

**ICANN Transcription
Standing Committee on Improvements Implementation
Thursday 05 May 2016 at 1800 UTC**

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The audio is also available at:

<http://audio.icann.org/gnso/gnso-sci-05may16-en.mp3>

Michelle Desmyter: Fantastic, thanks. Good morning, good afternoon good evening and welcome the SCI meeting on the 5th of May at n 1800 UTC. On the call today we have Lawrence Olawale-Roberts, (Banatta Akil Bavil) Rudy Vansnick, Anne Aikman-Scalese, Wolf Ulrich-Knoben, Angie Graves. We have apologies from Amr Elsadr. And from staff we have Julie Hedlund and myself, Michelle Desmyter. I'd like to remind you all to please state your name before speaking for transcription purposes and over to you Rudy.

Julie Hedlund: Michelle this is Judy Hedlund. I notice I think maybe you but Sara Bockey has joined as well.

Michelle Desmyter: Oh I just saw her join, I apologize Sara, and we've added you to the list. Thank you so much.

Rudy Vansnick: Thank you Michelle. Thank you Julie, Rudy for the transcript. Yes welcome all to the SCI call. We just had a little discussion on some little issues about getting the calendar invites. And I know that the staff would take care of this

for the future. I know that there are some ICANN mail issues with the domains. Some mails are not arriving in a correct way but that's an old issue.

Let's come back to our agenda of today's call. As usual I have to ask the members of this committee if there any changes in the statements of interest. I think there are none so far. So we can move forward with our agenda to the Number 3 on the agenda, the full consensus call for the GNS operating procedures that were discussed previously. And we had – we moved the deadline from the - to the 25th of April. We didn't receive any observations or comments on the call. So I think with that we can conclude that full consensus is final now and that it will move forward with the other issue that we have to handle which is the discussion of the sub team B the chair and vice-chair elections where we had a lot of discussions in the last call already. Thank you Julie and Michelle for bringing up the items that we discussed and the action items that we had agreed on during that call. So I don't know if there is any discussion that we need to have on what is proposed as text now. Maybe Anne as you have been leading that team do you have any input or comments or proposals?

Anne Aikman-Scalèse: Thank you Rudy this is Anne. It's Anne Scalèse from the IPC for the transcript. And I believe that in our last call there were a couple of issues that although I came in late on that discussion one of the issues that Amr had raised one I think was dealt with on the list. And that had to do with the - whether an incoming councilmember could be elected as chair. And I think staff went back and determined from a prior work on the team and prior review with the full SCI I believe in Morocco that an incoming member is eligible to be elected as chair and that was previously documented. So I think that's a settled issue based on what I see on the list. I guess staff if you - do you have anything additional to say about that go ahead and raise your hand. I think it was clear in the list.

And then another issue that arose in the last discussion was the question whether it was really necessary for a house to have the ability in the event a

chair is not conclusively elected to appoint a new interim vice chair rather than the one that would be continuing on council in the situation where there's a vice chair for that house in place who is continuing on council. And I think Amr raised the issue that this might just be an unnecessary complication. So I agreed to take that back to IPC where the original request came from. And I did get a couple of comments with respect to that but I don't know what Amr found out on the – his consultation with NCUC. I don't know what others feel about this. I would say that it's a point that IPC is not going to stick on so I would like to ask for others to weigh in. I think it's an IPC preference but I don't think that they want to block a consensus on this point if we are otherwise, you know, going to be ready to develop consensus. So I see Wolf-Ulrich has raised his hand. And I guess since I'm talking about this I'll go ahead and recognize him.

Wolf-Ulrich Knoblen: Yes hello, Wolf-Ulrich speaking thank you. And well I was also the one, you know, with chiming into that discussion but on the list. And I was of the opinion I am still of the opinion that it is – it could be complicating, you know, if you go back you know? My position was on that why shouldn't we just take, you know, the incumbent vice chairs so as they are because if there were any problems with those vice chairs, you know, from the house perspective that should've been raised earlier, not just at the opportunity of the election of the chair election. So I guess there will not be any problem at that time so I – and that was for me the reason why I said, you know, it's not necessary to. But I would really point on that say okay it's not necessary to we designate a different vice chair in this case. So I would favor, you know, to leave as it is and to leave the incumbent vice chairs for just for that purpose. Thank you.

