

YRJÖ LÄNISPURO: Okay, this is Yrjö. Good afternoon, good morning, whatever. We could as well I guess start. So why don't we have a roll call?

GISELLA GRUBER: Yes, with pleasure, Yrjö – Gisella here. Welcome to today's ESADT call on Thursday the 24th of January at 14:00 UTC. On today's call we have Cheryl Langdon-Orr, Olivier Crépin-Leblond, Roosevelt King, Yrjö Länispuro, Tijani Ben Jemaa, Dev Anand Teelucksingh, Alan Greenberg and Eduardo Diaz. Apologies noted from Alejandro Pisanty, Jose Arcé and Yaovi Atohoun.

From staff we have Heidi Ullrich and myself, Gisella Gruber. If I could please remind everyone to state their names when speaking for transcript purposes and also if you are on the audio bridge and also on the Adobe Connect room please do remember to mute your microphone and your speakers. We will also be taking action items, so if there are any please do state them clearly and the transcript will be available within 48 hours. Thank you, over to you, Yrjö.

YRJÖ LÄNISPURO: Thank you, Gisella, and welcome all to this conference of the ESADT, which I hope is pretty much the last one; that is to say that we get you know, our work ready today, tonight. Can I ask if we are to scroll, the text we have in the centerpiece to 27.7 – oh yeah, I can scroll it now, okay fine.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

So first of all, here in the beginning, 27.1 – my apologies that I still did not correct the timing, where of course it should read at the end “no later than six months before the completion of ICANN’s Annual General Meeting.” So I hope that that correction can be made later. And then I scroll down...

ALAN GREENBERG: Yrjö, it’s Alan. I think I did send you a revised version of that that I cleaned up the wording, because it was very difficult to read with the references to the Bylaws so I made it much cleaner. I sent it via email.

YRJÖ LÄNISPURU: Okay, I have not seen it but it’s probably my fault. It’s somewhere in my inbox.

ALAN GREENBERG: I will check and see if I can post it here.

YRJÖ LÄNISPURU: Okay yeah, very good. Thank you. Okay, so going down to 27.7, which we discussed a bit last time, I hope that we should now be happy with that, with what we have here.

And we could go to 27.8, which is the voting process. I have made here some changes... Yes?

ALAN GREENBERG: Yrjö, it's Alan. I suggested that in your second bullet of 27.7 that you change "will" to "may" just because we're not in a position to guarantee that they will name someone. But we're saying that they're allowed to name someone.

YRJÖ LÄNISPURU: Okay. "Will," yeah, I got you – 27.7 B, "will" to "may." Thank you.

TIJANI BEN JEMAA: You want to replace...

ALAN GREENBERG: Tijani, you're right. I just realized as I was looking at it, I think that Rule needs to say explicitly if a member of the electorate is a candidate, that candidate may not vote. But...

TIJANI BEN JEMAA: Exactly.

YRJÖ LÄNISPURU: Alright. So can we go to the 27.8, Voting Process? I made a few changes here, editorial changes I would say: "Should one candidate receive..." It was "receive greater than 50%," but I think it's more accurate to say "Should one candidate received more than 50%." And then in D, E, and F, I changed the order of these things because I think it's more logical this way; that is to say, if there's a tie for the last position then the first thing to do if there is new, that the [BMSBC] will run a new election that applies both to D and E. And only if there is no

time then there will be this random selection by a method determined in advance.

So I open the floor for discussing 27.8 please. Alan, your hand is up?

ALAN GREENBERG: Sorry, that was an old hand but I think I need a moment to read it.

YRJÖ LÄNISPURU: Okay please, take your time. Okay, any comments? Dev please.

DEV ANAND TEELUCKSINGH: Thank you, this is Dev Anand speaking. I'm looking at 27.8 D as in Delta. I'm trying to read it and I'm finding it hard to parse the statement here. "When there are three candidates remaining there shall be a vote by the electorate" would be my suggested wording. My concern is the next sentence: "Should one candidate receive more than 50% of votes cast that candidate shall be declared the winner." Alright, after that... Let me just read that next sentence over again and think more about it. I just find it a little bit confusing the way it's stated. Alright, I'll put my hand down.

