

**ICANN**

**Moderator: Maryam Bakoshi  
February 24, 2016  
2:00 pm CT**

Coordinator: The recordings have started. You may begin.

Maryam Bakoshi: Thank you very much, MJ. Good morning, good afternoon and good evening. This is the NCSG ExComm meeting on Friday, 24th of February, 2017. On the call today we have Joan Kerr, Monika Zalnieriute, Robin Gross, Tapani Tarvainen, Tijani Ben Jemaa. And from staff we have myself, Maryam Bakoshi.

I would like to remind all participants to please state your name before speaking for transcription purposes. Thank you very much. Over to you, Tapani.

Tapani Tarvainen: Thank you, Maryam. So for the record, this is Tapani Tarvainen speaking. And since we have indeed a very long list of items, let's move forward without further ado.

The first is the routine issue we have in every call, new member applications and old ones to review. I hope you all have that Google Doc open where you can see the applicants. And noting at this point that I hope this is the last time we'll be using Google Docs for the purpose but for now we still do.

So looking at the list, new individual applicants, the first one we have is Shreedeeep Vayamaji), from Nepal. He does not – Maryam, I do not see constituencies indicated for any of the applicants. Are they really missing or have you possibly failed to list them on the Google...

((Crosstalk))

Maryam Bakoshi: Yes, so for the individuals they're all NCUC members. I'll update that now.  
Thank you.

Tapani Tarvainen: Oh they're all applying for NCUC; they are not members yet before we approve them. So (Rafor Rayamaji), this perhaps himself as a blogger, consultant, activist and journalist for who writes a Twitter handle and his own Website. Opinions? I hope that you have had time to look at these in advance. If you think this obvious, feel free to mark them on the chat or in the – directly in the Google Doc. Otherwise, a quick round and just poll you at the time if you have no comments to make.

So okay, Monika commenting that he provide his news Website. So he does. If you look at news it seems to be not exactly commercial, if you ask my view. That actually is just that (unintelligible) news is an Internet organization that lobbys the unheard voices of people. And I don't see here anything indicating commercial interest.

Monika, would you like to speak. Does your audio work? Okay, quick poll.  
Joan? Yes, no, comment? Hello, Joan, are you online?

Joan Kerr: Sorry, can you hear me?

Tapani Tarvainen: Yes. Please...

Joan Kerr: Okay...

Tapani Tarvainen: ...express your view on Mr. (Rayamaji). I see that Robin has indicated yes in the Google Docs chart.

Joan Kerr: Yes, I'm going to do the same. It seems okay to me. (Unintelligible). I'll mute my – I have lots of visitors at my...

Tapani Tarvainen: Okay, I note that Monika and Robin have both voted yes so, Joan is that yes as well? So it is. Monika your comment – okay that's editing, I guess yes, Robin and Joan, Monika, I'll vote yes as well but since Poncelet is missing we'll leave this approved pending Poncelet's decision later as we need to have a full consensus.

Maryam, I trust you check the – mark the votes on the Google map (unintelligible). So done with Mr. (Rayamaji). Next is (Surata Omani) from Ghana. There is no Website, no LinkedIn page so we have to go by the description. But reference to (unintelligible) is given. And I see Monika and Robin have already voted yes on him as well. Joan? Okay, Joan also yes. And I'm voting yes as well again, approved pending Poncelet's approval later.

Next, (Yolanda Myonzi) from South Africa. And he gives as a reference to (Tatam Vikra), and description looks good to me. There's a LinkedIn page. And it seems to be good to me as well. So again okay I see you already voted all yes. Good. I will do likewise, again approved pending Poncelet later. That was quick.

Next, (Casa Hungibramain), US. A law student. Robin and Monika already voted yes as well and Joan jumping in, the description looks good to me as well even though there is no referenced or LinkedIn but the description and reference to California school law are good enough for me as well. So again, approved pending Poncelet's approval.

Next, Louise Marie Hurel, yes is – the name is familiar and that's not surprising because she was already a member – a representative of Center for Technology and now she's applying for individual membership. And everybody is voting yes as well. So will I. so again approved pending Poncelet later.