Anne Aikman-Scalese: Great. Thank you Wolf-Ulrich. Are there others on the call? I know that Rudy you were probably at the intersessional meeting in LA where discussion of rotation of vice chairs within the non-contracted party's house was discussed. But do you have any thoughts on this or I know I think, you know, for sure that Wolf-Ulrich all Amr would say, "Hey it's just an

unnecessary complication." But I just wonder Rudy since you were at that meeting in LA did you have any thoughts on it?

Rudy Vansnick: Thank you and Rudy for the transcript. Well I don't – well Rudy here. I think it is already an extraordinary situation that we are not able to elect a chair. So in that case I would rather try to keep it simple and allow the vice chairs to continue doing the job till we got the - especially for scenario one to get the job done so that a chair can be elected. If we make it a bit too complex we are - could easily end up being in other scenarios where the complexity can only grow. So I would prefer that we keep it as such and rather than trying to integrate some discussions again would not allow to have a fluid transition to the new chair.

Anne Aikman-Scalase: Okay well you know my instructions are not, certainly not to block this issue or if that's the general feeling of the majority. And so I think these are the instructions I have from leadership. And I'm assuming that, you know, this is not something that's going to become a big issue when this is put out for consensus call. So I will – oh Rudy is your hand up again?

Rudy Vansnick: Yes thank you Anne. Rudy for the transcript. Well I don't - I'm not pushing back on the proposal that's coming from other groups. And I'm just wondering thinking about the first time that we were not able to elect a chair. So the chance that it happens again well indeed it can't happen but it looks to me that in the cases that we have of last year as being there if they can't act together I don't see any issue except if you have of course the other scenarios but that's scenario area one. I think it's something that can even be solved by allowing the two vice chairs to oversee the process itself rather than having discussions on who else the two of them can eventually do it or not do it. That's the reason why I'm wondering if we need to put some more complexity on scenario one. Maybe on the other scenarios that's a significant point. That's something that maybe you had some other visions on it.

Anne Aikman-Scalese: Yes well thanks Rudy. Again this is Anne. And I think that we can probably just wrap this issue up in the sense of being able to delete the provision in the draft that would allow a house to appoint a new vice chair rather than stick with the interim vice chair that is continuing on council. Again there's not strong opposition. It was a suggestion from IPC that was based on those intersessionals in LA. But IPC does not want to hold this up over that single issue. So I think that we can instruct staff to delete that option. Julie, Mary is that clear? Are you okay with that? Go ahead Julie.

Julie Hedlund: Hi. This is Julie Hedlund yes. So then just to clarify and then I think this is then also the next step with all those languages then we have the language proposed for the various scenarios. And you know for scenario one then the current proposed languages in the case where no chairs conclusively elected the two vice chairs shall jointly oversee the chair election and conduct council business at until such time as a new chair is elected. And same with the other scenarios then. There would not be any change then to propose language to reflect the option that is of the IPC proposal so since the proposal is withdrawn is that correct?

Anne Aikman-Scalese: That sounds right to me.

Julie Hedlund: Thanks so much.

Anne Aikman-Scalese: This is Anne again. Okay and then I think one other issue that I recall had to do with the situation in Scenario 4 where what if one of the houses in Scenario 4 where both vice chair positions are vacant what if one of the houses fails to support and I think to a point, I'm sorry fails to appoint a new interim vice chair to serve and the issue became whether Option 4 kicks in even if one of the houses does go ahead and timely appoint an interim vice chair? And so I also did check with IPC leadership on this. I don't know if others were able to check but I think our thought was as well that the one vice chair that's timely appointed could proceed to preside over council, necessary counsel actions and the elections even if the other house fails to timely

appoint and that we would not default to the NonCom as long as at least one interim vice chair in Scenario 3 was appointed. And I probably made a mistake in the reference. I'm really talking about Scenario 3 because we're talking about two open vice chair positions and the possibility that one house fails to timely designate a vice chair.

Do we then move to Scenario 4 or does the one vice chair who is timely appointed then assume responsibility as interim vice chair for purposes of the election and for conducting council business? So IPC would be fine with the one vice chair conducting that business and the election and then I'll ask others to comment. I see Rudy's hand is up and Wolf-Ulrich's hand is up. So Rudy?

