

**ICANN**

**Moderator: Maryam Bakoshi  
November 28, 2016  
9:00 am CT**

Coordinator: Recordings are started.

Maryam Bakoshi: Thank you very much, Phil. Good morning, good afternoon and good evening. This is the NCSG ExComm meeting on Friday 25th November, 2016. On the call today we have Tapani Tarvainen, Poncelet Ileleji, apologies from Monika Zalnieriute. And from staff we have 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 this is Tapani Tarvainen for transcription purposes. And we really have nothing else on the agenda but going through member applications. And we'll have to let the missing members well, committee to review them later.

I trust you have the spreadsheet open, Poncelet? Oh, Robin, welcome. So we just begin starting to preview the member applications. I trust you have the spreadsheet open with the names. You can also see them on the discussion notes there just briefly.

First one we have is Wisdom Donkor who has been a regular in NCSG mailing list already as representative of some organization which I now forget. He's applying to become an individual member. He's noting Rafik as his reference, an affiliation with me. Well, I'm not sure if I am affiliated with him but I know him certainly and he's been active and useful as (unintelligible) member list in NCSG list.

I have no reason to doubt his – in any way but maybe you have comments, Robin, Poncelet, bring some wisdom. Robin, please. Can't hear you, Robin. Problem with your mic or something.

Robin Gross: Can you hear me okay?

Tapani Tarvainen: Now we can hear you. Go ahead, please.

Robin Gross: Hi, can you hear me? This is Robin.

Tapani Tarvainen: Yes, we can hear you.

((Crosstalk))

Robin Gross: Can anybody hear me? Hello? Hello? Hello? Oh you can hear me, okay. Okay I was just going to say we've got an individual member who wants to also represent a group in NCSG. Well, you know, in the past we've said you can't do both. You can either be an individual or you can represent a group. But you don't get two votes.

You know, when we send out our ballots, for example, it goes to one email address. And, you know, you couldn't have one person receiving two ballots. And it sounds like that's what is being proposed here. And I don't know if you

guys have been on the committee long enough to remember this, but we've said you can't – you have to pick. You can either represent an individual or you can represent an organization. But it's one or the other. Okay. I don't hear anyone.

Poncelet Ileleji: No, I agree with you, Robin. Poncelet speaking for the record. I agree with you.

((Crosstalk))

Poncelet Ileleji: When I saw the name...

Robin Gross: I must have done something here to turn off my ability to hear. It doesn't...

((Crosstalk))

Poncelet Ileleji: Poncelet speaking.

Robin Gross: There we go, okay. Now I can hear.

Poncelet Ileleji: Okay, Poncelet speaking. When I saw the name I flagged it off because I know he's been contributing to the NCSG mailing list. And then I know him personally. I just saw that he was representing a membership organization. So the only question I will ask, does he want to – is that association that he joined under joined as NCUC, does he want to deactivate the association and be considered as an individual member? If he doesn't want to do that then his application should be (unintelligible) and we should only allow him as a representative of the organization, that's what I would say. Just to – because you cannot be both as Robin rightly said. Thank you.

Tapani Tarvainen: I have to correct you, that we have discussed this any number of times and always concluded this is actually possible within our rules. And we have several members who are both individual members and receive (unintelligible) ballot for both. I can of course go back and look at the records. But if you read our rules and I'm quite sure we have had this discussion a number of times and always concluded that our present rules do not forbid that.

But we want to...

((Crosstalk))

Poncelet Ileleji: I'm not aware of this.

Robin Gross: Well my memory is really different than that. My memory is you only get one ballot and you need to pick. So we need to have a discussion about this like who exactly are these people that have – you get two ballots?

Tapani Tarvainen: Yes.

Robin Gross: Who are these people that receive two ballots? This is – this is something that I thought we had decided years ago couldn't happen.

Tapani Tarvainen: Yes.

Robin Gross: So I'm wondering how this happened.

Tapani Tarvainen: We have discussed this a number of times; the conclusion always has been that maybe we should change it but at the moment the rules do not forbid it and there are several people, as I said...

((Crosstalk))

Robin Gross: ...represent somebody? Who does (Jeanie) represent? Because I'm not aware of anybody who gets two ballots.

Tapani Tarvainen: Well you are now because I do. But it's...

Robin Gross: So how many years have you received two ballots?

Tapani Tarvainen: Ever since...

Robin Gross: That's interesting.

Tapani Tarvainen: Ever since (EFFI) joined I think. I was an individual member first.

Robin Gross: And then okay so it should have been transmuted.

Tapani Tarvainen: Well...

Robin Gross: Okay so if we have members who are receiving two ballots then we've got to bring this up to – we need to take this up as an issue because really before you were a member of the Executive Committee this is what we did and then nothing like this has happened since you've joined.

Tapani Tarvainen: No it has happened. This has been discussed a number of times. I'm quite sure it has been because I remember bringing this up quite a few times, always the conclusion was that there is nothing against it in our rules. The charter doesn't forbid it and there have been such cases – there are others. We can look them up but there are several.

Robin Gross: Well that really counters my memory of this. And I have a big problem with one person receiving two ballots. If you want to represent a organization, represent an organization; if you want to be an individual be an individual. But the idea that you get both like double dipping to me.

Tapani Tarvainen: Yes well that's – we should change the charter then or make the decision otherwise, but at the moment so far it hasn't been – and it has been discussed in the past and the conclusion has been it is perfectly legal.

((Crosstalk))

Robin Gross: So this is news. I'm just really – before your time it wasn't. So it changed since you've been chair and I haven't noticed and I'm noticing now and I'm concerned.

((Crosstalk))

Tapani Tarvainen: I asked about it in 2013 actually when I joined NCUC EC. The first time I remember talking – asking about it.

Robin Gross: Well I think we need to take this to the members. I think we need to have a discussion with the members. If this is going to be the decision of the chair that we can't have...

((Crosstalk))

Tapani Tarvainen: I'm not taking a decision as the chair, I'm just noting that this is the way it has been in...

((Crosstalk))

Robin Gross: Well what I'm telling you is before you were chair it was decided a different way. So if now you – you're saying it's something different. I think this is a big deal that people are receiving two ballots. And we need to...

((Crosstalk))

Tapani Tarvainen: ...actually. If you want I can...

((Crosstalk))

Tapani Tarvainen: ...2013...

((Crosstalk))

Poncelet Ileleji: Robin, if I might speak? It's Poncelet speaking.

Tapani Tarvainen: Poncelet, go ahead.

Poncelet Ileleji: If you look at the charts – if you look at the charter, Maryam has just been typing members that are both individual members and representing organizations. And I'm seeing about one, two, three...

((Crosstalk))

Robin Gross: I'm seeing like (unintelligible) just recently was named (APC)'s representative so that's something that slipped under our radar in terms of, you know, her receiving two votes. That's news to me that she gets to ballots. Some of these other people, I think they joined – I don't even recognize their

names. I think they joined very recently. And so this is something that is perhaps slipped under our radar. And I think it's something we need to talk about. Is it appropriate that one person receives two ballots?

If it is in fact an organization, you know, why is – if it's an organization why does the same person who receives an individual ballot need to be the one that receives organizational ballot because then it...

((Crosstalk))

Poncelet Ileleji: So it could be someone different for the organization.

((Crosstalk))

Tapani Tarvainen: ...that I know. Okay, may I explain a little background at least? I know of two different cases where this occurs. The first is that the member is an individual first and then persuades their organization to join as well and remains an individual member. The other case is that an organization representative becomes interested and wants to be an individual member. I think we have both cases. Certainly the first one has happened.

And I'm not sure if it would make a big difference if that – have to nominate a different representative for the organization. But of course I'm happy to do that if you like. But I don't see anything against it – charter against it. And it has certainly been discussed before. I'm quite sure we have discussed it actually before. But it certainly has been discussed way back in – I remember asking about that when (EFFI) joined, which was I think 2013.

Robin Gross: And I'm sure we would have said then somebody else needs to represent the organization...



((Crosstalk))

Tapani Tarvainen: Because I'm quite sure but we can look at that. Anyway, it's not in the charter. We can try to make a decision that we shouldn't do that.

((Crosstalk))

Robin Gross: ...individual member I'm going to vote no.

((Crosstalk))

Tapani Tarvainen: ...individual member.

Robin Gross: Well then I vote no if he's an organizational member.

Tapani Tarvainen: Okay, we can do that. But there is no...

((Crosstalk))

Robin Gross: ...kind of issue. I mean, I don't mean to cause a problem but I actually think this is a big deal that we've got people who are receiving two ballots and this is against my understanding. You say – it's the way you've already done it, fine, but it's against my understanding. And I think it's something that we need to talk about that, you know, we really need to think about do we want one person to receive two ballots, one with four votes and one with one vote because that seems like we're inviting an opportunity for gaming if we do it that way (unintelligible) everyone from doing it that way if you can get more extra votes that way.