Next, (Vivian Vinagar) from Brazil. Renata draftee. She's very effective in getting new members for us. And Robin and Monika already voted yes, description looks good to me and Joan agrees, so again, approved pending Poncelet later.

Next, (Anan Katib), from Jordan. And I see that Robin and Monika have already checked him out or her, I can't tell by the name. Description looks good to me. There's a LinkedIn page which I presume you already checked, it's a her, okay. And looks very good to me even though – okay. Looks like everybody's approved her as well. I will approve as well and wait for Poncelet's approval.

Next, (Carlos Valenzuela Anyon) from Spain. Very little information given. He's computer engineer and wants to help community to the ICANN – would like to help ICANN really (unintelligible) protocols in creating new regulations and services. There is no reference, no links, no nothing. I see Monika suggesting more information is needed. I tend to agree. Other views? Robin also wants more information on his noncommercial interests. So that's

what we'll do. Cannot approve unless we are full consensus and (unintelligible) that we need more information.

So, Maryam, make note, send him question to ask to describe his noncommercial interests and if possible provide a website or something, but that's of course not essential, but at least more descriptive we need to know a bit more about him before we approve.

Okay, next (Mariel Aranda) from Paraguay. And we have a reference again Renata's draft, description looks good, former ICANN Fellow. And I see you already voted yes for her as well so I agree, looks very good. Approved pending Poncelet later.

Next, (Bocet Sharifa) from Tunisia. We have a LinkedIn page so an assistant professor (unintelligible), okay my French isn't good enough to pronounce that but still an academic. Description looks good. See approving, okay, you seem to agree all voting yes so I agree, approved pending Poncelet approval later.

And the last individual we have is (Marian Kendal) from the United Kingdom. I see Robin commenting that seems business. Yes, and looking at the LinkedIn page it is a bit unclear. So let's go and ask for more information because if anybody wants that we'll have to do (unintelligible). So Maryam, okay and put this one down and ask for more information specifically description of noncommercial interest. Even if the description looks good but it's still a bit unclear and there's no reference. So more information requested.

That was the list of individuals. Moving on to organizations. We have three new ones, International Media Support from Denmark. Our vision is to have

fight to freedom of expression and the free (unintelligible) flow of information enjoyed by everyone. Funded predominantly through Scandinavian government donors. But still looks fairly good to me. They even provide a rather open link to their financials. Even though I'm a bit embarrassed to see that (unintelligible) is missing there funded by Denmark's with (unintelligible) nowhere but that can't count that against them. And I see that all of you have already indicated your approval so agreed. Approved pending Poncelet's support later.

Then we have Telecommunities Canada. It also looks – description looks good, volunteer organization so forth. But the lack of Website is something – there is organization Website address, tc.ca. And it does look good to me. So I see Robin voting yes. Monika, did you find the Website? Joan? Comments?

Joan Kerr: It looks good to me. It's a program by the Canadian government and different provinces have telecommunities, so this is the member organization. So that's why member organization. So it's fine.

Tapani Tarvainen: Thank you, Joan. And I see Robin and Monika indicating yes as well so agreed, approved pending Poncelet's approval later. And the last organization is Internet Society Chapter of Chad. We have a number of Internet Society as our members already and in general principles they should be viewed unless there's anything suspicious known about them and we don't know anything bad about this and it looks very good and we don't have too many members from Chad either. I see Robin and Monika voting yes already and Joan as well. So approved pending Poncelet later.

That were the new ones. We have some individuals under review. (Kiran Kumar), see that no reply for second email. When did you send that email,

Maryam? How long ago was that? After our last call, presumably? So it has been long enough time for him to reply.

Maryam Bakoshi: Yes, Tapani, that's correct, after our last call.

Tapani Tarvainen: Okay, in absence of a reply I guess we'll have to reject. Unless someone has some reason to give him extra time or whatever but I don't see anything getting that. Okay. So rejected of course if we do get some reply from him later we can reopen the case as a new application so that's not big thing here.

