

Maryam Bakoshi:Dear all, welcome to the NCSG ExCom Meeting on Wednesday 24 August 2016
Joan Kerr:Hello Everyone
Poncelet Ileleji:Hello All
Maryam Bakoshi:Welcome Joan and Poncelet
Maryam Bakoshi:Pincelet please cold you test your mic?
Maryam Bakoshi:Thank you
Maryam Bakoshi:*o
Monika Zalnieriute:Hi!
Maryam Bakoshi:Welcome Monika
Monika Zalnieriute:Hi!
Monika Zalnieriute:11 pm
Monika Zalnieriute:yes, I was in fact ready to sleep
Monika Zalnieriute:thats fine:)
Monika Zalnieriute:once in a while, so hopefully not too often!
Robin Gross:Is there a proposed agenda?
Robin Gross:I think recusal is a good idea given the appeal is against Tapani's handling of the election
Robin Gross:Not present, only recusal from Tapani handling the appeal.
Robin Gross:ok
Maryam Bakoshi:Poncelet we cant hear you
Maryam Bakoshi:Do you want a dial out
Maryam Bakoshi:?
Monika Zalnieriute:Poncelet, we do not hear You
Maryam Bakoshi:we can hear you
Maryam Bakoshi:please clor your browdser
Maryam Bakoshi:*browser
Maryam Bakoshi:and re-enter the room
Poncelet Ileleji:I wanted to ask what options after excluding Tapani based on conflict of Interest as Robin mentioned
Monika Zalnieriute:Ok, its all good, apologies accepted.
Maryam Bakoshi:Poncelet please send me your numner
Maryam Bakoshi:its important for us tohear you properly
Monika Zalnieriute:We have some info to be forwarded from Bill, as per Tapani's request:
Monika Zalnieriute:should I share here?
Robin Gross:myhand is up
Monika Zalnieriute:Aha, so I will copy paste it here
Monika Zalnieriute:let Robin speak now
Monika Zalnieriute:Bill Drake: HiThis discussion has gotten a little overheated and hydra-headed with stuff being thrown into the pot that distracts from the single issue in contention. Let's not over-dramatize this, we're not at war with each other, we don't need to throw up our hands or rewrite the whole NCSG charter because of this, etc. We just have a collegial disagreement on one thing, which is the interpretation of NOTA, and how this is determined, and we ought to be able to work it out together. Tapani's dig through list archives was helpful, but a narrow reading of a few messages obscures more than enlightens. Yes, in 2011 when we were working out the charter, Avri did suggest at one point that for convenience we could just "skip" any NOTA votes <http://listserv.syr.edu/scripts/wa.exe?A2=ncsg-discuss:73975b96.1110>. But in same message, she also agreed with Dan that NOTA "gets treated as a kind of additional candidate itself," and that, "Voting for 'none of the above' is explicit and is counted." Simila
Maryam Bakoshi:Monika if its a PDF you can upload it
Monika Zalnieriute:mhm, perhaps I could simply send it onto our NCSG EC list?
Monika Zalnieriute:its not a PDF, its an e-mail
Maryam Bakoshi:ok... could you make it into a PDF?
Robin Gross:Tapani is wrong. There is an appeal on the table and must be dealt with pursuant to the charter rules.
Monika Zalnieriute:mhm, I have shared it on our NCSG EC list just now
Tapani Tarvainen:I don't think that is clear that the appeal is valid, but I don't insist on deciding it now.
Monika Zalnieriute:Indeed it was Tapani who called the meeting to deal with the appeal.
Tapani Tarvainen:Of course. We have to deal with any appeal presented without prejudging its validity.
Poncelet Ileleji:I will be grateful to know how we should consider that appeal what suggestions should be made, the elections is already on so
Monika Zalnieriute:I fully support Robin that appeal must be taken into account, and we now are dealing with it.
Bill (silent observer):2.1 The NCSG chair is responsible for carrying out the executive functions of the NCSG under the NCSG-EC's oversight according to ICANN, GNSO and NCSG mission and principles.2.4.2. By default NCSGEC decisions are made by full consensus of all NCSGEC members. Full consensus means that no NCSGEC members have objected to the proposed decision. Any exception to this default will be approved by the NCSGEC on a full consensus basis.4.2 All NCSG votes will be held using an online voting system to be determined, approved and supervised by the NCSG EC