Tapani Tarvainen: Well of course we can...

((Crosstalk))

Tapani Tarvainen: I don't totally agree with...

((Crosstalk))

Tapani Tarvainen: ...myself because I'm not sure how it should be. I'm just noting that that's the way it has been.

Poncelet Ileleji: I totally agree. Someone cannot be getting two votes, individual and organization. So I think we should start changing this now. We should turn down this application and then we put it to the mailing list that, I mean, I'm not noting this and, Robin, you have been chair before, you said maybe it did come under your radar. And our current chair, Tapani, said he (unintelligible) nothing in our charter that excludes this. But since it has come to our attention within this EC I think we should bring it up (unintelligible).

If you want to be – your association to be in NCUC you want to be an individual member, someone else should represent the association in NCUC so there's a separate – so we know that if one person one vote, because (unintelligible) look at it with all the electoral guidelines in the election (unintelligible) someone is getting two votes, you know, so to me it's not fair and it's not right. So I think we should just use this as we are reviewing these applications now who is done, is already is organization is a member. We are not going to accept him as a member (unintelligible) replaces someone with him or something else.

Tapani Tarvainen: Okay thank you, Poncelet and Robin. As I said, it has been discussed before; it has not been a problem before. But of course we can bring this up then we'll have to actually also decide what to do with existing members who are doing that because otherwise we would be treating people unequal. It won't be a problem for me, I can easily get someone else as an (EFFI) representative here. But and I asked about that a number of times way back when whether I should do that and nobody said there is no real reason for that.

But if you are willing to do that okay, we shall have to – I guess we'll have to take this to the discussion list at some point. But for now we'll reject or suspend this application at least pending or do you want to reject outright or pending discussion later on? I'm happy either way.

Poncelet Ileleji: Robin, what do you suggest?

Robin Gross: Sorry, had to get my phone off mute there. Okay so, yes, why don't we just reject pending a discussion so, you know, we kind of leave it open. I mean, I don't think it's fair that people can have multiple votes. But we'll leave it open for now while we have some discussion from our members about this. And then based upon that discussion maybe make our final decision. That would be my recommendation.

Poncelet Ileleji: Okay, fair enough. I concur.

Tapani Tarvainen: Yes, fair enough. We'll do that. Okay let's move to the next one. Aarti Bhavana which we – whom I know well at least. I presume others have seen her somewhere. Recommending Stefania and she has been around as a representative but I don't think she is now. I have to check that just to be sure she isn't. Maryam, can you check this party has been around but I don't think she's a member representative or anything. Correct?

Maryam Bakoshi: I'm checking it. No, she's not on the NCUC database.

Tapani Tarvainen: How about NCSG, because that's what we are concerned here about, not NCUC.

Maryam Bakoshi: I'll check that...

((Crosstalk))

Maryam Bakoshi: No, I don't find her on the NCSG either.

Tapani Tarvainen: Yes, that matches my recollection so we don't have this particular problem there. Opinions on Aarti? Okay Robin voting yes. Poncelet? Agreed, so...

Poncelet Ileleji: Yes.

Tapani Tarvainen: Okay, Aarti has been accepted pending the later approval by Monika and Joan. Next we have (Liz Rembo) is news to me. Nothing about her.

Poncelet Ileleji: Yes, I know her personally. And I know her. She's very – what do you call it – she's within the (unintelligible) community in Nairobi just like Grace who recommended her. And I think she fits appropriately here. So I know her very well.

Tapani Tarvainen: Okay, so Poncelet is supporting her. It seems that – is the LinkedIn link correct? Let's see. At least it's not in the link form. I can't (unintelligible). If anybody can get LinkedIn open to check that?

Poncelet Ileleji: I don't need to open it because I know her personally...

((Crosstalk))

Tapani Tarvainen: Yes but matter of principle we should be able to verify that.

Poncelet Ileleji: Okay, let me do that.

Tapani Tarvainen: One of the conditions we have is that LinkedIn address given should work.  
Can't find it. Well, name given.

Poncelet Ileleji: You know, her name full – it's opening on my PC, her full name is (Elizabeth), she's writing it (Liz). It's open now on my system. Her full name is actually (Elizabeth). And it's there. The LinkedIn is opened and her LinkedIn file states like what she does. She's a volunteer with the Internet Society Kenya chapter which runs (unintelligible) I know that. And then she has a company where she works in communication officer for (AquaScope). That's there.

Tapani Tarvainen: Okay, I found it. But the point remains that the application it was wrong. In the past we have generally in that case requested correction. Opinions? Shall we do so now because we found the correct one now corrected there. Robin?

Robin Gross: Yes, I think, you know, in the past it's just been the question of we can't figure out who this person is when we get a wrong LinkedIn application. But this is someone who Poncelet knows, is vouching for, and now we've got the correct LinkedIn application so I see no reason not to approve this one. Thanks.

Tapani Tarvainen: Yes, okay. I'm happy with that so let's approve her again pending Joan's and Monika's approval later. Next we have (Mot Abdul Najim). I don't know anything. Just is an Internet is an integral part of our living. One can't think of knowing the world without Internet hence the flow of information it requires understanding about the nuances, the norms, procedure for free flow of information. I think being a member of NCSG I would be able to understand this relationship more deeply.

And there is no LinkedIn is not linked to an entry. Anybody know this person?

((Crosstalk))

Tapani Tarvainen: Okay, I think we'll have to ask for the correct LinkedIn entry at least in that case.

Poncelet Ileleji: More information.

Tapani Tarvainen: Do we want to ask something specific besides the LinkedIn correction? Robin, do you think?

Poncelet Ileleji: I think the LinkedIn, since we are using it, I mean, we should get just more information. He should send us his LinkedIn profile, yes.

Tapani Tarvainen: So either...

((Crosstalk))

Tapani Tarvainen: ...LinkedIn or something if he doesn't actually have a LinkedIn profile we can live with that, if he otherwise provides enough information. But on the

basis of this alone we can't really (unintelligible). Okay so let's pending request for LinkedIn page and perhaps (unintelligible) if he wants to provide additional explanation of his interest in the DNS system it would be helpful. But LinkedIn is the minimum. Okay.

Next, (Inam Ali) from Jordan. Interested to build...

((Crosstalk))

Poncelet Ileleji: Yes, I know.

Tapani Tarvainen: Okay.

((Crosstalk))

Poncelet Ileleji: ...personally, yes. She was a Fellow, she was an ICANN Fellow some years back and she's very involved within the IG community in Jordan.

Tapani Tarvainen: And the LinkedIn page seems to work.

((Crosstalk))

Poncelet Ileleji: Yes.

Tapani Tarvainen: Okay. Robin, you have your hand up. Poncelet approving. Joan just joined us, okay.

Joan Kerr: Sorry about that.

Tapani Tarvainen: Okay, for Joan a big review on what we've been doing. So we first had a major debate about some history. The first entry here because (Wisdom) is already representative of an organization and we sort of realized we have different historical memories of whether that's acceptable or not so we decided to leave that pending until resolved probably by discussion on the list.

Joan Kerr: Okay.

Tapani Tarvainen: We approved Aarti and (Liz Rembo) and decided to leave...

((Crosstalk))

Tapani Tarvainen: ...because (unintelligible) pending because his LinkedIn address was wrong. And now we're discussing (Inam Ali). Poncelet has approved. And telling that he knows (Ali) and also is referring to Joao Caribe as well and a few others. Other (unintelligible) (Inam Ali)? Robin?

Robin Gross: Okay I just – sorry, takes me a second to get off mute there. Yes, I'll vote yes. Thank you.

Tapani Tarvainen: Joan.

Joan Kerr: I'm not in the document yet but I did look at them before and I don't recall that one. If we could just leave it for a second until I get to it. But I would say I approve of (unintelligible) think that there was a reason. So and I can't find my – there we go.

Tapani Tarvainen: You find the document yet?

Joan Kerr: No. I have it bookmarked but my computer is – there we go. Oh here.



Tapani Tarvainen: I linked in the chat for you.

Joan Kerr: Yes, I found. There it is. Sorry about that, guys, I got held up so. Here we are. Sorry about that. Yes, I don't think there was a reason. Yes, I'm good.

Tapani Tarvainen: Okay so (Inam Ali) is approved pending Monika's approval later. Next, (Lucas Mora) from Brazil, mention that he's volunteer and (PGD) and gTLD registration data services so and (unintelligible) participant as a Fellow in ICANN 57, decided NCSG is one place (unintelligible) cooperate referring to (unintelligible).

The LinkedIn page seems to be a bit broken. Let's see if we can fix that. Yes, some extra characters around. Anybody know Mr. (Mora) or Mr. (Mora)?

Joan Kerr: No.

Tapani Tarvainen: Okay, can you get the...

((Crosstalk))

Poncelet Ileleji: ...I've opened the LinkedIn and from what I've seen (unintelligible) he sounds a perfect fit.