(Augusta Morales), likewise, we made questions and no reply so we'll reject as no objections so note him as rejected. (Nana Yijara Veturam), so we have a response here, gives LinkedIn page and description. He's interested in joining and so forth. Any opinions on that? The LinkedIn page is a bit typo but – it's obviously correctable. So he's associate professor, looks academic. Any opinions? Do you consider this extra information (unintelligible)? Anybody? No comment. Joan, please.

Joan Kerr: I don't know if I should bring this up but I often notice that people from India tend to be very – they don't provide a lot of detail so, you know, I'm thinking about their thought process. That's something we may have to address is, you know, in addition to say what is your noncommercial activities, to give as much information as possible because I think they just think oh yes, they join and they give a LinkedIn page or whatever which is not well developed.

But maybe there's some more information that we can – so this particular one obviously asked for more information but I guess I'm trying to think of a way that we cannot having to ask these questions all the time. And I specifically notice that people from India tend to not answer the questions very well. But

(unintelligible). So but I think generally that I agree with Monika that it's okay.

Tapani Tarvainen: So I take your – you agree with this one is okay?

Joan Kerr: Yes I do.

Tapani Tarvainen: Okay yes. I agree on your points and as you well know we have been working on the new member application form and we can always improve on that to get more information to make it more clear that we want more details on the applications. But seems that here I don't see indications on the Google Doc so Robin and Monika are indicating in the chat that you approve I take it. Okay, so Mr. (Rajaram) approved pending Poncelet's approval later.

(Luis Camacho), from Peru. Let me see, no response so we'll have to reject unless anybody objects? No? So rejected. And (Pasu Mishra) likewise. No response to the query so we reject.

And then we have organizations under review. (Bet) Media Development, we sent a request for more information, and got no response so presume we will reject them as well. Again, if anybody feels that some of these put merit extra question or more time, please say so. But we can of course, must note it, start them over as new ones if they respond late.

And the second is (Patis) Information Security Association, and again we have a situation of no response, understand, is that correct, Maryam? In the Google Docs there is no comment on whether...

Maryam Bakoshi: Yes, that's correct.

Tapani Tarvainen: Yes.

((Crosstalk))

Tapani Tarvainen: So no response, again, right, okay (unintelligible). So again, have to reject, got no response. Okay, that was the list of new member applications and old ones. We can move to the next agenda item, although at this point I'll sort of extra item I note that we are indeed planning to have new member database about ready to launch. And if you have some comments on that – and if – you all should get account for that if you still haven't any but request that via email so you can take a look and have any comments you may have, but that we can processing that.

But the next agenda item was the Consumers Candidate Constituency, I sent an email to the list a few days back, situation here is that the Consumers Constituency has been in the candidate state for rather too long. And it rather clearly does not fill any – the requirements for constituency should have that happened in six months after the initial candidate status.

I contacted the last and indeed the only representative of it I know, Dorothy Gordon, and Avri Doria who told me she was involved when it was started and they both agree that it is indeed defunct and don't object to being terminated. If you look at that email sent they have collected that relevant points in our charter and GNSO rules – or actually Avri collected most of those for me.

So I propose that we do not need to keep that dangling anymore and just decide now that we will consider it a case closed and terminate its status as a candidate constituency. The alternative, as noted, that we could keep it dangling there until we close that review round but I don't see any need for

that. I see Monika agreeing. Anybody else? Joan agreeing. And Robin agrees. Okay so again we'll have to give Poncelet a chance to object but otherwise our decision now is to terminate the Candidate Constituency status without delaying any longer about that.

So that was easy, this issue. Next, a bit more difficult, the constituency review. Maryam, can you get the next email I'm referring to? I sent a list of description of my thoughts here but which I hope you have read. And the basis of that I drafted question below which I hope – if you haven't had time to read because I sent it to the list just a few minutes ago. But basically this is picking up the criteria in our charter and turned them into questions.

Open issues here are how much details do we want to ask and the timeline and anything else you might want to comment. As our charter says, we should first – it's okay, Robin, you wish to speak. Please, you have the floor.

Robin Gross: Thanks, Tapani, can you hear me okay?

Tapani Tarvainen: Yes, I can hear you. Please go ahead.