Rudy Vansnick: Thank you Anne. Rudy for the transcript. Well indeed and reading the text and maybe it's a good if we make it really clear that if the other house is not able to timely appoint another vice chair that the appointed vice chair of the other house will lead the process in order not to (unintelligible) the process. That's to me something that seems fair but I'm a little bit missing it in the text in how we can eventually make it clear to the text that the appointed or designated vice chair by the one house will lead the process independently of having another vice chair from the other house assisting. But I would like to hear from Wolf-Ulrich also what he thinks about it.

Wolf-Ulrich Knoblen: Yes thanks, Wolf-Ulrich speaking. I think this case, you know, you could also connected to a Scenario 2 if I recall it correctly because you know it could also happen. And in Scenario 2 if you have two – if you have the chance, you give the chance to the houses well to designate one of the vice chairs because Scenario 2 says there's one chair but one vice chair is encumbered and the other one is to be designated. So if this one is not going - if it's not possible but it is how it is designated by a CSO we will have the same situation as it could be in Scenario 3 and Scenario 4. So I think we should take these three into consideration for this case. And I would say, you

know, is this a very unlikely case or, you know the likelihood is less than in other cases?

So and I would just well also to say that we should take into consideration what we are doing here and with the council is looking for. The council is just looking forward to get the election performed of the chair performed. So that means so this is the main target and the main issue these guys should deal with, even one vice chair both of them. So I would really say from my point of view if there is no possibility at the time being well in that time for the house for this purpose to designate a vice chair then we should want this one vice chair to go for the election.

I recall, you know, we are doing the election, you know, before we start all these problems, you know, if the vice chair, the chair is not elected in the first round so how the chair election is done in that case it's just only one, by one person. This is a formal chair of the council. He is a running. He is doing the work. And in our last case it was (Jonathan). He was doing by his own, you know, these elections. So why shouldn't - and that's a case where one house is not able well to designate one vice chair in that case it be done by the other guy just for that purpose. So that's my question, thanks - and thinks my position.

Anne Aikman-Scalese: Rudy?

Rudy Vansnick: Yes sorry. Thanks Wolf-Ulrich. Rudy for the transcript. Well if it's only for elections I would say yes, no problem. But the question - it's not only elections at the end it's also running the council business. As long as there's no chair elected it's the task of the remaining vice chair if I may say so to take care of the business also. It's not just elections. Elections in fact if you're one or two at the end you have to follow the procedures that are in front of you and you cannot change them. You have to adopt them point. But running the council this is a different issue.

And if there is no chair elected we need to take that also in consideration. And what's going on if the other house doesn't appoint another vice chair? That's probably one of the issues that are in the sidelines of this discussion about the chair and vice chair elections. I'm just wondering. I don't know Anne or others if you have any ideas how to tackle that one. Yes Wolf-Ulrich you have your hand up. You have the floor.

Wolf-Ulrich Knoben: Yes thanks Rudy. Wolf-Ulrich speaking. So my question here is if that is so important that two vice chair should be available at least in case for doing the usual business for the council in case there is no chair then why shouldn't we impose such a kind of condition to say okay in case there is just one vice chair then he has to deal with the election, nothing else and business is going forth to stop him for that period of time until the chair is going to be elected so in order to impose a pressure on the council though to go forward to moving that thing forward. So if that is the case, you know, I think we should, we could put forward that discussion also to the council not just here you know in SCI but then put this forward this question to the council and saying, "Okay in that case so we have a solution for the election that could go forward this one to vice chair but the usual business it should be done with at least two persons and so that would mean in retro direction so that there is no business, no other business and just the election during that period of time." Thanks.

Rudy Vansnick: Thank you Wolf-Ulrich. And well I'm just referring -- and I see Julie already popping up her hand -- that I would like to refer to our specialist at the ICANN staff (Julie Armetti) to help us here if that's part of the duty that we need to consider also. So Julie you have the floor.

Julie Hedlund: Yes this is Julie Hedlund. So Mary and I are conferring. I think that I would say for myself anyway that this is certainly a new wrinkle and I'm just wondering if there is a simple way that we could address this. I'll note what Wolf-Ulrich said which was perhaps if we want the council to act expediently then perhaps what we do is limit the work of the, you know, continuing or

interim vice chair to overseeing the chair election and delete the language relating to conducting council business.