Tapani Tarvainen: The LinkedIn entries actually sort of works, it's just a little extra characters. I pasted that correctly and seems – what he lists in his LinkedIn page is that he's (unintelligible) analyst at (Oxer) information security. Doesn't tell much, well, LinkedIn is the job description anyway. Opinions? Does Mr. (Mora) look good to you?

Poncelet Ileleji: For me he's good. I mean, the LinkedIn is not too detailed but for me he's good based on what he wrote, secondly, he (well) appeared within the PDP process on the gTLD and registrant and there is a (unintelligible) on who recommended him too. I'm fine with him.

((Crosstalk))

Robin Gross: ...so yes.

Tapani Tarvainen: Okay, Robin.

Robin Gross: Yes, I agree. Well there's not a ton of information here. There really isn't anything that's disqualifying and he's got (Aiden) and Renata as being his references. So I'm inclined to vote yes on this one. Thanks.

Joan Kerr: Yes, me too.

Tapani Tarvainen: Okay, thank you, Robin. Joan.

Joan Kerr: Yes. Same here. His recommendations right there.

Tapani Tarvainen: Okay, agreed. So approved pending Monika's later. We have one more (Kiran Kumar), a freelance writer who wants to contribute to the Internet governance topics at ICANN meetings. Very little information otherwise. No LinkedIn page, nothing else. Opinions? Anyone?

Poncelet Ileleji: I think he needs to provide more information.

Robin Gross: Yes.

Joan Kerr: Yes.

Poncelet Ileleji: More information.

Tapani Tarvainen: Yes, okay. So the standard question that we have, what is your noncommercial interest in the domain name system. And if you have any additional explanations or links or whatever (unintelligible). Otherwise that's the normal thing. Okay.

Joan Kerr: And I just want to point out just one quick thing, it's JK, not JR, just in case you guys replaced me without me knowing.

Tapani Tarvainen: Oh Joan, I just saw it. Did it to yourself when you updating your votes, just edit it. Okay, let's move – we have (unintelligible) new applications, new organization that I (deleted) but look at what we have under review. Is (Marmot Adelali). We sent request for more information. Maryam (unintelligible) no reply?

Maryam Bakoshi: Hi, Tapani. We usually give a month for reply but this is a short time so I don't know if we want to address that or wait for the next EC meeting for them to reply.

Tapani Tarvainen: Yes, I think we want to wait. I just want to check with you that there has been no reply, as two weeks is too short. It's less than two weeks (unintelligible). Anyway we want to wait for a month. So pending until meeting if there has been no reply. Okay?

Poncelet Ileleji: Yes.

Joan Kerr: yes, I agree.

Poncelet Ileleji: Agree.

Tapani Tarvainen: Next, (Abalhamad Al Rahamneh). Same situation. Okay, we have a reply already with the correct LinkedIn – new LinkedIn entry. See what that looks like. Director General and National Information Technology Center. That’s impressive. But whether that’s – does not indicate exactly noncommercial interest that I can see. But is a member of the ISOC Jordan. Some references.

Poncelet Ileleji: Yes he is member of ISOC Jordan.

Tapani Tarvainen: So opinions? Anyone?

Poncelet Ileleji: I’m fine.

Joan Kerr: Who is this...

((Crosstalk))

Tapani Tarvainen: Joan?

Joan Kerr: (Unintelligible) to me.

Tapani Tarvainen: Robin.

Robin Gross: I’ll vote yes.

Tapani Tarvainen: Okay, let’s approve him then again pending Poncelet – Monika later. By the way, please mute your mics when not speaking, there is some background noise going on.

Next one we have (David Walters), the same situation as the first one, no response yet is that correct, Maryam?

Maryam Bakoshi: That's correct for every other one. This is the only one who has replied, (Ahmed), yes.

Tapani Tarvainen: Okay. I guess we can simply bundle the rest together that – all the others we have sent requests for information and haven't replied yet we wait until next meeting. There are three of those here. Is everybody happy with that? We have three others. (David Walters), (Ahmed Yumas), (Farzi Badii) (unintelligible) and they're all in that situation. So we'll leave them all pending until – give them another – until next meeting to reply.

Do we have one organization...

((Crosstalk))

Tapani Tarvainen: Okay let's have a look at organization under review was (unintelligible) Media Development. And the same situation there I believe, again sent request and no reply yet, is that correct, Maryam?

Maryam Bakoshi: Yes, that's correct.

Tapani Tarvainen: So I guess we treat that the same way, wait until our next call. No objections? Okay. So that was for the member applications. Or at least routine except the first one which had some interesting discussion that we have different historical recollections but we will attend to that later.

Has anybody had time to look at member removal process procedure we discussed about in Hyderabad when didn't get around to finishing. We want to discuss it now? I have I must confess, I haven't had time to look at it any better since that time but we can pick it up and see if anybody has any comments or should we continue that on the list or next time with more time to prepare? Robin, are you interested in walking us through that – what remains at this point or leave it until later?

Robin Gross: Well, yes, I'm happy to do it either time. I know we went through it in Hyderabad. I'm trying to remember sort of where we left off. If we – what our next steps were from that. I know we had some discussion and we said okay maybe we should flesh this language out a little bit more. Is that where we are? I mean, this is more of a question than anything. Should I go back to that document now and – or does somebody else want to go back to that document now and flesh it out?

Because a lot of what was done there was, you know, kind of bullet point format and some language really – some meat on the bones there or something that we could then take to the members to start a discussion going there. So I guess maybe this is my question is, is – do folks need more discussion at this high level point of view or do you think we've gone through it enough that we can now just start building out the – put meat on the bones of what's actually there as opposed to adding new things or taking new things out?

Tapani Tarvainen: As I remember it, we got some we were like halfway through the document, we were going through it point by point and did not get anywhere...

((Crosstalk))

Robin Gross: Okay.

Tapani Tarvainen: ...basically how far we got but I think we should do that – finish that before putting it to members and certainly put some more details as well. Do you have a link for the document somewhere because I have lost it of course...

((Crosstalk))

Robin Gross: Yes, I will grab it. I think I've got it here. There we go.

Tapani Tarvainen: Paste it in the chat.

Robin Gross: Okay.

Tapani Tarvainen: Okay thank you. Now how far did we get?

((Crosstalk))

Tapani Tarvainen: I remember we discussed it. We noted that a number of these criteria and (unintelligible) a bit vague and need to be clarifications.

Robin Gross: Yes.

Tapani Tarvainen: So that's why it's good to write them up here.

Robin Gross: Yes.

Tapani Tarvainen: Let's see, was this – yes, I think we were going through this criteria here that some of this was – it was legal and in which case would need to put in.

Okay in the case of membership based organizational member – I think that's where we left off.

Robin Gross: Okay.

((Crosstalk))

Tapani Tarvainen: And that's the text from the charter but it's very specifically...

((Crosstalk))

Tapani Tarvainen: ...language.

((Crosstalk))

Robin Gross: ...text from the charter but actually I guess our charter is a bit vague about what it means by membership-based. We knew what we meant when we drafted this but somebody else coming along later it was very confusing to. There's membership in the legal sense or, you know, organizations have members but they're not, you know, in a legal sense a membership-based organization so that should be clarified.

Tapani Tarvainen: Yes, especially since that notion actually is very much a US-legal language which does not work as such in all other countries so we need to have a generic description here that works everywhere at least understandable.

Robin Gross: The problem is, in a sense, or maybe this isn't a problem. Maybe actually I'm going to take that back, it's not a problem because our solution is rather than having to go through the whole amending the charter process, which, you know, is going to be an enormous undertaking, these kinds of things will just



be part of the Operating Procedures including what we mean by some of this stuff. But like membership-based organization, if we can clarify that stuff in these Operating Procedures which these are to be a part of, then I guess we don't really have a big problem.

Tapani Tarvainen: Yes, that's – actually I don't think we need to modify the charter if we can write it out in such a way that is consistent with the charter and clarifies what it means and how it applies in non-US organizations and so forth.

Robin Gross: Yes.

Tapani Tarvainen: So what...

((Crosstalk))

Tapani Tarvainen: ...we need someone with US legal experience a bit to do that for us and somehow I can't help asking you, Robin, to do that because you're the only US lawyer amongst us.

Robin Gross: Yes, no that's fine. I'm happy to do that. I'm happy to do that. So this is easy for me.

Tapani Tarvainen: Write a description of what this means in such language that is understandable to a non-Americans and non-lawyers.

((Crosstalk))

Robin Gross: Right, right. And actually I'd like to hear from Monika and some of the other lawyers about, you know, what do their countries have, when they talk about membership-based, you know, the US really – the only country in the world

that has the concept of a legal membership-based organization or are there others that are similar and we need to take those into account when you formulate this as well.

Tapani Tarvainen: I'm sure there are. There are some kind of type – in Finland we have some, for example, organizations that can have both individual and organizational members or they can have only one or the other.

Robin Gross: Yes.