Bill (silent observer):the above rules were violated
Monika Zalnieriute:Ok, people are entitled to hold different opinions (and clearly they do so even as to facts, and rules), and it seems that there will be no consensus on this. What we are looking for is some sort of a agreement that would be acceptable to most of our NCSG members.
Robin Gross:my hand is up
Tapani Tarvainen:mine is up too
Poncelet Ileleji 2:So can we work towards a consensus we going round and round
Bill (silent observer):I did the same thing Robin last year and my ballot was counted too
Monika Zalnieriute:But NOTA is should count as a vote, is that not correct?
Bill (silent observer):NOTA was counted as a vote by the software
Tapani Tarvainen:hand up
Monika Zalnieriute:So in fact it is counted as a VOTE then.
Bill (silent observer):Yes, again, the software counts as we have interpreted it
Bill (silent observer):One would have to affirmatively change the way the software works to do what Tapani is saying
Monika Zalnieriute:It seems the system is the same.
Monika Zalnieriute:So in such case, we need a solution on interpretation, correct?
Bill (silent observer):Joan are you saying observers are not allowed to type in the chat?
Tapani Tarvainen:Agreed.
Poncelet Ileleji 2:Agreed
Robin Gross:yes, we need to talk to Glen
Monika Zalnieriute:Agreed.
Tapani Tarvainen:hand up
Monika Zalnieriute:I can check that.
Robin Gross:this should be the entire committee
Monika Zalnieriute: Yes, entire committee.
Poncelet Ileleji 2:Tapani sends an Email to Glen and copies EC
Robin Gross:ok
Robin Gross:what poncelet suggests
Monika Zalnieriute:E-mail should be enough.
Tapani Tarvainen:OK, I'll do that.
Poncelet Ileleji 2:Yes after the email then we met again
Monika Zalnieriute:Yes, lets discuss options towards consensus.
Poncelet Ileleji 2:Once we get clarity from Glen's email then we can move on
Monika Zalnieriute:I tend to agree that we have options either way, irrespective of what Glen replies.
Monika Zalnieriute:So I see no reason to wait.
Monika Zalnieriute:Robin's hand is up.
Poncelet Ileleji 2:But Monika the options in a way are related to what Glen says
Monika Zalnieriute:Sorry, typo.
Monika Zalnieriute:Robin's hand up
Poncelet Ileleji 2:I will prefer that
Monika Zalnieriute:Yes, we can.
Tapani Tarvainen:Agreed on improving process for next year.
Poncelet Ileleji 2:Agreed
Monika Zalnieriute:And please clarify - people who voted - they still can go and change it during the elections?
Monika Zalnieriute:as this is IMPORTANT, if we continue with these ballots
Monika Zalnieriute:we need to clarify!
Poncelet Ileleji 2:Making it clear will be all votes counted, as per last year scenario
Tapani Tarvainen:hand up
Poncelet Ileleji 2:But we need that clarity from Glen
Monika Zalnieriute:Can someone clarify if people can MODIFY their votes?
Maryam Bakoshi:@Monika: Yes
Monika Zalnieriute:I support Robin's view, and this would allow to move forward.
Maryam Bakoshi:the last vote will not count
Poncelet Ileleji 2:I dont think you can modify your vote after voting Monika its a democratic process
Monika Zalnieriute:So this means, we simply need to make sure this is COMMUNICATED to people.
Robin Gross:votes can be changed until the vote is ended. only the last vote count
Robin Gross:the charter does guide us
Poncelet Ileleji 2:thanks for clarityh robin
Robin Gross:I'll tell you where in the charter when I am called on
Robin Gross:called on
Poncelet Ileleji 2:K
Tapani Tarvainen:hand up...

Monika Zalnieriute:Disagree with Poncelet.

Monika Zalnieriute:But Tapani, we need to somehow move on now - or we are going to postpone things as much as we can?

Monika Zalnieriute:In my view, its a compromise, cause in fact people are calling for new elections.

Poncelet Ileleji 2:Monika I want to base my judgement on getting clarity from Glen

Robin Gross:my hand is up

Maryam Bakoshi:Glen is available to answer questions

Maryam Bakoshi:Do we want her to come in the meeting?

Monika Zalnieriute:So this would be a compromise, cause You want to keep the elections this way, and the appeal wants to re-run the election. So that would be a compromise.

Monika Zalnieriute:Maryam, is there a way to dial Glen in?

Poncelet Ileleji 2:If she can be dialed in fine

Monika Zalnieriute:Yes, please, we do want Glen./

Maryam Bakoshi:yes she will be in 5 mins

Monika Zalnieriute:No, I did not.)

Maryam Bakoshi:Thank you all for your patience. She would be logging in shortly

Monika Zalnieriute:I am typing only.

Maryam Bakoshi:*patience

Joan Kerr:@Monika:ok

James Gannon (Silent Observer):Im sorry I wasnt going to speak but this is a distraction, it is NOT the issue on the table. Please discuss the issue on the table.

