excellent.

Alan Greenberg: So our challenge is to find those right words. Thank you all for a great meeting, and we'll see you bye and bye.

[End of Transcript]