Tapani Tarvainen: And everything in between but I don't have a specific concept of membership – organization only, it's not a different type of legal entity if you have only organizational member, it's just a line in your rules saying what kind of members you can have. So I'm not sure how I would apply this there.

Poncelet Ileleji: We follow the commonwealth there in Zambia, I mean, it's mostly British law. So I'm sure, I mean, if you are in Canada I'm sure it would be similar, mostly British law so.

Tapani Tarvainen: Yes, okay. I think we can come up with a description here that makes sense...

Robin Gross: Yes.

Tapani Tarvainen: ...and works for others.

Robin Gross: Yes, I'm just kind of brainstorming here about what we need to be – that's what I need to be thinking about in the next steps of fleshing this out.

Tapani Tarvainen: Okay. And we – let's move on down the list here we see that organizational member is listed as category (unintelligible) organization. I guess that would mean that the organization has become ineligible by changing its nature in such a way that we are approving removal (unintelligible) here but otherwise this is reasonably clear that (unintelligible) we should write in this document in such a way that – and all of this actually that an organization has changed to be – or now is kind of ineligible for whatever reason. So...

Robin Gross: Yes...

((Crosstalk))

Robin Gross: ...nonprofit status in whatever country they're in then that would disqualify them for nonprofit status with us I think is the concept behind that one.

Tapani Tarvainen: Do we need to write this up? There are several categories here. Are they all obvious enough that we don't need to – anymore elucidation or writing up what they mean? Okay, political organization, okay I can think of an example that in Finland it's possible for normal association to become a political party by going through certain formalities. So that would be a clear case of that happening. It usually happens only if they actually want to be – okay, Joan, you have your hand up.

Joan Kerr: Hi, it's Joan. So I have to clarify something regarding membership and noncommercial. In Canada, and I'm sure it's in the States and everywhere else as well, a lot of organizations are forming what we call the (unintelligible) to make money almost like a fundraising arm of the organization. But in Canada it's seen as a – it's sort of a gray area at the moment. But for the most part it's

seen as a noncommercial because the profits go back into the organization and they're dedicated to the (unintelligible) organization's activity.

Is that something that we should be addressing now? So for example, it's seen as a separate entity but it was started by an organization. So a little bit of a gray area but it is something that's really, really has – it's blossoming, it's just blooming. So is it something that we should be talking about specifically?

Tapani Tarvainen: Robin.

Robin Gross: Yes, well...

((Crosstalk))

Poncelet Ileleji: It's something that (unintelligible).

Tapani Tarvainen: Please raise your hand when you want to speak, we are...

((Crosstalk))

Robin Gross: Yes, no I was just going to suggest that I don't think it's that dissimilar to what we had in the past. And, you know, where we've got associations are formed of groups or individuals and they're formed for their – a particular purpose, maybe it's a for profit purpose, maybe it's a non for profit purpose. So it kind of depends upon, you know, what's the purpose of these underlying organizations and that they're getting together. So, you know, take for example something like the Motion Picture Association America, the MPAA. Well technically that association is a not for profit association.

But they wouldn't be eligible within NCSG because it's – it is an association of for profit companies who work together for profit as part of the MPAA. So they wouldn't qualify under our rules because they're really working towards commercial enterprise.

And then another case where we had organizations, you know, like the ACLU or the EFF or lots of nonprofit organizations also maybe sell t-shirts or stickers on their Website and so somebody could say oh look, this is a commercial activity but, you know, really our response to that is, you know, they're just – this is just how they're funding their non for profit work. These are non for profit organizations that are not working for, you know, for the profits of t-shirt sales but are using the t-shirt sales to further their non for profit work.

So it sounds to me – so correct me if I misheard what you said, Joan, but it sounds to me like what you're talking about are organizations that are part of this letter category where they might be engaging in a commercial activity like selling t-shirts on their Website, but if – what they really do with those proceeds unless, you know, what the organization is really about is this not for profit mission, then I think that's the important part and that's where these organizations – sounds like that you're talking about would fit under. Does that sound right to you or is this something totally different from those situations?

Tapani Tarvainen: Joan.

Joan Kerr: Yes, thanks. So yes and no. So how we see – and this is from a Canadian context, that's why I'm asking, how we see selling t-shirts or cups or pens or whatever on the nonprofit Website is an activity. Okay? So you could do them at events or you could do them online. But what is emerging as a new business

model is these sort of enterprises that is a separate entity so they have their own branding and a different name.

But they're called social enterprises, that's what we call them here. I think in the states they refer to them as (decourt), but they're started by an existing not for profit and the funds from the new entity, new ABC entity, goes back to the original organization. But it is run like a business.

Robin Gross: A little bit like a hybrid maybe of the two models we had talked about.

Tapani Tarvainen: So how shall we write this in this text or do we need to clarify it here?  
Anybody want to draft text? Robin?

Robin Gross: Yes, I'm happy to try to. I think before I do that I'd want to go do a little bit of independent research, you know, just try to wrap my mind around this concept completely from a legal perspective and so I really understand what it is that we're talking about and then try to incorporate that into this document as well. And then, you know, we can open that up for discussion and see if folks are happy with it. Because I'm not really sure at this point, I kind of want to – I think Joan has raised a really important issue that we might want to look at a little bit more carefully before, you know, really coming down on one way or the other.

Tapani Tarvainen: Okay thank you. Poncelet, you have your hand up.

Poncelet Ileleji: Yes, what I just wanted to say I think I'll leave it to the legal (unintelligible) Robin is taking the lead based on (unintelligible) because I know in some certain parts of the world like you have social enterprises, what (unintelligible) results to the primary NGO so it's just like a hybrid and stuff like that. So that social enterprise need to – I will still consider them as not for

profit but I think since Robin said she's going to do more research on it and put from a legal mind I'll take that – as we need to do it so that clarity is done especially since you have a lot of sort of social enterprise that are also not for profit (unintelligible). Thank you.

Tapani Tarvainen: Thank you, Poncelet. Robin, your hand is still up. Is it an old hand or you want to speak again? Okay. Before we go on I want to return back to something we discussed earlier. It turns out that we were wrong about (Wisdom Donker), he's not a representative of any organization, instead he actually is already an NCUC individual member. He's just mistakenly applied again. So we don't have to make a decision about him.

The question remains, however, if we want to do a principle decision on this I'll try to move for charter review or whatever about other people who are in that position. Maybe I suggest we put that on the agenda for our next call whether or not we want to discuss it in the public list before that to you but for now we don't have to make any decision about it at this call anyway. Okay, Poncelet, you have your hand up.

Poncelet Ileleji: Yes, I think okay it's good you got clarity on (Wisdom). Also I don't know how (unintelligible) decided to apply again. But, I mean, I'm just moving it for the first time so I think as was suggested earlier on we should put it to the list and see what happens and then it's on our next call based on feedback we get from the list, yes.

Tapani Tarvainen: Yes of course it is and one of those things that would be most likely end up on the charter review items but it's not urgent anymore. And frankly I think it would be better to postpone the discussion until NCUC elections are over to (unintelligible) but of course anybody can open the discussion on the list at any time.

So back to the business at hand of this member removal procedures, are there any other points about this organizational member categories that should be opened up? Most of this seemed to me obvious enough in that at most rephrase them in such a way that if they get a contract with ICANN or become a government organization, I'm not sure how that could happen or becoming a governmental organization primarily comprised of nation states, I guess that's theoretically possible. Some of our members get too many nation state members but for now I think it's enough just to list and leave the status changes in this respect.

So anybody have any more on that or shall we look at individual members' category? Seeing no hands up let's look at what the proposal is for individual members. The first one, the individual member who does not support noncommercial public interest positions within the stakeholder group. Now that is somewhat potentially dangerous, difficult needing that would be basically we'd have to evaluate the behavior and performance of someone. I guess that the support here means activity that can be documented somewhere; we cannot read people's minds.

Does this mean, for example, that somebody openly advocates some position that we have agreed on that - against some position that the NCSG has agreed on or what kind of actual behavior would this indicate? I'm not quite sure. Robin, if you would like to open this up.

Robin Gross: Sure. No, no. I think this is the point that - this is the point that we got in the charter originally because we wanted to make sure that we don't get a lot of individuals who really just want to represent their company, who really just want to represent their business interest in NCSG.



And since just about everyone is a non-commercial user in some aspect of their lives, we're open and we're much more open than all the other stakeholder groups at ICANN.

And so, you know, it's easier for individuals to join us and we need to be cautious of how, you know, how that might - how that could open us up to (unintelligible) particularly by commercial interest.

And so that - we want people to when you join so you're going to represent non-commercial interest. You're not going to just, you know, be here really representing your boss or your clients or something like that. And so that's why that's in the charter.

And then I think why we have it here as some - a reason why somebody could be kicked out if it, you know, turns out that somebody is only, as you say, an action indeed that things can be documented pushing some commercial agenda, pushing for more copyrights, pushing for their boss' agenda, you know, a commercial enterprise or something, something like that.