Now we have in Scenario 2, 3 and 4, you know, the indications that, you know, in two for example, you know there's, you know, one vice chair's continuing, others ending so we have the interim vice chair that will join the continuing vice chair and we could simply say to oversee the chair election. Then, you know, we have scenario three neither of the two vice chairs. So then we need the interim vice chairs again just to do the business of running the election until the chair is elected for again the NCA overseeing the election. I'm just wondering if perhaps there's, you know, since we have been going back and forth on this language for now quite some time and it's – and we now have four scenarios which we hope will cover every possible eventuality even those that may never occur I'm just wondering if there is a simple way that we can address this.

Rudy Vansnick: Thank you Julie. Rudy for this transcript. Yes well I agree for election purposes I'm rather feeling good but I'm thinking about it's – if there's something written down in the procedures that defines that as long as there is no vice chair elected that the business is continued by the vice chairs and that there is a need for two vice chairs to be able to do the business. That's rather a question that I still have. But I see that (Lawrence) has put his hand up. Yes (Lawrence) you have the floor.

Lawrence Olawale-Roberts: All right so this is (Lawrence) for the record. And I'm thinking know what the difference in Scenario 2 and 3 will be. In the second scenario there is one continuing vice chair who has some experience who has worked with the leadership that is facing all sorts of things and our lifelong experience in conducting council business asking the other house to (unintelligible) and in telling vice chair to seated that person is (unintelligible) election will basically be of the advantage of the balance.

So I believe that if after the 14 days that we talked about that we state there isn't – there is no elimination from the other house based on the fact that there is a sitting and continuing vice chair and the reason that person could help with delivering elections and also are free to the continuation of course of business. In the third scenario now there is no continuing vice chair. And so the (chief) person that is said to come from the different houses definitely agree and will be coming in to basically help with the election. And I should say because of the timing there were also be a need to conduct (unintelligible) business. So either house doesn't know that it needs someone I believe I'm just thinking what could be the possible reasons for that? Could it be that one they might not comfortable with the other internal vice chair nominated from the other house or could there possibly be some other issues that has made it quite impossible for that house they are doing?

I think the difference that the NCA could then bring in between Scenario 2 and 3 is as if one, I'm just thinking now that if one of the houses failed to nominate an internal vice chair within the (unintelligible) that we are looking at then possibly we could certainly the NonCom a volunteer could then step in. I think that condition has not been fully complied with. Otherwise we might just need to – we might just need to collapse two and three together if we simply - I know because then I (unintelligible) there might not actually be a difference except for the fact that one is continuing vice chair and the in the third scenario, you know, both of them are together. So I think (unintelligible) a difference and we also mentioned the balance. If one of the conditions in Scenario 3 is not met then maybe we still proceed with a fourth scenario. Thank you.

Rudy Vansnick: Thank you Lawrence for your comments and your input. Well it is indeed - to me the question that is on the table is focusing only on elections. The issue of the council business in itself cloud seems to be covered somehow in the actual procedures except that there is probably no information mentioned about the need of two vice chairs. That's probably something – but that's an issue that we could bring in the sidelines to the council and ask if they want

us to consider that element in the whole process. And with regards then as elections are essentially following procedures. There is no side discussion that can allow to change the procedures of the elections so the rules are really clear. And is it one or is it two vice chairs?

I'd rather think that that wouldn't change anything at the end in order to allow to have fluid elections and allow to have a chair as quickly as possible so not to drop the council work. And I would suggest that we avoid having big discussions on the need for an absolute second vice chair. But again I'm open the floor to discuss this. Could we eventually just go for if it's – if there is no second vice chair the process goes on. The cost of business is a different issue. Wolf-Ulrich I see you have your hand up. You have the floor.

Wolf-Ulrich Knoben: Thanks Rudy. Wolf-Ulrich speaking. Now as usual in our group and other groups, you know, we are talking about all kinds of scenarios and, you know, also the more unlikely ones in which we don't wish to happen. So but that's how we are working okay. But in this case I would say the last time that we are - we were discussing that okay that is really unlikely from our perspective right now that there is no, you know, that the houses will not be able well to elect or to designate vice chairs. So we saw that as a really not very big likelihood for that case.

So why shouldn't we just end the discussion here with the text as it is at the time being, put that forward to the council and also with accompanying text while saying, you know, what we discussed and especially in this case. And we can see on council level what's going to happen so whether the council is taking that as an issue and real issue and saying okay it should be decided and they come up with a certain proposal for that. So I would say we should leave it as it is at the time being and then move forward. That's from - on that discussion but not close our eyes. We put also forward this discussion to the council and say okay be the question should that be solved right now or not? Thank you.