YRJÖ LÄNISPURU: Alright. Any other comments?

ALAN GREENBERG: It's Alan. As far as I can tell it parses and it's all correct. It's one of these things I think is better to be read over a second time afterwards but it looks good to me.

YRJÖ LÄNISPURU: Okay.

CHERYL LANGDON-ORR: It's Cheryl here. There's parity with what you're doing in terms of process in D and E, and I don't have a problem with that. Let's hope we never get there but I don't have a problem with it.

ALAN GREENBERG: I think all you did is invert the sentence structure.

YRJÖ LÄNISPURU: That is right, yes, that is right because I thought it was more logical that way.

CHERYL LANGDON-ORR: Yes.

ALAN GREENBERG: Yeah, "if sufficient time remains" should be at the end instead of the beginning I think. Yeah, that's good.

CHERYL LANGDON-ORR: Yep, that's fine.

ALAN GREENBERG: I tend to write reverse sentences often.

YRJÖ LÄNISPURO: Alright, well thank you. Okay, can we go to the next which is 27.9, that is History and it simply says that the process history should not get lost. Okay.

We can now leave 27 and go to 11, Recall, and here I made one change; that is to say I added something that Alan suggested in his comment some time ago – that is to say that “Before proceeding to the formal recall process the Chair may encourage the officer concerned to resign.” I don’t know if that should be “will” or “may” but anyway, I’ll put it here because I think it’s reasonable to talk first. Alan, please?

ALAN GREENBERG: Yeah, is this section just for officers or is it officers and appointees? I think it’s the latter in which case this 11.2 should say “officer or appointee.”

CHERYL LANGDON-ORR: Yeah.

YRJÖ LÄNISPURO: Okay.

CHERYL LANGDON-ORR: That’s a good catch, Alan, yep.

ALAN GREENBERG: And the same is true for the rest of it, it appears.

YRJÖ LÄNISPURU: Yep. But should that be also in 11.1 in that case?

CHERYL LANGDON-ORR: Yeah. Just double checking, in Definitions are we still using the term “officer” universally? Or has that been changed?

ALAN GREENBERG: I don’t actually think it shows up but I think we can leave it at this point and do that in the final cleanup if necessary.

CHERYL LANGDON-ORR: Okay, alright, just so... That probably needs to be parked as a minor piece of toilet at our next bite at this.

YRJÖ LÄNISPURU: Okay. Okay, Alan, your hand is up?

ALAN GREENBERG: Nope, sorry.

YRJÖ LÄNISPURU: Okay. Tijani, please?

TIJANI BEN JEMAA: Yes, thank you. I don't think that we need to include appointees here because the officials are the result of a voting operation by the RALOs or an appointment by the NomCom. The appointees are appointed by ALAC and ALAC can remove them or change them anytime ALAC wants. So there is not a special case for them; there is not a problem to change an appointee if perhaps he doesn't have time for his job – then we can change him. But for an officer it is not easy to change him, that's why we need this Rule #11. Thank you.

CHERYL LANGDON-ORR: Hmm.... Tijani, Cheryl here. I'm a little concerned about that because there's a vast difference between, for example, an appointee to a lower-case "L" liaison to a work group or whatever and something like a formal Liaison under the Bylaws to one of the Supporting Organizations.

TIJANI BEN JEMAA: I understand very well.

YRJÖ LÄNISPURU: Yeah, there might be a difference.

CHERYL LANGDON-ORR: Yeah.

YRJÖ LÄNISPURU: Tijani, what do you think?

TIJANI BEN JEMAA: Yes, I think that for appointees, they are appointed by the ALAC and ALAC has all the right to remove them anytime. But the officers are not nominated or elected or appointed by the ALAC.

CHERYL LANGDON-ORR: Yes they are.

TIJANI BEN JEMAA: That's why we need a special rule for it.

CHERYL LANGDON-ORR: The officers are appointed by the ALAC.

ALAN GREENBERG: It's Alan. Tijani, what officers are you talking about that are not appointed by the ALAC? We may be talking about different people here.