Robin Gross: Great, thanks. I just have a question about the question on here that's labeled 1b, are all your members of also members of NCSG? And I don't think I'm telling you something you don't already know but they, by definition, must be members of NCSG because the constituencies are subsets within. So are you trying to get at something else here with this like sort of a confirmation that people aren't having – allowing other people into the constituency who aren't members of the stakeholder group or – I don't know, I'm just a little bit confused by this because by definition they must be members of NCSG. Thanks.

Tapani Tarvainen: Yes, I added it there because the charter text explicitly refers to that. The first criteria in the list there is that the constituencies must meet the criteria established in 2.3.1 which I presume is typo there and is actually the second paragraph in 2.3 which, among other things, lists that all members of the group should be members of the NCSG. So this is just a clarification – question to make sure that they fulfill the letter of the charter.

This is a bit ambiguous in that it might argue that this is relevant only in the case of a new candidate constituency, but since the question is the – or that point is there I see no harm in asking them to confirm that as a matter of principle we should have all the items listed in the charter for that purpose. Okay, it seems that you agree on this.

Likewise, the 1c comes from that same paragraph which is that the group forming the constituency should have a common interest or background and its focus should be sufficiently defined as (unintelligible) relevance to ICANN and NCSG context and with respect to its core mission. So that’s basically – that text is simply lifted out of the charter description and – but will apply with (unintelligible) charter.

The other questions are reasonably obvious, likewise, although again, how much detail shall we ask for is open? Robin, please go ahead.

Robin Gross: Thanks, Tapani. I just wanted to ask something about Question 2, do you have a publicly dynamic, publicly archived mailing list? Where is this archive and where can it be found? When we say “publicly archived” do – we mean so anyone in the world can see it or do we mean open such that only your members can see it?

Because I think, you know, that's kind of an important distinction and I'd like to know, I mean, I'd like to be sure that these mailing lists and such are open to people outside of the membership, like for example, the NCSG mailing list anybody in the world can take a look at our discussions. And so – and other mailing lists are set up such that you only have to be a – or that you have to be a member in order to see it. So I'm just kind of wondering if we could be a little bit more precise in this question so we're asking if it's open to nonmembers to view. Does that make sense?

Tapani Tarvainen: Yes, that makes sense. Our charter says that it has to be a – publicly – basically it has to be a publicly archived. I would take public to mean, in this context, that it means indeed that it's world-readable. Actually I find it kind of hard putting it in any other way. We could clarify it here in this questionnaire either saying that it must be so or asking them to explain if it is. I don't think that will be a problem. Actually I know it will not be a problem for either constituency but of course we want to do it in such a way that this process is generalizable, hoping that with a bit of luck, this questionnaire can be reused by the next is doing this review in the future.

So should we rephrase this question or of course we can, when they provide the URL we can simply evaluate it and see if it's publicly open. But we can – do we want to add some text to this question to make it sure? Say publicly archived, world-readable or something to that effect? Robin, please go ahead.

Robin Gross: Yes, maybe we just say it like, you know, just make it a little bit more clear that it's open to the general public as opposed to, you know, the membership. So I think that would be fine. And then I had another question about this as well.

And maybe – and it probably isn't going to be something that ties directly to our charter but might be a good idea to ask nonetheless is – and is this – the mailing list on which, you know, most – are these the lists on which decisions are taken and input is sought and discussions are had because I could foresee a situation where, you know, yes they have an open mailing list but none of the actual work gets done on it, all the work gets done on a secret list.

And so I'm just kind of, you know, is there a way we could tease out a little bit further that, you know, these are the working lists where members provide input and decisions are taken and something like that. Thanks.

Tapani Tarvainen: Thank you, Robin. Yes, that's a very good point. We should plan to ask – something to that effect. Joan, you want.

Joan Kerr: Yes, I agree with that. That's a very good point. When I read the word “public” I always think of the general public, the world that – although usually for members only if it's only for members, that's my – my take on it. So I thought it was self-explanatory but, you know, (unintelligible) is always good. But I think – when it says “publicly available” I think of it as the public world. That's how I understood it anyway.