Then we can say look, you're just too commercial. You're not even representing non-commercial interests here. Then somebody could be kicked out.

I mean we've never done this before. But I think at some point in time, you know, it's bound to happen. It's something that we need to have there I think as a disincentive for somebody to try to behave that way. To know that if you do that you're going to be kicked out.

Tapani Tarvainen: Right. I guess we would - it would be useful to write here some more explanations for it to the extent that a member who openly espouses policy

sets I guess agreed on NCSG policy. So hopefully becomes - supports commercial positions or in fact that so (unintelligible) would be useful to make this understandable to members.

Robin Gross: Yes. Yes. And...

Tapani Tarvainen: (Okay). Yes.

Robin Gross: ...I think it's important that we, you know, the first thing that you said who espouses - took the position that's not an NCSG position. I wouldn't even go that far because I think, you know, we've got a lot of diversity of viewpoint among our non-commercial users.

And so, you know, sometimes when we're forced to come to a suitable answer on things, we're going to have a lot of people who will disagree with that issue or that decision within our own stakeholder group.

And I don't think that, you know, them still holding their legitimate non-commercial yet minority position should get them disqualified from the membership.

So I think we've really got to focus it in on the - if you, you know, it's got to be a non-commercial - your position that you're putting forward. And if it's commercial, that's why it gets flagged, not because it is a different non-commercial opinion but because it is a commercial agenda that's being promoted.

Tapani Tarvainen: Okay. Yes. That makes more - that's definitely a good point if we certainly have disagreements within our group that are not based on the commercial -

(wasn't commercial) but would have different understanding of what is a good thing for...

Robin Gross: Yes.

Tapani Tarvainen: ...non-commercial. So certainly don't want to have, you know, people simply a minority of opinions being kicked out automatically. So some (company) that (anybody) is passing up. Let them take commercial positions or whatever, some text like that. Would not need to go wordsmithing at this point. But we need something (unintelligible). Agree.

Okay. Let's look at the next one. The individual member no longer has to register a domain name. (This is) primary for non-commercial users that was provided on initial membership application.

I think this is too much. It's possible for members to change their domain or lose it for some reason that they (unintelligible) out of control and so forth. So at least which has to give some option for them to notify or give us a new domain if that's the case.

And in case it's been lost due to some malicious activity somewhere or whatever and they are fighting to get it back, we have to wait until (unintelligible). Robin.

Robin Gross: Yes. I think that's for the most part right. And I think we can fix a lot of the problems that might come up from those situations that you just mentioned by transmitting an application from the criteria, you know, that separate criteria by (original) can be a member.

And one of them is not that because you own a non-commercial domain name. It is just because you are a non-commercial user. And so if you want - if I guess what we would - what we could do in this instance is see if they want to switch the membership from the criteria, you know, they're a member because they've got a non-commercial domain name. That's what gives them eligibility.

So switch that to they can be a member because they are a non-commercial user of the domain names. So I mean it's sort of just kind of paperwork on our part. And then making sure, you know, check in with us and with them that they're still a non-commercial user.

Maybe they don't have this domain name anymore but, you know, they still consider themselves non-commercial users. And so we would just basically switch their membership from the one criteria to the other criteria. And we don't necessarily have to kick them out. It would just be, you know, a change in our records as to why they're eligible to be a member.

Tapani Tarvainen: Right. So in case we detect someone or somebody's complained about on those grounds we contact them and ask them do you have another domain that fits this criteria or do you want to switch your eligibility (type) to the second type. So that's the only needs to be rephrasing there.

And in the second - next one I see that - a member no - it's an individual member who has (domain name) but who is not primarily concerned with non-commercial (property); just aspects of policy.

So under what situation can you think of this being applicable that someone is no (longer) - again, it seems to be the same as the first one, basically (the

only) situation where this could happen if someone's interest switch from non-commercial to commercial side.

So I thought can you think of some scenario where this would apply (but) the first one (but not).

Robin Gross: Well, maybe they've taken - maybe they've taken a new job and sort of now, you know, now they're going to work for a contracted party or, you know, there's really - their life is changing such - the direction that they're just not going to be advocating or working in a non-commercial space anymore that they're (unintelligible) in Internet governance is - has moved to maybe the government side or the commercial side.

I think that's the distinction there. It's a slight distinction but I think it's an important one. It's worth keeping.

Tapani Tarvainen: Yes. Yes. It's certainly worth keeping in our application criteria. I'm just trying to think of any realistic scenario where this would happen. But yes, okay. We need to - but the social enterprises are really (relevant) to your (comment). I see that Joan wrote that. Can you explain?

Robin Gross: I wonder if that's more appropriate for the organizational component as opposed to the individual members. Only because wouldn't it be the organization - the association as a whole that's applying for membership? Or are these all individuals within the association...

((Crosstalk))

Joan Kerr: Can I...

Tapani Tarvainen: We are talking about the individuals now - individual members.

Joan Kerr: Yes. No. Right. A lot of individuals are choosing to register their businesses as a social enterprise and it's - again, it's a business with a social agenda. That's the reason I put it in there. Because that's going to come up as people wanting to be members of the NCSG or NCUC. So just to keep it on the - (top of it). That's all. It's an emerging model.

Tapani Tarvainen: Okay. I'm still not clear how that would be practically interpreting removing a member. But in some context it's (for thinking of) them joining some organization or whether that - it would not necessarily become a (non-commercial) here.

Joan Kerr: Yes. Well just to - yes. Just to verify. It's how we interpret what the social enterprise is. I think that's what I'm talking - what we're getting at. After Robin has her - done some research, we can discuss this how it's applicable for defining membership. That's all.

Tapani Tarvainen: Okay. I think that would be (again) really product of organizational members. But it's a good point to bring up. Okay. Let's look at the next one. That (will give us enough) on individual who's represented (if) ICANN through another SO GNSO stakeholder group.

Maybe that would apply in case someone does move over and gets in position in another SO GNSO stakeholder group, then they would be - somebody joins the Business Constituency, they want to kick them out (without further) questions. That's clear enough I think. Robin.

Robin Gross: Yes. I was just going to say I really (have) had that happen before. You know, we had a sitting councilor for the IPC wanted to join NCSG at one point. We had to say no. The GNSO rules don't allow that.

Tapani Tarvainen: Yes. And I think one of our members moved over to IPC as this representative. Okay. Anyway. That's certainly the reasonably (explained) as it is.

The next one. Individual member originally joined as employee or member of large non-commercial organization and is now - not now a member - employee or member of this organization. I think that's also reasonably clear. Doesn't need any additional explanations. Perhaps it's clear enough to everybody. Robin.

Robin Gross: Maybe we would just give this person the same opportunity as others that we talked about when I said okay, you're no longer eligible because you're an employee of a large organization.

But you may be eligible because you own a domain name, non-commercial name, or because you're primarily concerned about the public interest aspects of policy. Would you like to join - would you like your membership to transmute into one of (either) categories?

You know, just so if we've got an actual person who's interested in working on these issues just because, you know, not - no longer with an organization, I would hate to (say that) and therefore, you know, you can't work with us any more. Because we do have these other criteria that one could join.

So maybe that would like we discussed previously be a - more of an administrative matter where we would just okay, would you want to be a

member for one of these other criteria because you have a non-commercial domain name or because you're primarily concerned with public interest aspects or maybe you're done with the ICANN space entirely and you want us to remove you from the membership rolls.

What would your preference be in that case? Yes. I think that's what we want to do with a lot of - a lot of these, you know, because we're not trying to kick people off the membership roll who, you know, this isn't an exercise of that.

It's just an exercise of trying to get good records and, you know, make sure that we're doing what we're supposed to be doing. And not, you know, not making it difficult for people to participate; encouraging participation. Provided that one does fit under actual criteria.

Tapani Tarvainen: Yes. Definitely. Actually I think we'll have to write this down and (remove) our process down there that in any case we gave them a chance to explain and possibly change their position.

Of course, there are a couple of cases we will not be accepting like say the Business Constituency but we might give them a warning it's okay. If you give that up you can come back to us or something.

But in general the process would be that we contact the member and notify that it seems that they are no longer reachable. Do you want to do something about and give an option of switching to different category or signing up them at that point? So that's the general principle.

Although looking at the next item that's one case where we can't do that (or we offer) that we cannot let dead people stay. And otherwise in general principle will be that we contact them, ask them - offer them options if there



are any. So but otherwise this is - definition is clear enough that does not need to be (unintelligible) much. Agreed.

Okay. So the last item here is the death of an individual member. That's obvious enough. Do we want some criteria here somewhere for say permanent incapacitation? I think we actually had one case where a relative notify that they are so sick that they will no longer be able to do anything anyway and wanted them removed.

That's possible. (Rachel), do we want something to that effect? And the one thing - criteria do we have - okay, that's (early on) that this checking the process. But do we want some option like that? If we had one - I think we had one case. I'm not sure if it was NCSG (some prize) ICANN case like this.