CHERYL LANGDON-ORR: All officers are appointed by the ALAC.

TIJANI BEN JEMAA: Yes, we may be talking about different things, yes.

CHERYL LANGDON-ORR: The only thing that isn't appointed by the ALAC is the occupier of Seat 15 on the Board.

YRJÖ LÄNISPURO: Yeah.

TIJANI BEN JEMAA: No.... Yes, yes.

YRJÖ LÄNISPURO: Okay, so perhaps after this discussion we could add the word “appointee” here in all these paragraphs, all these subsections where it is necessary.

CHERYL LANGDON-ORR: And to that end if I may, Yrjö – Cheryl here for the record – the addition in 11.2 is even more important because that’s the critical control point where a Chair intervenes and says “Excuse me, dear...”

YRJÖ LÄNISPURO: Mm-hmm, thank you.

ALAN GREENBERG: It’s Alan. I have a concern. Do we really want the words that are there, which I mean I think it’s clear that any position the ALAC appoints or elects it can undo. And do we really want a statement here that if we want to take someone out of a position it’s got to be sent to the public list? Doesn’t that violate our rules about sensitivity and stuff like that?

CHERYL LANGDON-ORR: Cheryl here. The public list references go back to the original precursor in fact Rules to the Rules we're operating on now. I have a personal view and it is only a personal view that that can in this case of what could be considered sensitive material and deliberations could be removed from the text. But you should know that it comes from a history of a desire, an original desire which may or may not still be in existence, but there was an original desire by members of the At-Large community for the highest [bills] of transparency.

That said, my personal view is in the matter of this type of thing there may be a strong argument and one I would support to suggest that public list discussion may not be as productive as just getting the job done behind scenes; and making an announcement thanking people very much for the work they've done and telling who has replaced them. Thank you.

YRJÖ LÄNISPURRO: Thank you. Cheryl, what would you suggest instead of "public ALAC list" here? By the way, I think that we have been replacing the words "public ALAC list" in other places also because it's an old name for the-

ALAN GREENBERG: Yrjö, I think in all cases we're saying "in a list specified in" because there's a document, there's one of the adjunct documents that will talk about what lists are used for.

YRJÖ LÄNISPURRO: Okay.

CHERYL LANGDON-ORR: And to that end, then, Yrjö – Cheryl here for the record – you would... For example, you may find that it was deemed appropriate for such discussion, etc., to happen on the internal ALAC list which has the regional officers – I mean it’s not a terribly small list. Alan can tell you exactly who’s on it. But it is “not public.” However, it is archived and should, for example, an Ombudsman issue or some sort of investigation happen then those archives could be drawn upon. And I think that’s the very least we should make sure is happening.

YRJÖ LÄNISPURU: Okay.

CHERYL LANGDON-ORR: Otherwise you’ve got a risk of not so much [catcher] as various encampments fighting over the bones.

YRJÖ LÄNISPURU: Right. Okay, anything else on these various subsections of this Rule?

ALAN GREENBERG: A small one in 11.5 – you have “delegate” where it should be “ALAC member.”

YRJÖ LÄNISPURU: Okay.

CHERYL LANGDON-ORR: I'm just getting to six, sorry – I had to scroll down the page a bit.

YRJÖ LÄNISPURO: "Delegate" would be ALAC member.

ALAN GREENBERG: Correct.

CHERYL LANGDON-ORR: It's interesting that 11.6 – sorry, Yrjö, just jumping in – that 11.6 has the "officer or representative" language in it and yet the earlier points don't.

YRJÖ LÄNISPURO: Yeah.

CHERYL LANGDON-ORR: Oh dear, oh well. [laughing]

ALAN GREENBERG: Yeah, "representative" is "appointee" I think, is now "appointee."

YRJÖ LÄNISPURO: Yeah, we changed "representative" to "appointee."

CHERYL LANGDON-ORR: To "appointee," that's right, and that needs to be tidied as well.

ALAN GREENBERG: Olivier has his hand up.