Tapani Tarvainen: Okay thank you, Joan. Yes, that's how I understood it as well. But clarifying doesn't hurt. As for the phrasing of how shall we ask is this – whether these issues are being made or so forth is something that needs a bit more thought. I will try to draft a wording for that and post it to the list for discussion. Of course we can also, and indeed we should also look at the list when we get it (unintelligible) for ourselves, it looks like this – the decisions are being made but asking for it is a good idea anyway.

Anything else on that? I was wondering a little, is it too difficult to ask that they should provide a complete list of participants in the working groups but I think not; they should be able to provide that if we give a few months time. And most of those should be easily findable at least current situation because I've been asking for history, which is also something I'd like your comments on is this since 2015 will take a two-year period as a reasonably long history especially since two years is how often this should generally be done, this review.

And of course, as I noted in the end of the questionnaire, I'm suggesting that this is not the final thing that if they don't apply well enough we will ask for details, that this is just the first round, but still is that two years a reasonable time? And on the line of detail I'm suggesting that a list of people who participated in them. Okay, I see Robin approving. Yes, and I also want to note chairs and co-chairs because that indicates a level of participation as well. Okay, so it sounds like at least for 3 you agree with this timing – with this phrasing.

And Question 4, again, public comments should be easy enough to point out simply give the link in the Website. And if any other policy statements - well presumably by definition they are public so this should be able to point to where they've been published. There is a bit uncertainty perhaps whether we should clarify if public comments submitted by individual members on their own behalf should be also noted or counted.

Oh, Robin, that's a good point that we should actually ask for that how these comments are processed, which if they have a policy committee or something that approves them and actually I guess we could specify that if they are individual members comments you can list them as well just indicate them as such and then we can maybe consider if they are relevant.

And asking for transparency, yes, if that public comment is actually processed in some other mailing list than the one provided above, where is that? Is that publicly archived, for example, if there's a Policy Committee list that kind of questions. Actually, coming back to Question 2, should we ask for multiple lists if they want to submit several lists that are publicly archived so I guess it would be better to phrase it in such a way that they can list all relevant mailing lists.

Okay, but otherwise you're happy with this (unintelligible) for the comments as well. We don't need to go further back in the history, just two years is enough. Okay, Robin, please go ahead.

Robin Gross: I think it might be worth asking if nonmembers of the constituency participate in the drafting or, you know, somehow in the framing of the issue, if they get draft, you know, draft could come (unintelligible) and then the constituency could just sort of adopt it. You know, I'm just trying to imagine the different ways that things could slip through the cracks and what kind of issues we could maybe tighten this up a little bit. And that's sort of – it makes me think that well we could ask about are nonmembers allowed to participate in the drafting or framing of issues in the meeting or discussion, something along those lines. If that makes any sense.

Tapani Tarvainen: Yes, thank you, Robin. Yes, it actually does make sense. In particular if it turns out that, let's say, comments are frequently or sometimes submitted by some chair without consulting anybody then we would raise the question of if there is somebody else it behind it having an input so that we should certainly ask – but general clarification of the process and in clarity there any nontransparent part is there a possibility of nonmembers contributing within – in a way that might be inappropriate.

Framing – okay, Joan, please go ahead.

Joan Kerr: It's a really, really good transparent question because one of the difficulties I had when I came on to NPOC was I thought that when we commented on policies that it was – because the representing organizations that we also enter as an organization so that was my interpretation of it. And that there was direction and then I learned, no individually based, and it was like oh okay. So I think it's a really good way to identify the different ways that people actually have public comments. That is individual or that there is a process, and that it's clarified, I like that.

Tapani Tarvainen: Okay, thank you, Joan. Yes, let's – we need to work a little on the text and how to ask this sort of – if this becomes clear. A call is not the best place for a word-something so I will try to draft new version of the text and send it to the list and we can discuss it there further. But your point was clear enough.

Anything else on this? Okay, looking scrolling down, the fifth question is, again, directly from the charter where there must be at least 10 participants who have an updated SOI, statement of interest. And the question is simply that I will want to sort of approve mailing list of at least 10 such – that we can verify that they actually are the – we do not have an easy way of checking that for history. I guess we could dig out whether those have existed in the past but for the present purpose I think it's sufficient if we get current members that have SOIs even if it means that they will actually rush out to fill them at this moment. But I don't see that as a problem at this stage.