That a relative notified that they are basically intensive care for the rest of their life, which will not be a long one. I'm not sure this matters in practice but should we write this up here somehow?

And I'm not sure how to do that either. But I guess we can treat it as a request for - that they are resigning of their own interest (and tell if we believe it). So maybe that's not need to write this up anyway. Just a thought. Maybe we are happy with this.

Robin Gross: Yes. And it - I think we can, you know, kind of leave that open. It's, as you say, it's not really something that we - I expect we're going to have a problem with, you know. We can kind of leave some discretion to the leadership for how to handle that kind of a situation.

And, you know, if for some reason somebody got removed and, you know, the relative sent an email saying they're dead or they're incapacitated. Remove

them from the membership rolls. And it turns out they're not. I think we have no problem reinstating them.

So, you know, I think we can do this with a little bit of discretion for the leadership on how to handle that. I don't think we really need to codify anything unless and until we've got a problem.

Tapani Tarvainen: Okay. Agreed. No need to worry about that. Okay. Let's look at the process. And who can initiate that? Okay. First, the member themselves should notify. But if they don't - okay. There is one issue there that - to contact NCSG member or, you know, the Chair or a member of the NCSG to effect resignation.

Well obviously that's not quite enough. We have to at least have it on record somewhere so that - that's a practical process that would be sufficient. But before it becomes in effect, the Chair or the EC member would have to bring it to the EC for - so that we can actually put it in our - make a formal decision. We should have somewhere on record that these members have been removed.

Robin Gross: Yes. I - yes. I think that just meant, you know, to sort of begin the process of, you know, you notify the Chair, you notify a member of the EC and then that person, you know, can bring it to the rest of the group to get that discussion started. I think that was where the intention of how do you initiate that process, not complete it but just to get the initiation effected.

Tapani Tarvainen: Yes. Okay. So just write it up a little that remove that word effect request resignation and then it will - of some text that it will be noted by the EC or something to that effect.

So in any case that's obvious in practice. Not problem. That's not in there for the record. We should make it clear that it cannot happen that some member of the EC can claim at some point that this member notified them of their resignation and therefore they have already been removed without telling the rest of the EC.

So that's the kind of situation. I think it should be clear that the process works. I think it will more to the EC to approve. But that's my little clarification of the text.

And it's true that any NCSG member in good standing (and to) members of EC may request review of eligibility. And (how are) requests submitted (further) to the NCSG EC. Again, it basically should be sent to the Chair or member of the EC (unintelligible) there but maybe do we need to specify.

I think a general notification to Chair would be the way to go but we might leave it open if any way that it goes to (actually say EC notes) and of course (assistant), so. Thus we'd have to have some - so something to forward to the AC.

Maybe that's enough but might be that we think of how a member reading this who wants to complain about some other member that they are no longer eligible what they should do. So we should at least have that preferred method like contact the Chair.

Robin Gross: Well I would say just we leave it open that they contact any member of the EC. Maybe the - an NPOC member or an NCUC member and so they fell like they're going to go to their representative to bring this matter to the Executive Committee.

And I think it's the duty, it's the obligation of Executive Committee member receives that notification to immediately forward it on to the entire committee. So, you know, I'm not sure I'd want to know down to a single member that must be notified; that you could bring it to any member of the EC who will then - whose duty is then to forward it on to the entire EC for discussion.

Tapani Tarvainen: Yes. I actually meant that I would prefer text just like above. That the Chair or member of the EC, the same text that's above. That simply for make it clear that either will do. That there will be some that - okay. That's actually - I think that's actually the perfect text here.

That contact the NCSG Chair of the EC who will then forward it to the entire EC for discussion. Is that good enough? It's the same text as above basically that - for that.

Robin Gross: Works for me.

Tapani Tarvainen: Okay. So we need to physically submit wordsmithing to make it look pretty. But otherwise the substance is agreed on. Okay. (B1). Now the EC will establish an (unintelligible) preview process to examine any such requests. Or ultimately we process requests for (evolution) as they are received. To be completed within 30 days of submission.

Thirty days is actually a bit short. Sometimes we have had longer breaks between EC meetings. We might have that either a bit longer period or the next meeting of the EC or something.

Although I will note that in some cases it may be easy to decide it. So it may need multiple meetings to come to a decision. And of course when we - okay.

We say we'll process requests. If that's implied that we have to make a decision at that point.

And of course normally is what would happen is that we make an initial evaluation and contact member in person to let them - give them a chance to change their status or explain themselves or whatever. So this needs a bit more details there.

Robin Gross: Well I think the idea was that we would - we as an Executive Committee would have first pass at it or first decision, if you will. We would make an effort to try to reach that within 30 days. That's again an arbitrary number that I just picked out of the hat. And it sounds like you think that might be not long enough to give us time.

But I think the - I know this is just sort of the - this (new) evaluation than then they can appear if they want to. And so, you know, it's not like that's the end of it. The, you know, that's just for the step of us reaching our decision.

And I kind of don't want to have people hanging, you know, have their application hanging in the balance for a long time. So I was thinking we would want to, you know, give them the courtesy of, you know, a very short turnaround period.

But again, this is, you know, this is just kind of pulling numbers out of the hat. And if you think that's not a realistic timeframe, then, you know, let's change it to something that would work for people.

And again, you know, we've got two possibilities here. And I didn't really have a recommendation about which way I thought we should go in terms of

an automatic review process or individual ones, you know, like we process the individual ones when they come in.

But at the same time it kind of works out that every month we go through them one-by-one. So, you know, there's pluses and minuses to doing it either way. And I'm not really sure that I have a preference. But we should probably, you know, pick one and then set up procedures according to that preference.

Tapani Tarvainen: Thank you. I think that we will not get all that many of these kind of requests. And in that case the second option would seem to be lighter. Of course, if we expected to get a dozen or so every month, then previous process would make more sense.

But I don't see that as - as for the time period, I just want to be sure, you know, that it's so long that we will actually have time to have an EC meeting. And then if some - in the case of a meeting that doesn't have everybody present, we have to wait another period until we get, which happens often enough so they'd have - only have the technicalities that we actually have time to do it.

That's - and another possibility here is that we could give say the Chair the option of contacting that member in question in advance just for - asking information and offering these options before the EC actually makes a decision. That kind of preliminary process might be possible.

And then if we do - that's viable, then we should write it in here. For example, that that's an option that (much) notice has been given that the EC will - whatever it goes to the Chair who can contact the member in question and ask for more information or ask an explanation and so forth and then bring that to the next EC meeting. That would speed it up.

But of course in any - the final decision would have to be made by the EC in any case. Maybe think about that. And if so, do we need to write it here? Because of course it can be argued that that would be within the discretion of the Chair anyway to contact the member without (advance) notice. This is something might - that we might want to write it up so that it's clear that this option exists.

And that the deadline 30 days should either be long enough to make sure that we have (standard) information, we'll just extend at the next meeting of the EC after receiving requests. Robin.

Robin Gross: Yes. No. I was just trying to make sure I understood what you were proposing for the procedure. I'm not sure I followed that. I'm sorry.

Tapani Tarvainen: Okay. I'll try to explain again. I think how this practically happens when such a request for removing a member comes through. The EC - that the Chair would be notified first or it doesn't come to the regular chair, the A.C. member will get - notified the chair and chair might either may or should contact the member in question first and tell them that this has happened and will be processed by the (unintelligible) future meeting and give them a chance to provide additional information at that point so that they will not need to agree fast, to agree that way.

When the (E.C.) gets to decide it, then there is already additional information, in particular possible explanation from the member in question who's being considered.

Robin Gross: Okay. So it sounds like the member would maybe have an opportunity once they're notified that this request has been received, that they would then have an opportunity to sort of start if you're building a case, if you will.

So oh, good, that's incorrect because of these regions and that region, and you're misunderstanding this because of this and that and the other.

And so sure to start the process of, you know, they kind of begin to build their case about why that request is wrong. I want - and (unintelligible) to me, but now I'm thinking about, you know, the original requester and how do we, you know - do we want to give them an opportunity to then answer for - to rebut the member's statements or - you know?

I mean, this is - I'm just kind of thinking this through out loud here. I guess we can - any (unintelligible) meeting where these issues are being discussed or read the (E.C.) mailing list where these facts are discussed and if they still dispute or stuff where, like, they're points are not being represented properly could on their own contact the (E.C.) and say, oh, but that's not true because of the (unintelligible) there's this other thing that they're not talking - you know?

I mean, I'm just trying to work this out, brainstorm, if you will, about how to create...

Tapani Tarvainen: (Unintelligible). We have to - would have to set up a dialogue with both original complainant as well as the member in question.

But shall we give the chair discretionary (unintelligible) do that on their own (unintelligible). At the end, of course, at (unintelligible), but it could be faster that give them the chair can first contact the member in question and ask them



and contact the complainant if need be and so on to collect all information and details before we (unintelligible) just to save time basically.