Monika Zalnieriute:I think it became clear that there are 2 different opinions, and Robin expressed very clearly the arguments on behalf of the appellant. It is for us now, as EC committee, to demonstrate some leadership by looking for solutions. I dont see why we keep saying these are merely opinions, and interpretations. Ok, even if so. We need a solution, and not simply deny and negate each others views.

Tapani Tarvainen:hand up

Tapani Tarvainen:US elections aren't democracy?

Monika Zalnieriute:Indeed, going into philosophical discussions are not gonna solve our immediate problem, yes?

Maryam Bakoshi:Glen is on the bridge

Maryam Bakoshi:She can speak now

Monika Zalnieriute:So while I might have my personal views, which others may disagree with, but now we need to decide if/how we can move forward from this disagreement.

Monika Zalnieriute:Sorry, Glen, what happens if one only selects 2 candidates and does not tick NOTA at all?

Poncelet Ileleji 2:Thanks Glen its very clear to me

Tapani Tarvainen:That kind of ballot would be invalid, I think.

Monika Zalnieriute:Yes, I agree, should be invalid.

Monika Zalnieriute:But can Glen clarify what's the role of NOTA if its not ticked?

Monika Zalnieriute:No, in democracy people are allowed to invalidate their ballots, yes.

Monika Zalnieriute:So why should we force them to return valid ballots, this is forcing people.

Monika Zalnieriute:Glen, what happens if one only selects 2 candidates and does not tick NOTA at all?

Monika Zalnieriute:no, I did not ask about validity, but simply what its counted

Robin Gross:Good to hear from Glen that votes are not invalidated by voting for NOTA and a candidate. That is the practice we assumed.

Monika Zalnieriute:No, it does not answer my question.

Tapani Tarvainen:hand up

Monika Zalnieriute:yes!

Monika Zalnieriute:yes, that I understand, but we care about numbers of candidates vs NOTA

Monika Zalnieriute:numbers of votes of particular candidate vs NOTA

Monika Zalnieriute:Thats what I heard. So e.g, I voted 2 candidates out of 3, and I did not tick NOTA. Whats the effect of this for that 1 candidate for whom I did not vote.

Tapani Tarvainen:Then NOTA gets fewer votes.

Monika Zalnieriute:Cause this is different if I vote 2 and NOTA.

Tapani Tarvainen:Yes.

Tapani Tarvainen:That's the point of being able to vote NOTA or not.

Monika Zalnieriute:So this implies that I need to vote NOTA as well if I dont want to get a particular candidate through. Correct?

Tapani Tarvainen:That's to be decided.

Robin Gross:Disagree, Tapani. Votes count.

James Gannon (Silent Observer):And if they tick NOTA their count for the 3 candidates is also counted correct?

Monika Zalnieriute:We cant ask people to REDO.

Poncelet Ileleji 2:Thanks Glen is very clear

Robin Gross:I think they should be encouraged to vote.