Robin suggests we should ask for complete members' list on the Web. Yes, that is a good idea even though that's not required by this charter but we should ask for it anyway. Perhaps phrasing it so that if you don't have it there

please explain why because that's a general transparency concern. But for some at least I'm not sure if constituencies have the members' list – even though members' lists have been on the Net they do not necessarily have links to SOIs so I want to ask for that separately anyway.

Okay, I don't see anybody disagreeing with we ask for the complete list as well. So I guess we'll phrase it so that we ask for please provide a link to the complete list of members and if there are no SOIs, then provide separate list of at least 10 SOIs.

Everybody is busy typing. Yes, and we can at least suggest to add links to SOIs in the member list. And actually that – I put that down as a agenda item for that no new member database thing so that they can get that down for the entire NCSG well, add it. But for now let's put that on the questionnaire as well.

Okay, for the end points I made there that they want to give them more chance to explain any future projects or plans noting that both constituencies are in fact, in the process of updating their bylaws so the purpose statement will want both current and possible plan new one. And likewise in case they are a bit on the low side on some of this requested requirements for judging their activity or number of comments and so forth any plans for improvement would be of interest to us.

I trust everybody agrees with that. And then the timeline is it reasonable to put the first deadline to mid-May? The plan here basically is that if we get this out maybe next week that gives them two months to collect this data and you have about a month and a half before Johannesburg to give updates.

Okay, is there anything else you see in this questionnaire you might want to comment on this point. I've noted I have written – I am going to make an updated version on the basis of comments here and send it to the list but otherwise any comments on this point would be welcome.

Okay, since it looks good to everybody there is a decision item at this point so point is simply that I will send out an updated version for the list and we can then approve it by email. Okay so much for that.

And then we can move to the last item we had on our agenda, Maryam, can you pick that email about that temporary councilor replacement. I trust you have read this that this summary that since Amr resigned we have to replace him. And there are two ways of doing that, the temporary alternate and temporary replacement.

We already appointed Avri as a temporary alternate for a two-week period before we have this call. We can go on for a temporary alternate for somewhat longer. The GNSO Operating Procedures say for the transition period and it's reasonably clear that we can extend that all the way to Copenhagen but going further than that would probably be stretching it. So that we'll have to appoint a temporary replacement then it will be up to the end of that term or actually until end of next election, but – general election but it's the same in this case.

So that gives us basically – we don't have to appoint a temporary alternate of course, but we have two ways of filling this. At this point we can appoint a temporary replacement now, someone who will take care of the entire rest of the term or we can appoint someone as a temporary alternate until Copenhagen and then someone as a temporary replacement from that on.

Or we could technically use some other period for the temporary alternate but I don't see any point of doing it any other way if we go with temporary alternate then Copenhagen is the possible point to cut it off.

Yes, Robin, we did appoint Avri as a temporary alternate but only until tomorrow so we have to extend the appointment or we could appoint someone else as a temporary alternate as well if we choose. So okay, Robin, please.

Robin Gross: Okay great. Yes, I think, you know, as long as we've got Avri ready to fill out the rest of Amr's term and in place and ready to do it, I think we should have – we should let her do it. You know, there really isn't anyone in the NCSG or, you know, really the community who knows more about the GNSO Council procedures and how the working groups work and, you know, she's really in a position to just hit the ground running.

And, you know, pick up whatever torches and really run forward with it. There isn't going to be much of a learning curve there. So I think, you know, it's a – we should have Avri fill out the remainder of the – of Amr's term and then that position will be up for election I believe. That would be my proposal. Thanks.

Tapani Tarvainen: Thank you, Robin. Yes, that we could do that. At this point I would like to highlight a few residual items before going on, well, it's (unintelligible) comprehensive overview you have – if you disagree on any point there, but I'll note that we have four people who have indicated their interest, Avri Doria, Martin Silva Valent, Carlos Raúl Gutiérrez and Tatiana Tropina.