Because if we do nothing until we reach the (E.C.), then we'll have to most likely...

Robin Gross: Yes.

Tapani Tarvainen: ... okay, now, we have to ask this member and come back and so forth. So we could process speed up by giving the okay or tasking the chair to do some discounted preliminary work.

Robin Gross: Yes, I think that sounds fair. And I'm also kind of wonder about to what extent do we - would we want to have the (E.C.) member of whichever constituency they're a part of, you know, give them the option to sort of...

Tapani Tarvainen: Yes, that's actually a good point. We should actually do...

Robin Gross: Include it. Yes.

Tapani Tarvainen: But, of course, yes, we should in case they are a member of a constituency -- which some people are not -- we should get in contact with that constituent's - okay. Let the (E.C.) member of the constituency being worked or maybe even contractor (E.C.) of that constituency. Either way.

Do we need to write this here or have that (unintelligible)?

Robin Gross: I think it's good. Yes, I think it's worth, you know, writing down.

Tapani Tarvainen: So should we put that the initial (unintelligible) would be conducted by the chair and the (E.C.) member from that constituency?

Robin Gross: Yes. Okay.

Tapani Tarvainen: And, of course, (unintelligible)...

Robin Gross: That sounds fair.

Tapani Tarvainen: ... just preliminary (unintelligible) here that collecting information for the (E.C.) to make a decision. They will not be making any decisions.

Robin Gross: Yes.

Tapani Tarvainen: Just planning on...

Robin Gross: Yes. You know, that basically says this complaint has been lodged against you, here are the facts and, you know, how do you answer, you know? I mean, obviously that's very short, but that's kind of the point of what we're talking about here.

Tapani Tarvainen: Yes.

Robin Gross: And then they would, you know - the theory is maybe they would have an advocate because they got a representative on the (E.C.) that will be objective, but also, you know, kind of have an incentive to make sure that you're dealt with fairly.

Tapani Tarvainen: Yes, something like that. Yes. So let me write it down here that chair and together with (E.C.) member comes - member constituency will contact a

member and ask for explanation and then after if they feel it necessary contact the complainant again.

I do not want to make too much of a formal requirements of what they have to do; although, I'm actually happy to put task of the chair because I want to be the chair when this happens, and - but I hope I suspect this will not happen until (unintelligible).

But in principle, it will be faster to process this per chair and have constituents' representative talking with a member in question and collect this information.

So what we should write here is something to the effect that chair in together with representative from that constituency if the member in question is a member of a constituency will contact them and ask for - notify them that this kind of complaint has been made and ask them to explain themselves (unintelligible).

Robin Gross: Yes, that sounds right.

Tapani Tarvainen: Yes. And, of course, that's involving the constituency representative make sense also because (unintelligible) automatically implies expelling the member from the consistency as well as they get kicked out to the second (unintelligible).

So yes, that makes (unintelligible). Okay. So the process will be (unintelligible) that and we give the chair and the (E.C.) member correct information, and then they are required to bring to the (E.C.) within the period of time at the next meeting or maybe 60 days. Actually, I think that's long enough that we (unintelligible).

I don't think we ever had longer break between (E.C.) meetings than that, but it should be brought to the - for initial evaluation to the (E.C.) within 60 days and then the (E.C.) shall reach completion of some kind, and then conduct - notify the member in question that is issued and again, wait for the - they have (unintelligible) appeal of say - oh, no, that's a wrong decision. After that notification, give another chance to appeal and then I think there's still the (unintelligible) requires that even the membership can appeal that (unintelligible). I noticed it already.

I think if we are going to expel someone, with the (E.C.) decided that, okay, this member must go, what shall we do? So we have to notify the membership. I see that you have written here that a (unintelligible) determinant membership by the NCUC is taken by 80% threshold both of NCSG members.

Can we do that? Because our (unintelligible) decisions are made by full consensus.

Robin Gross: Yes, and mostly to say otherwise. So if we decide, you know, this is one of those places where we may want to decide that we want a different consensus level, and so that's a - you know, that's an option if we - that we need to consider.

What extent is consensus to be made - to be? What is the appropriate threshold for this kind of a decision? You know, it's a big deal kicking somebody out.

Tapani Tarvainen: Yes, but...

Robin Gross: But if we require unanimity, that might go too far. I don't know. This is an open question.

Tapani Tarvainen: Okay. It makes sense. Also, with some cases it might be that some (E.C.) member would have to recuse themselves. Actually, even in theoretical case, it might be an (E.C.) member who we are about to expel.

Robin Gross: Right.

Tapani Tarvainen: Oh, that's certainly very possible that the 80% threshold means all but one in effect.

Robin Gross: Who is eligible or aren't eligible, you know? Like you said, if we've got an (E.C.) member who needs to recuse themselves, then they're taken out of the percentage.

Tapani Tarvainen: Yes, and that (unintelligible) 80% out of full remaining 80% means everybody. So 70% would (unintelligible) suggesting here would mean that in case one is recusing themselves and one of the others could be still overwritten. Okay.

This needs some more discussion, but I agree that we might want to have a lower threshold than full consensus here. I think it's not obvious how to do that and I'm not quite sure what - we'll have to read the charter (unintelligible) whenever we can now actually do that.

But yes, let's...

Robin Gross: Yes, we can, but we have to make a decision to do it; you know what I mean?

Tapani Tarvainen: (Unintelligible).

Robin Gross: So (unintelligible).

Tapani Tarvainen: I can't make that kind of decision (unintelligible) on the future (E.C.)'s, for example, would be something that new (E.C.) (unintelligible).

Robin Gross: Well, a new (E.C.) could change (unintelligible) up. You know, they could change their operating procedures as they like, I would think.

Tapani Tarvainen: Yes.

Robin Gross: Okay.

Tapani Tarvainen: So I guess we can. But let's think about this percentage and try to come up with some...

Robin Gross: Yes.

Tapani Tarvainen: ... hypothetical scenarios why this would apply.

Robin Gross: Yes.

Tapani Tarvainen: And members found to be ineligible will inform member of decision to terminate membership and they have (unintelligible) request reconsideration two weeks to (unintelligible) negotiation. Maybe that is a bit short again, but maybe not. Let's see. Let's - in that case, there's no - okay.

How long can we assume that some member would be offline in that first case? I think maybe 30 days would be better here as well or three weeks.

Robin Gross: You can.

Tapani Tarvainen: I have occasion to be in three weeks of (unintelligible). That's impossible. So a bit longer there. And they can - the request and online hearing (unintelligible) shall grant the (unintelligible) in brackets.

Do we want that option?

Robin Gross: Well, I sort of say that, you know, let's give the - a person a chance to make their case to the - you know, to the group. If they want, if the - you know, if after we've decided they should be kicked out and they're still really, really, really sure they belong in, sure, let's grant them an opportunity to explain why we were wrong and if they can convince us, great.

Tapani Tarvainen: Do we want a time limit on how soon the hearing will be arranged?

Robin Gross: Well, I think we need to have some kind of timeframe; otherwise, you know, two years later you might be getting...

Tapani Tarvainen: Because we already have a limit on how soon the requester reconsideration and then we should have a time limit on how soon we offer that hearing if they want that.

I think that we should (unintelligible) for data limit there because just in case some (E.C.) decides to oh, we (unintelligible) for two years. So - but I'm not sure if this really matters.

And the request for reconsideration shall be decided within 30 days. Is that we shall when in the 30 days decide whether they're approved or not or 30 days

make their hearing? The timeline I'm thinking about, how soon we should get the hearing so that - do we need to be more detailed here if we are permitting to grant that telephone online hearing?

Robin Gross: Then we need more time to make the (unintelligible) decision. Yes. Yes. So these - the timeframe I just kind of threw out there to, you know, change.

Tapani Tarvainen: Anyway, we're - that's something we need to make the timeline here clear enough for people (unintelligible) problem and what actually happens. And after that, we have - make the final decision after those 30 days or whatever.

Then the (unintelligible) member may appeal a decision and request (unintelligible) membership. Again, the two weeks - I would put the three weeks after 30 days, but otherwise this is...

Robin Gross: Yes, that sounds fair.

Tapani Tarvainen: Fair enough.

Robin Gross: Two weeks is not very long. I don't know why (unintelligible).

Tapani Tarvainen: Vacation three weeks and (unintelligible) two weeks is a bit short.

Robin Gross: Yes. Yes.

Tapani Tarvainen: So make it 30 days. Members have obligation to notify the (E.C.) of any pertinent (unintelligible) membership status. I'm not sure what this actually implies because if they forget and somebody complains (unintelligible) we ask them and then they do it, so - but it should be good to have this somewhere in



our operating procedures, but not necessarily in the - this member removal processing (unintelligible) because most likely nobody will ever remember it.