Rudy Vansnick: Thank you Wolf-Ulrich. Rudy for the transcript. Well I'm following you fully and agreeing except that I think if I'm not wrong the first step would be or the next step would be that we first have a full consensus on the proposed text and then we send it to the council. But I'm referring to Julie. You have your hand up. You have the floor.

Julie Hedlund: Rudy thank you. This is Julie Hedlund. So the procedure is that next staff would put this into sort of the formal GNSO operating procedures language. I mean we have language here but we need to indicate where it would fall, you know, in the procedures. It certainly would fall in the section 2.2, officer elections. So we would place the language appropriately in there and also the timeline that we had separately discussed. And then that would go out for a consensus call to the SCI and we could, you know, we could - well first we would send the language to the SCI.

We could discuss, you know, if there were any questions or concerns about the language at the next meeting. Then we could send the language out, a final version out for a consensus call. Once that's complete this language and the language relating to the proposed revisions relating to notions and amendments where we have closed the consensus both this language and that language these revisions to the operating procedures would then go out for public comment. Once that was complete and any changes to that were incorporated then both of these, you know, proposals and the revised language in the procedures would go to the council for consideration.

Rudy Vansnick: Thanks a lot Julie. Rudy for the transcript. That's was what I thought also was the process that I had in mind. So to try to finalize on the discussion here now can we agree the pass over the text that we have in front of us on the Adobe that the proposed text would be integrated by staff in the procedures in such a way that for our next call we could do a revision of the text and then and try to get into the stages of the full consensus call so that - then that process can be closed? Can we agree on that staff will take this text integrated in the

GNSO procedures, bring that text forward probably on mail first so that we take it up at our next call, go to it and finalize the discussions?

Anne Aikman-Scalese: Yes. This is Anne.

Rudy Vansnick: Is that a way forward.

Anne Aikman-Scalese: Yes this is Anne for the transcript. And I just was reflecting my agreement in Adobe. On the behalf of IPC I think that's the way to proceed. And I see also that Wolf-Ulrich is checking the agreement. I don't know if we want to ask others to indicate in Adobe their agreement to that approach? Rudy I see is agreeing and or if there are additional questions if anybody would raise any questions they have. But I guess Rudy you can see what's going on in Adobe there.

Rudy Vansnick: Yes well we have five green ticks which is five on eight. And I don't know Lawrence has the ability to flag. I'm looking in the chat also but I don't see any objections. So I think we can consider that is an approval that we can move forward now with that text and pass it over to Julie and Mary so that they can start their work and producing the next version of the 2.2 if I'm not wrong in the GNSO procedures. We would then probably have it on the mailing list so that we can go back to our communities and eventually ask for approval and so that at the next call we would have the chance to validate it finally and see if we can get to for consensus call. Julie I see you have your hand up. You have the floor.

Julie Hedlund: Yes just to confirm then this is Julie Hedlund. So we'll go ahead and incorporate the language into in the timeline into the operating procedures. We'll send it to the SCI list. But my understanding is, is that we're not sending this is a consensus call correct? Because this would be the first time that anybody would have seen the actual language and how it fits into the operating procedures. I mean the way we did in the last item is that we, you know, after Marrakesh staff incorporated changes into the operating

procedures. Those were discussed in the SCI and then they went for a consensus call. And I see Anne is agreeing with that.

But I do notice that Wolf-Ulrich has an interesting question. And that is how do we fit this into the Helsinki meeting? And just looking ahead the next SCI meeting would naturally be in two weeks on 19 May. I would think that, you know, if we could finalize the text, you know, not later than the 19th, send it out for a two-week consensus call then that would get us into June 2. Then we just looking at the timing here then we would go out for public comment.

The public comment period would fall over the Helsinki meeting if we do the usual 30 days. And I think that is the minimum. So then I think it would not be teed up for the GNSO Council to consider until after Helsinki. And yes in one way or another we do have to as I - Wolf-Ulrich is noting in the chat public comment is a must and yes we do always have to put any changes to the GNSO operating procedures out for public comment. And we recently confirmed with staff that that step actually does take place prior to submitting a motion for approval of the revisions to the GNSO Council.