And there are some eligibility issues which I pointed out, there's a term limit issue which does not prevent us from choosing any of them. I'll note that this temporary replacement or alternate appointment does not influence future

terms so that whoever we appoint now could run for election and stay for two full terms after that.

But nothing further about that since neither Avri and Carlos have both done one term but only one constituency term so neither have this issue. Martin was a temporary alternate, which has no impact there. And Tatiana hasn't been at all.

And the other point is that regional and gender balance points both have hard limit and a soft limit so to speak. For gender the hard limit is at least two of each gender, which we have in any case, as at the moment after Amr left there are two men and three women so we're only left the consideration of reasonable effort that should be done to maintain the gender balance. And we'll have to discuss if that's – how significant in this case, what we mean by reasonable effort.

And second is the regional balance where the hard limit is maximum extent possible should be no more than two of any region and that the reasonable effort to be – should be made to cover all regions. Unfortunately we don't have any African candidates so we could ask if we should make another attempt to recruit some to maintain a reasonable effort. But we did, it was asked for in the public list several times.

And so I don't see – well we can open for debate if that matters, but the maximum extent possible in the general election we have interpreted so that if there is any candidate – it states there would be more than two in same region then that candidate will lose to any other available candidate if there is one. But we can of course discuss if someone is sufficiently better than it be reasonable here.

But, without further comment on that point, I'll hand over to Joan. Please go.

Joan Kerr: Hi, it's Joan. Thanks for pointing out those eligibility requirements. That was very helpful. So obviously I think that Avri is a very experienced and I've known her personally. But I'd like to maybe propose something, I think that Martin would make a really good alternative for this position. You know, I think I've been involved in ICANN, the first thing I've been hearing is how much overworked people are and that we need new blood. And I think this is an opportunity for some new blood.

And I think that Martin is interested and competent to do the job. And also Avri has also indicated that she would mentor him if he was in that position as well. So I really believe that Martin could actually fill this position. So I'd like to put him forward as a candidate.

((Crosstalk))

Tapani Tarvainen: Yes, can you please, Joan, clarify? Are you proposing that we appoint Martin for the entire term now or that we appoint Avri as a temporary alternate until Copenhagen and Martin after that? Or something else?

Joan Kerr: We can – Avri will be fine for Copenhagen because it's two weeks away. And I think, you know, like I say, she's very competent, she knows – quite knowledgeable, and then Martin will be the next one. That will be fine too. But I just think that he's indicated his candidacy. And I think that he would be – make a really good alternative as well. So that's all I'm saying.

Tapani Tarvainen: So we have a clear proposal from Robin suggesting that Avri takes (unintelligible) and from Joan you are proposing that – can you please explicit

– are you proposing that Martin take over now immediately or that Avri takes until Copenhagen and Martin after that? I wasn't quite clear.

Joan Kerr: Sorry, so to be clear, I was originally proposing that Martin takes over but, you know, I'm also fine with them sharing it as well. So since you asked, like I said, I'm new to this whole process and I have nothing against Avri having that position, like I said, but I do think that Martin would make a good alternate. That's the point. So if they share it, that's fine, but if we need to have just one of them then I say Martin is my choice. But I think that the proposition for sharing it is a good one.

Tapani Tarvainen: Okay, I take it we have technically three proposals on the table. One, Avri takes it for now on; two, Martin takes it from now; three, Avri takes it until Copenhagen and Martin from there on. Before moving on, I have to pick up this comment from Monika from the chat where she agrees that the gender balance working against female applicants.

I think we are bound by the text of the charter here, but of course since it only says that the reasonable effort must be made to maintain the gender balance, and you could argue that we should look at gender balance in the wider context, perhaps saying that since men tend to be overrepresented in ICANN in general, then this should not be given that much weight in this context and we should (unintelligible) but in any case it's just best effort, reasonable effort. So I'm open to argument here.

But I do not buy that line that we should not – it could not work against female candidates, even whatever purpose of it, but I'm open to that kind of interpretation. Or as well as that reasonable effort means simply say that in case of evenly balanced candidates, we could pick – should pick the minority in current Council.

But, Joan, your hand is still up. You wish to speak?