Robin Gross: not invalided.
Monika Zalnieriute: I mean, in real life people have a right to INVALIDATE ballots
Monika Zalnieriute: intentionally
Monika Zalnieriute: yes, they should be encouraged, but not forced
Monika Zalnieriute: so we encourage by inviting
Monika Zalnieriute: but not forcing to tick correctly
Poncellet Iileleji 2: You can't force someone definitely
Monika Zalnieriute: Agree.
James Gannon (Silent Observer): Can someone please get 100% confirmation that if NOTA is ticked along with 2 candidates all 2 votes are counted
Robin Gross: I asked and she confirmed they count.
Monika Zalnieriute: Well, and even if we wanted - we don't have such powers to force people.
Poncellet Iileleji 2: They all count
Monika Zalnieriute: So only in case if NOTA is ticked alongside ALL the candidates, it becomes INVALID, correct?
Tapani Tarvainen: That's my understanding.
Monika Zalnieriute: Can others confirm?
Monika Zalnieriute: So if our understanding is the same or at least similar - then we are reaching towards consensus.
Monika Zalnieriute: Is understanding similar - Tapani?
Monika Zalnieriute: So let's discuss it perhaps.
Monika Zalnieriute: Sorry, but there was no DISAGREEMENT now!!!
Monika Zalnieriute: Tapani only said now, we did not yet agree consensus on what could we do with NOTA winning.
Monika Zalnieriute: Shall we discuss that?
Monika Zalnieriute: Yes, so let's reach the consensus what do we do.
Monika Zalnieriute: We are all in agreement now.
Monika Zalnieriute: Let's discuss NOTA winning - what do we do then?
Poncellet Iileleji 2: The Consensus all Votes count as explained by Glen, we take precedence from last elections, except there is something else I don't understand
Poncellet Iileleji 2: there I mean
Monika Zalnieriute: Ok, we have 1 proposal from Robin, if NOTA wins, then we, as EC appoint the candidate.
Monika Zalnieriute: Robin, but I think we agreed on that already.
Monika Zalnieriute: I thought we only deal with trying to establish a clear thing what do we do if NOTA wins.
Monika Zalnieriute: Yes, it seems we agree.
Monika Zalnieriute: So please do not argue over that again.
Monika Zalnieriute: Simple question:
Monika Zalnieriute: if NOTA wins - what's the procedure how do we put someone in its place - this is OUR QUESTION
Monika Zalnieriute: yes, please, let's prepare
Monika Zalnieriute: So Robin's proposal is that we as EC decide who fills NOTA's seat.
Tapani Tarvainen: It isn't written down anywhere.
James Gannon (Silent Observer): GNSO Operating Procedures work in that manner
Tapani Tarvainen: And there have been different interpretations.
Bill (silent observer): yes, yours and everyone else's
Monika Zalnieriute: We agreed on this, Poncellet, let's now analyze HOW we fill that seat.
Monika Zalnieriute: please, colleagues, we have 1 question in front of us: how we fill the seat of NOTA?
Tapani Tarvainen: hand up
Monika Zalnieriute: Sorry, who disagrees with NOTA winning?
Monika Zalnieriute: who disagrees?
Monika Zalnieriute: So Joan agrees.
Monika Zalnieriute: Does Tapani agree????
Monika Zalnieriute: Please answer here, and please let's move on specifics,
Tapani Tarvainen: No. But I will recuse myself from the decision.
Monika Zalnieriute: it's approaching 1 am for me, please colleagues
Monika Zalnieriute: so then: let me summarise and clarify: NOTA wins then,
Monika Zalnieriute: others have expressed their approval
Monika Zalnieriute: NOTA winning?
Monika Zalnieriute: Please specify Tapani - You disagree with NOTA winning, correct?
Tapani Tarvainen: Yes.
Monika Zalnieriute: Why we go back again? Joan?
Monika Zalnieriute: We, as EC have now expressed our opinion - we all support NOTA winning, is that correct?
Monika Zalnieriute: Sorry, guys, I think we all made a decision.
Monika Zalnieriute: And I cannot accept talking the same and the same.
Tapani Tarvainen: Joan, please make a formal motion to decide this.

Monika Zalnierute:Everyone, except Tapani, agreed that NOTA wins.
Monika Zalnierute:Lets move on from here.
Monika Zalnierute:Sorry, 1.5 hours simply for this.
Monika Zalnierute:Please: lets finish this. Everyone expressed their views.
Monika Zalnierute:Me too.
Monika Zalnierute:So it was only Tapani against.
Monika Zalnierute:Previously.
Monika Zalnierute:Joan, could You please read the chat as well?
Monika Zalnierute:Yes.
Poncelet lleleji 2:Yes
Monika Zalnierute:Poncelet has already said that.
Monika Zalnierute:Yes!!!!!!!
Monika Zalnierute:How many times.
Monika Zalnierute:So lets define it!!!!
Monika Zalnierute:Sorry, Joan, question one by one.
James Gannon (Silent Observer):Yes or No
Monika Zalnierute:So You agree or disagree now with NOTA.
Monika Zalnierute:Yes or No, Joan.
Monika Zalnierute:Please, this is just way too much, I will leave the call
Tapani Tarvainen:Filling vacancies in this case is a bit unclear but the EC can decide it in a number of ways.
Monika Zalnierute:cause in fact You keep talking the same things during my sleeping hours/.
Monika Zalnierute:Please VOTE
Monika Zalnierute:yes or no
Monika Zalnierute:Sorry, Joan, its too much.
Monika Zalnierute:Finished.
Monika Zalnierute:Thank You.
James Gannon (Silent Observer):Thank you all
Monika Zalnierute:So now - we still have not decided how do we fill NOTA?
Tapani Tarvainen:So decision is (1) continue with current ballot (2) allow voting for NOTA with 1-2 candidates (3) anybody with less votes than NOTA won't get elected?
James Gannon (Silent Observer):Correct
Poncelet lleleji 2:Agreed
Monika Zalnierute:Yes, but HOW we fill in the NOTA seat?
Monika Zalnierute:so this will be left for the future?
Monika Zalnierute:Ok, this sounds good:)
Farzaneh Badii (observer):can observers say thank you and bye?
Monika Zalnierute:.)
Bill (silent observer):and NOTA does NOT cancel other votes
Monika Zalnierute:ok, so the only question remaining is vacant slot:
Monika Zalnierute:Wonderful!
Bill (silent observer):Monika it's highly unlikely there will be a vacant slot
Monika Zalnierute:Bye bye!
Monika Zalnierute:Ok, great!
Robin Gross:bye!
Robin Gross:thanks!
Monika Zalnierute:Thank You!!!!
Monika Zalnierute:It was great!