Rudy Vansnick: Thank you Julie. Yes that was my understanding too. So the first is that we have a new text that will be discussed in the SCI first. And then if we agree on that text will go for a full consensus call. And it will be difficult indeed to get it into the Helsinki meeting anyway. I just got today the email from Glen with the actual schedule and it looks really complex to get the meetings scheduled in it. I still have to figure out how I'm going to do my Constituency Day meeting with what's on the table today. And I think that the public comment period meets in these at least 30 days. I was wondering if it was 30 or 45. In some cases I know it's 45 but I don't – I'm not available to figure out which one. And Anne I see you have your hand up and then we have Wolf-Ulrich also. Anne you have the floor.

Anne Aikman-Scalèse: Yes thank you Rudy. This is Anne for the transcript. I am somewhat concerned that it would be good to try to back up from Helsinki

and see. I guess it depends on sort of what public comment we get. But what I'm sort of wondering is whether if we scheduled an extra call one week from today if anyone were able to do that would we have a possibility then of a short period for consensus call and then a 30-day comment period prior to Helsinki? I'm just not sure how the dates work out. And so that is my question whether the situation could be moved forward since we already have agreement on our other issue and since we want to put both of these out for public comment at the same time is there any way to meet, you know, putting it out for public comment 30 days before Helsinki? Thank you?

Rudy Vansnick: Thanks a lot and Rudy for the transcript. But I see Julie maybe you want to and for reply to Anne?

Julie Hedlund: But I do see that Wolf-Ulrich has his hand up. I can defer to him.

Rudy Vansnick: Oh yes sorry.

Julie Hedlund: I'll write....

Wolf-Ulrich Knoben: Yes thank you, Wolf-Ulrich speaking. My question's maybe...

Rudy Vansnick: Wolf-Ulrich?

Wolf-Ulrich Knoben: Yes Wolf-Ulrich speaking. So my question could be answered maybe on Julie as well. So I'm wondering how we are dealing with that right now with the public comment period? Are we going - is SCI are putting that forward all these things to the public comment period or is this the council who is going to put that forward because we were - have been mandated by the council? So my question is that - don't we have a chance well to discuss the status at least on council level before we put it to the public comment and that is we know of related to the very last question with we discussed with regards to the - whether one vice chair is just available or two vices are available. So I would like if that is possible to discuss or to ask that question to the council

before we go for public comment period. So that's not clear to me right now.
Thank you.

Rudy Vansnick: Thank you Wolf-Ulrich and I'm handing over immediately to Julie to give some answers to your questions.

Julie Hedlund: Yes this is Julie Hedlund. So yes as I noted in the chat we do normally do 40 days and it is the SCI that puts these out for public comment. But I will note that the SCI does have the opportunity to provide updates on its work to the GNSO Council at any council meeting via its liaison in this case Amr. And I see that Mary has her hand up too and probably has something to add here so I'm going to defer to her.

Mary Wong: Hi everybody. This is Mary. Julie thank you very much although I was actually going to just follow up on your comment by noting that with the Helsinki schedule it's not clear what the council's meeting agenda will be. There is a slot for GNSO Council meeting which could and most likely will be conducted as a regular council meeting. But that's not necessarily guaranteed although expect that it's not going to change too much. But there isn't going to be the weekend update sessions or a session for the SCI.

So given that the customary period for public comment is 40 days and given the, you know, all the other considerations which is why we package all our recommendations to go out all at once I think from the staff perspective we are not, you know, necessarily sure that it would be necessary, sorry to repeat the word twice to, you know, basically rush to have everything all tied up in a bow in time for Helsinki not that we don't, you know, we shouldn't want to do things expeditiously but, you know, it - there may need to be a discussion as to what specific reason we might have as opposed to just going through the regular periods and channels. Thanks.

Rudy Vansnick: Thanks a lot Mary and Julie. Well with the schedules that I've received today I see that only three there is in the morning already a GNSO Council bilateral

meeting and there is a GNSO Council prep session in the evening of the third day. And there is a GNSO Council meeting scheduled on the last day from 10:45 till noon. So it is on the agenda except that probably there is not enough time to have all these discussions going on. And I'm rather focusing on another point that eventually we should be able to have a solution, a final proposal and that could be implemented for the next elections which is going to happen in October. So time gets short if we want to get it all cleared out. But again that's maybe for a next discussion. Anne I see or have your hand up. You have the floor.