YRJÖ LÄNISPURO: Olivier, please.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Yrjö, it's Olivier for the transcript record. I think it would be worth also looking at the chat regarding several things here – the public ALAC list discussion: “Public ALAC list is ambiguous and should be defined elsewhere in the document as being the ALAC Working List rather than being the ALAC Internal List.”

So my suggestion is to say ‘Public ALAC List’ per guidelines on what list to use in the section that will describe what list is to be used for what, since of course we might have additional lists created in the future and we do not want to change our Bylaws so as to be able to make use of different lists with different names and-

ALAN GREENBERG: Olivier, we already said that this document will simply say “in a list as specified in adjunct document.”

CHERYL LANGDON-ORR: Yeah, we'll have the flexibility there, Olivier.

OLIVIER CRÉPIN-LEBOND: On 11.A, yeah?

CHERYL LANGDON-ORR: On all list activities.

ALAN GREENBERG: Any time it mentions a list.

YRJÖ LÄNISPURO: Yeah.

OLIVIER CRÉPIN-LEBLOND: Okay.

YRJÖ LÄNISPURO: Yeah, it's Yrjö here. I think that the-

OLIVIER CRÉPIN-LEBLOND: That's not what I heard in the discussion we just had now, though, so this is why... If we've said it then it's on the record, thanks.

YRJÖ LÄNISPURO: It's Yrjö here. I think that this is one of the things that needs to be looked for when the various Rules are sort of harmonized; that is to say I think it's the job of the ROP as a whole to make sure that all these lists that occur in different sections are referred to their proper names. Alright, anything else on 11?

ALAN GREENBREG: Yeah, it's Alan again. Like in the previous one, I think it's something that once the "final" version is out I think we need to read it and make sure it really says what we want. It's hard to do it on the fly when we're changing wording one-by-one but I think that's one of the things that I think we need to read carefully after we get a clean version.

YRJÖ LÄNISPURU: Yeah. Okay. Yes, Cheryl please?

CHERYL LANGDON-ORR: Yeah, I'm just noticing we probably need to make sure that there's a prioritization of these adjunct documents. And whilst it isn't the bailiwick of this particular Drafting Team I would think the leadership of this team along with the leadership of the other Drafting Teams would be the ideal subgroup to do that. And I just wanted it on the record that there are a few adjunct documents that need to be put together but there probably needs to be an order in which they are done, and this list one should be in my view relatively highly prioritized. Thank you.

YRJÖ LÄNISPURU: Yeah, alright. It seems that we have come through now 27 and 11, and my question really to Alan and to Cheryl is what is the next step? Because I think that... Yes, Cheryl please.

CHERYL LANGDON-ORR: Sorry, I don't know whether my hand is up because my system is suddenly rebooting itself for reasons known only to itself. We need to get the text as finally edited here into the master template, recognizing

that the master template itself is going to have to be subject to that fore group or leadership subgroup review.

I'm not wedded to the format of the template but I do want to make sure that if additional things are added – if you may remember, there is a skeletal structure which is very, very lean, but for example the work from this Drafting Team and indeed all the others, as it gets put in I'm happy for everyone to add other bits and other subsections, even other full categories. But if you do that then you know, pop in a title or whatever for that category. But what I don't want to have happen is have any of them, even though they're only lean ones, any of the currently-identified bits totally removed.

So I'd rather have something left there and glaringly blank for when we review this after all the DT input is put together, and that will help us go "Oops! We forgot to deal with this aspect."

YRJÖ LÄNISPURO: Mm-hmm, okay. Can I ask the staff and Gisella, could you remove... Could you move this text now to the template?

GISELLA GRUBER: Sorry Yrjö, Gisella here. You'd like me to move which text?

YRJÖ LÄNISPURO: The text that we have here, the text that the Drafting Team has produced – I mean the earlier paragraphs and also now 27 and 11 to the template.

CHERYL LANGDON-ORR: Yrjö, perhaps I don't know how busy Gisella is but I do know we're heading towards the meeting looming at staff – could I beg you to make that an action item more generically on staff and then Heidi can work out who's best able to do that? Because the same hand should probably be doing it for all of the DTs.