So (unintelligible) at this point. So we have to remind them on a simple level, but in this document it doesn't really make any unsubstantial difference that I can see.

Robin Gross: Well, I think the point is just so that members have an understanding that, you know, if your membership status changes, please notify us so we can make the changes in our records, you know?

Like you say, it's not really something that we can, you know - we're not going to disqualify somebody out immediately because they didn't necessarily notify us, but it's helpful for them to know that should your membership status change, please notify us so we can make the changes in our records and - because we can't do anything on our end until we're notified by somebody or something.

And...

Tapani Tarvainen: Yes, we definitely need to have this somewhere. I'm just thinking of what's the logical place to put this in.

Robin Gross: Yes.

Tapani Tarvainen: But there's something we need to have this somewhere (unintelligible) suspending voting rights until (unintelligible) is established, but in principle I like that.

I'm just trying to think of it in practice and considering also in this - somebody else makes a notification, complains that another member has changed it and we are in the process of considering (unintelligible) removal, should we have an option of requirement that we suspend their working rights while the process is going on?

That's also a bit of a problem. So I'm not sure how this works. That makes a bit more thought, I think, this (unintelligible).

Robin Gross: Yes, I wish they would - they'd been determined once there's been an initial evaluation that they should be suspend - that they're ineligible. Then their voting rights would be suspended, I think, but not until an initial evaluation.

Not just based upon, you know, somebody's made a complaint and there's a complaint pending, but it seems there has to have been at least some kind of a substantive evaluation before their voting rights can be terminated.

Tapani Tarvainen: Yes, we - that's something we need to discuss a bit more. I'm not sure how to do that, but something like that would be useful.

Robin Gross: Yes, that's going to need more (unintelligible).

Tapani Tarvainen: That's (unintelligible) how - yes. Okay. And the final rough here that everything is transferring from public (unintelligible) there's definitely - we should do up sort of an agreement on (unintelligible).

I'm not sure if these textbooks actually (unintelligible) good to me as this. Any - I hope nobody wants to (unintelligible) decisions.

Robin Gross: Yes. And I think to the point, (Dez), is, you know, we just want to have all our ducks in a row, have everything documented. We have an initial complaint documented. We have any evidence that was put forth documented. We have any arguments, any counter-arguments, you know - but we've got all of this documented and it's all accessible for anyone to see, you know, if they want to make some kind of special request of don't - please don't tell my secret about the (unintelligible).

We can deal with that separately on a case-by-case basis, but the initial - you know, the default is all this stuff goes up publically.

Tapani Tarvainen: Okay. Do we want to clarify this so that if we have the chair doing some initial inquiries that that correspondence also be public and documented?

Robin Gross: Yes, I think that's a good idea and would want to let the person know that, you know, this - these correspondences are considered part of the public record. So...

Tapani Tarvainen: Yes.

Robin Gross: ... be aware of that when you respond.

Tapani Tarvainen: Yes. And so - and that should be written out here to make it clear that there will be no secrets versus (unintelligible) so everything is in the record. Okay. I think we have pretty much covered this agreement on what the issued substantively contain most of the part.

There were some open issues that need more thought, but otherwise, it's time to start the - let's start (unintelligible). Pick a side and after that, we can then circulate it in the public (unintelligible) ask members for comments.

I'm sure there will be many. Okay?

Robin Gross: Okay. So is my task then to now to go back and rework this document based upon these suggestions or did - was somebody else going to do that? I'm happy to do it, but if somebody is also, you know, eager to, I don't want to...

Tapani Tarvainen: (Unintelligible).

Robin Gross: I don't want to step on any toes.

Tapani Tarvainen: I think everybody will be happy if you were the next (unintelligible) as well so that you'll work it out once more, bring it to the next received meeting. We'll look it up and then decide if it's okay and then throw it out to the public for comments. Okay?

Robin Gross: That works for me.

Tapani Tarvainen: Good. Okay. So much for that. We have still a few minutes time. One item we actually had already on the agenda (unintelligible), but we didn't have time to discuss it, this renew membership database, and in particular there's one item that we need the (E.C.) members to attend, mainly their interface for board members for reviewing new applications where my basic requirement (unintelligible) it should be at least as easy as it is with Google Docs and preferably easier.

It's not ready yet, but there is more (unintelligible) you can see if you want. So (Joan), I believe you already have - at least you have access to it. So if you feel like looking at it, at this point it's still (unintelligible) it needs more work.

But at some point, I want all our (E.C.) members to take a look and see if this looks sensible to you. So if you want, we can get access to the test version already.

We're having a call with a developer on Monday. So if you have time to look at it over the weekend, I'll kind of try to get you access. If not, well, it will be a little better next time. I don't expect it to be in use not until next year anyway.

I still very much hope it will be ready and pretty and polished by Copenhagen what - at least unless something really bad happens it will be functional by then even if (unintelligible).

So actually, that's just (unintelligible). If you want to - you have - feel like you have spare time over the weekend, I can try to get you access now. But after Monday we'll have a meeting and then I'll at least will send to all (E.C.) members. Please look at this.

Robin Gross: Okay. So why don't I wait and have a look at the next generation with the next folks?

Tapani Tarvainen: Okay. I'll let you know. (Unintelligible), we have a call on this on Monday and we'll try to get it to a stage where we can - a bit more (unintelligible). Honesty, I'm not sure if (Joan) had time to look at this at all.

So it needs definitely (unintelligible) work. I can certainly have about all the points that need to be clear before that, so maybe you can wait until the next round. Okay.

Anything else? Okay. Looking at the discussion notes, the action item that we take to the (unintelligible), do we want to make a formal decision on that at this point, if we may take it to discuss already?

I'm happy to just to leave it to you if you want. And at any time if not, we'll take on the next - over the next call and bring it up there and decide how to proceed. But if you want to start (unintelligible)...

Robin Gross: Yes, (unintelligible).

Tapani Tarvainen: Yes, that - we might want (unintelligible).

Robin Gross: I think with the election that's going on right now, we - let's wait.

Tapani Tarvainen: Okay.

Robin Gross: Until after (unintelligible).

Tapani Tarvainen: So that action item is that we move to the next (E.C.) call to discuss this item, and we will actually - before the call, I think we'll notify the - discuss this that this will be going on and have it - oh, whatever.

But anyway, we'll postpone that until all time-being. I will make note of this action item is - take this issue to the next (E.C.) call. Okay.

Maryam Bakoshi: (Unintelligible).

Tapani Tarvainen: Any...

Maryam Bakoshi: (Unintelligible).

Tapani Tarvainen: So instead of moving it to the discussed list now, we will take this as an agenda item for our next (E.C.) call. So we move this and take to the NCSG discuss list and take it to the next (E.C.) call.

Maryam Bakoshi: Okay. So the next (E.C.) call, right?

Tapani Tarvainen: Yes, and that same item there.

Maryam Bakoshi: Okay. Thanks.

Tapani Tarvainen: Okay. Do we have any other business? Does anybody feel like discussing the intercessional here? Nothing that we haven't called about that on Monday.  
No?

Robin Gross: Yes, if you've got any, you know - my position all the while has been, you know, I'm pretty flexible. I can go just about anywhere anytime, but if you've got any idea about where that's heading (unintelligible) until after the call Monday to hear where that's heading.

Tapani Tarvainen: Well, I'm going to (unintelligible) I need to pull - I will post the results at some point. I was hoping to be (unintelligible) a bit more opinions, but I can already tell if it's not going to be a conclusive decision. In all timeframes, there will be somebody who can't make it.

So I guess we'll be back to the debate if we already had (unintelligible) appropriate, but what would be most useful for us and we'll see how it works out.

And I do note that in April/May timeframe there are lots of other events that some of our people will be in. So it will be very hard to find a convenient time there.

But...

Robin Gross: Yes, I think it's going to be hard because I'm, you know - there's always an event going on somewhere. There's always going to be somebody who can't go to something.

So, you know, we just do the best we can. We try to accommodate the most number of members who are actually planning to attend the meeting who should be at the meeting and, you know, it isn't going to (unintelligible) for some people, but, you know, do the best that we can to try to accommodate most.

Tapani Tarvainen: And also, of course, consider what will be most useful for us with the purpose of the meeting. So whether that's actually better for whatever we're trying to do for their - for example, some issues that we need discussed could be good to decide sooner rather than later.

So at least that August/September timeframe doesn't seem to be a good plan at all. So I note it's also very difficult time for several people because of the academic seasons and so forth.

So I don't think that's going to have a fly-in in any case. But April/May might work in that respect, but it's very busy season. There's quite a lot of events. So (unintelligible) actually February seems to be problem mainly for (unintelligible), but that's also, of course, significant in itself.



Anyway. But we don't have anything substantive to say about it here. So let's drop that. Anything else? Any other business? Okay. Let's close this meeting then. Thank you, everybody, for participating.

Maryam Bakoshi: (Unintelligible) recording. Thank you all for attending. Goodbye and have a good weekend.

END