Anne Aikman-Scalèse: Yes Rudy thank you. I think our assumption has been that we want to put both these issues out, the friendly amendments as well as the council election amendments out at the same time. But I am currently thinking that that for the timing that's happening here is the wrong approach. When you look at the amendments to motions language as to which we already have an agreed consensus call that is language that can affect council business and it can affect council business in Helsinki if friendly amendments arise. If there's any chance that the rest of the group might agree that we could put that out, that issue out singly for public comment right now because we have a consensus on it I would favor going ahead and getting that work done because it is work that applies to the conduct of council business.

And then as you say coming through to meet the any issue that might arise with a chair election has to be done by October. But there's no – in my mind there's no reason to hold up the friendly amendments issue even though it would be better if we could put them out both at the same time for comment and I'd be easier for staff. I think it's better for council if we proceed to get the public comment now on the amendments to motions. Thank you.

Rudy Vansnick: Thank you and Rudy for the transcript. It's a good point. And maybe it's something we would like to do but I'm referring first to...

Julie Hedlund: Rudy I think you cut out there but this is Julie.

Rudy Vansnick: Julie.

Julie Hedlund: Okay great thank you. This is Julie Hedlund. And so it's not a matter of we do not suggest to put these operational procedure changes out at the same time because it's easier for staff. It really doesn't make any difference with respect to, you know, to staff resources or anything like that. As a procedural issue we have indeed done when there's been multiple changes to the operating procedures that have been ready close to the same time then we have put them out together. And the reason – one reason to do this is because then we send the package to the council and what happens when the council approves those changes they not only approve the changes, they direct staff to produce a revised version of the operational procedures. And then that gets published.

And what gets complicated is when you have, you know, revised versions of the operational procedures sort coming in quick succession. It's cleaner. It's more efficient and less confusing if for instance you have a revision to the operational procedures every, you know, once a year or twice a year or something like that rather than a revision which is a big deal because there are many different components to the operational procedures. They all have to be tagged with the new version, Version 3.2 in this case and they also have to be published separately. The PDP manual is separate, all the other different manuals and then guidelines are all separate. So you end up with this really a fairly major revision, you know, as one, you know, now new version of the operational procedures.

So you kind of like to avoid having these happen, you know, multiple times so that you know, they're not – you're not always coming up with new version versions. So that's why we tend to suggest to piggyback these. I do mean to go on for so long but it is more for the community to not be seeing multiple versions on these coming out in relatively quick success succession. That's all. Thank you.

Anne Aikman-Scalese: Rudy are you there? I don't know I think we lost Rudy. I'm sorry...

Julie Hedlund: Yes this is Julie. I think we lost Rudy. I was thinking that I got disconnected but...

Anne Aikman-Scalese: Sorry. Yes I can appreciate the – Julie its Anne for the transcript. I just - situation I wouldn't like to find us in is if amendments to motions come up in the Helsinki meeting and, you know, we don't have something to council and then somebody would say well wait a minute, you know, SCI has been working on that for how many months and we don't we're in Helsinki at this meeting and there are amendments to motions and we don't know what to do. What happened to the SCI? You know, they've fallen down of the job. That concerns me a little bit because of the way it went - things went in Argentina actually. I think that's - Argentina is when this issue came up I think.

And so it does concern me a bit that if we have amendments to motions in Helsinki that, you know, we - that the substance of being able to provide the solution to that is potentially more important than the - how many versions of operating procedures are issued because amendments to motions that is a very substantive issue. There was a lot of disagreement about it and the way it went down in Argentina. I don't know all others feel. Let's see who is still on the call because I think Wolf-Ulrich, are you in the call?

Wolf-Ulrich Knoben: Yes I am, Wolf-Ulrich speaking. I just was thinking about, you know, what was happening in the - in former times this - when we put amendments to the rules or procedures to public comment, you know, there - I think people, you know, in our various constituencies that rely on the members position they had discussions before forward and backwards in their constituencies rely on that. So the comments were what I recall there was no - there were not many comments on what were the procedures related to.

While here it may be in this case different because people are looking for it to it's about chair elections. So they may be keen on (unintelligible) to get it right. So that's why I'm also looking forward - looking for a way, you know, to discuss it or at least to inform the council before we're going to public comment and exchange some questions. So why shouldn't we do that as was suggested by Amr so well to inform the council maybe also already next week, you know, they show the councilor meeting (unintelligible) next week. The agenda is I think there's an agenda out by - but there should be a way also for just for information if you find time, you know, in unintelligible to do so and to just briefly informed the council about the status where we are and just asking if there are questions why shouldn't we do so?