YRJÖ LÄNISPURU: Yeah, that's a good idea. So let's make that an action item. My point was that I don't need to do it. [laughter] I'm probably not able to master the intricacies of the Wiki Confluence.

CHERYL LANGDON-ORR: I'm sure Heidi will find an appropriately skilled person. [laughing]

YRJÖ LÄNISPURU: Okay, good. Okay, is there anything else? I mean this would be a record conference, at least in my memory. It would be just half an hour.

CHERYL LANGDON-ORR: It's delightful! Whoo-hoo!

ALAN GREENBERG: Yrjö?

YRJÖ LÄNISPURU: Alan, please.

ALAN GREENBERG: I just put in the chat both just the text for 27.1 and the method which gave the full details of how I got to there, so if anyone wants to look at it. You did respond to the email, Yrjö, so you did get-

YRJÖ LÄNISPURO: Alright, yeah. I'm sorry, okay. Tijani, please?

TIJANI BEN JEMAA: Yeah, thank you. Yrjö, can you please send the last version of these Rules on the list or send the right link? Because I didn't find it on the Wiki page, so if you can send the final text or give the right link, thank you.

YRJÖ LÄNISPURO: The final text of Rule 27 or 11?

TIJANI BEN JEMAA: No, 27 and 11.

YRJÖ LÄNISPURO: Yes, okay. Alright, I'll do it. Okay...

ALAN GREENBERG: There has been a discussion going on in the chat about whether, to put it bluntly, impeachment should be public or private. In my mind, the

issue is anyone who serves, serves at the will of the ALAC and the ALAC can-

CHERYL LANGDON-ORR: Do as they damn well please, really.

ALAN GREENBERG: ...reverse that decision. But because people in our environment work with each other in many different venues we want to make it as gentle as possible. That was the intent in writing, in drafting the section on Metrics and Remediation. This section is just putting forth the process, but the overall guidelines on remediation say to the extent possible we want to do it without harming people's reputations or making peers come out in public against people that they work with in other venues.

YRJÖ LÄNISPURU: Yeah.

CHERYL LANGDON-ORR: We are talking volunteers here, and whilst I hear and see Avri's service of the world at large and her disagreement, that's probably something that would be in a slightly different world. At this point I don't believe that the character set that are the primary voices of At-Large are necessarily... Some of them need protecting from ending up in hot water; some of them are very capable of course, but there are those particularly with some of our At-Large Structures and individuals who are not familiar with the delightful [trust of curry] and some of the political worlds that some of us come from, who could be harmed quite

significantly by those activities. And I would prefer to at this point keep it cautious and pace it slowly.

That said, there would be nothing for example stopping an individual or a group of individuals turning up to a teleconference or a face-to-face meeting and asking questions. There is always that and of course the ultimate control where the services of satisfaction or dissatisfaction can be measured is in the region's and the ALS's ability to return or replace people in the ALAC who are making these decisions. Thank you.

YRJÖ LÄNISPURU:

Yeah. But as far as the text here for Rule 11 is concerned, I think that what we have decided to use instead of "public ALAC list" is "a list specified in an annex or adjunct document" would take care of that. It doesn't say whether it's public or private or whatever.

Okay, now for the action item: it should be staff to move the texts prepared by the ESADT to the template.

CHERYL LANGDON-ORR:

Great!

YRJÖ LÄNISPURU:

Okay. If there is nothing more I would like to thank all members of this Drafting Team and of course all of you, and of course Alan and Cheryl, you have been really a great support for me all the time. And we also thank Yaovi who is my co-penholder. And so there's no meeting as I understand of this Drafting Team anymore because we have done our

job, but then of course we are going to meet around these texts a few times in different other compositions. So thank you very much.

CHERYL LANGDON-ORR: Yeah, you're all being recycled, you're right.

CARLTON SAMUELS: Well, I'm glad I joined just as you're folding up. [laughter]

YRJÖ LÄNISPURO: Okay, alright. Okay.

CARLTON SAMUELS: I apologize, folks. I was teaching and had the late class.

YRJÖ LÄNISPURO: Alright, well we all have our jobs. Okay, so thank you all and bye-bye.

[End of Transcript]