Joan Kerr: Yes, thank you. So again, I usually try to follow the rules or guidelines. So if I'm understanding it, as an ExComm, are we proposed to – is a male – is a male candidate on the table over the female? Is that what I'm understanding? You said our guidelines, I'm asking.

Tapani Tarvainen: No, well we have two male and two female candidates. And given from the proposal so far made, Martin is male so if we look at conversation of the – our councilors only balancing gender, they would favor him. But as noted, there are ways of reading it otherwise and reasonable effort is always open to the question as well.

Joan Kerr: So what would (unintelligible) unreasonable then? Like, you know, like I really think Martin would make a good councilor. He's not as experienced as Avri but he has a lot of experience otherwise and so what would be – how would we be judged to be unreasonable?

Tapani Tarvainen: That is a good question. It would seem, well, possible interpretations are that if there is an easy way to maintain the balance we should follow that.

Joan Kerr: Right.

Tapani Tarvainen: Or we could – if it's simply an extra factor to weighing in if there's one candidate is obviously better than that will override the gender balance requirement. Or, as I said, we could even argue that the gender balance would be looked at in a wider context. But reading the text it's a bit difficult.

So actually I see that Monika has clearly pointed out that she doesn't think this gender balance should work against females or any others. How should we interpret this reasonable effort. Joan, your hand is up. You want to comment on this?

Okay, Monika is saying that the various criteria used against female candidates – sometimes that can happen. In particular regarding the region criteria that is very strongly worded. And it works against Tatiana in this case. I presume that's what you are suggesting. I don't see that as malicious in any way because that's pretty explicit in the charter.

And we have been interpreting it that way in general elections all along so that – while it's not an absolute requirement overriding that to the maximum extent possible and when we are filling it here, would require some strong argument. I guess we could do that in case that say the female candidate is obviously better or the others are obviously incompetent maybe.

But, as regards to Avri, region is not a problem. There is only one North American councilor at the moment. So the question of the gender balance clause, Monika's point of view is that that should not be used against the female candidate. I'm not sure if you mean that as general principles that it's always intended to be supporting females only or are you drawing this from the general gender imbalance argument or somewhere else?

I see you are typing. Let's wait for a moment. Of course I note that still even two to four distribution on genders is still fairly good so that can be also (unintelligible), it's not really a strong argument, reasonable effort to make a – the gender balance is satisfied by having two already.

So you are arguing it was never drafted to prevent female candidates from becoming councilors. I'm not aware of the history of this, if there's any reference to that. But failing that I don't see how we can do anything but go with the current text we have. So the only way I can see that we should not use it to support a male candidate against a female would be the argument that we should look at gender balance in ICANN as a whole, which would, of course, support the notion that it does not really support male over female because there are more males that have wider support in general.

So Monika writing, "In principle we support the compromise." Does that mean that you support – and Robin as well. Okay, do I take that you all actually support this proposal that we appoint Avri until Copenhagen and then Martin as a temporary replacement after that? If so, it seems we have consensus although as before we have to wait for Poncelet's possible objection.

As I take this Monika's in principle and Robin's I think to be in agreement of this proposal, just waiting to be – give you a chance to make – verify that in case I have misunderstood but it seems that we are in agreement. So let's then – that's what we shall do. I'm happy with any compromise you all support.

So giving Poncelet the option to object, we shall appoint Avri as a temporary alternate until Copenhagen and then Martin as the temporary replacement after Copenhagen until the end of Amr's term.

Okay, fine that was the last item on our agenda. Any other business? Okay, under any other business I'll get the letter back to the new member database and remind everybody that please take a look at it if you haven't already and if you don't have the login details for that to get – log into that system send me email off list and I will get you then.

Anything else? Okay, sounds we're done here. Oh, on the other – one other point, just a quick question, Robin, is that process for member removal going forward? Can we put it on the list next time?

Okay that's good. So thank you, everybody, that was a very productive meeting. Goodnight, have a good weekend. Good morning for – or good day wherever you may be. Thank you all. You can stop the recording.

Maryam Bakoshi: Thank you very much. (Ange), please stop the recording and disconnect all lines. Thank you very much for your time today. Good-bye.

END