So then I would say - and then they go forward as we explore it right now so putting the text together and putting out it for consensus call here in the SCI and then up to full public comment. And we comply with the rules of the public comment for 30 or 40 days how much it's should be and so on. But we should inform the council before that. Thank you.

Anne Aikman-Scalese: Thanks Wolf-Ulrich. This is Anne again. I guess if Rudy's Rudy are you in the call again? Are you there?

Rudy Vansnick: Yes, thank you Anne. I'm...

Anne Aikman-Scalese: Oh okay. Well then I'll just go ahead and have you chair. I don't know whether Wolf-Ulrich was speaking about the second piece of work I think which was to do with, you know, touching base with the council about chair elections. I'm not sure I think he and I were talking about possibly two different things because I was talking about the matter that we already have out a consensus call for. But - and one of the reasons of course that I said we might go ahead and put that out for public comment is because I do think Wolf-Ulrich is correct that it would be good to consult, you know, with council regarding that chair election issue that he identified. So but I'll just go ahead seed to Rudy then since he's back on the call.

Rudy Vansnick: Thank you Anne and thank you Wolf-Ulrich. Well Rudy for the transcript. I agree there would be nice to have reflections from the council but as far as I understood it it's a discussion that should be done by the liaison first of all by Amr. We should consult with Amr if he is able to do so. The next council meeting is on next week Thursday the 12th. So if we want to get this on the table for the council I'm already wondering if we are still in time. I'm just wondering there is a ten day waiver if I'm not wrong for bringing something forward to the agenda. Well I want to hear from the group and maybe staff also if we can present the discussion of the chair and vice chair elections to the council for next week yes or no? If it's not possible then we don't need to discuss it. So I don't know if Mary or Julie you can help me going through it?

Julie Hedlund: Hi Rudy. This is Julie Hedlund. So I'm just trying to understand this. It - yes as Mary notes it is too late to get it on next week's Thursday's agenda. But I note that Wolf-Ulrich could say that we could put it on to the council list or Amr could present it to the council list as soon as the consensus call is complete.

So that would be yes two weeks from when we get the language out and indeed it would be before Helsinki. So you're right Wolf-Ulrich then the council would see it on the list before Helsinki. Still unclear whether or not we could get it and update by Amr in Helsinki. Now this would be an update as opposed to a vote of approval or anything like that because it's just for discussion and so yes.

I mean I think what Wolf-Ulrich is suggesting could happen. We could, you know, we're - staff will get the language out but that would mean the language would have to go for consensus call without - that's another question I have. I think I am a little unclear here. Usually, you know, we present the language the SCI has the opportunity to discuss it and then we go to a consensus call. It seems to me here now the suggestion is that we

send the language as a consensus call and then, you know, we move directly to consensus call. So I'm a little unclear if that's what people want?

Rudy Vansnick: Thank you Julie. Rudy for the transcript. Well I don't want to rush things doesn't make any sense to try to rush now as it will not be on the agenda for next week of the council first of all. And to get it on to the council for Helsinki that also needs to wait till we get the consensus call done. So and we have the public comments period done.

So I would rather propose that we first try to have final text in front of us so that all the members of the SCI can agree on that text. And then we proceed with the regular full consensus call that could be done before the Helsinki meeting anyway. And we do reporting of what we discussed and what we want to get through in Helsinki if there is time. And then we moved to the next phase is handling the public comments. Is that the right way forward? I see Anne you have your hand up. You have the floor.

Anne Aikman-Scalese: Yes Rudy I'm just – what's still confusing me is whether we all do agree that these two issues have to be bound together. I keep hearing - it's confusing me because, you know, we have already a consensus call on the amendments to motion. And, you know, nobody said well we need to consult council on that. And that's not been, you know, our practice in the past. But that's probably just because no big issue came up on it.

And so and as Julie points out in chat it is probably mostly reflective of the current informal practice. But if we put it out for public comments that would give council the opportunity to, you know, approve it or not approve it and would deal definitively with amendments to motions in the council operating procedures. If people are saying well no we don't want to do that because we have to put these two issues out together when in fact, you know, we do want feedback from council with respect to the second issue I mean I would have to say that it still makes more sense to me to finalize amendments to motions and present it to council for with the public comment.

Rudy Vansnick: Thank you Anne. Rudy for the transcript. But to make it simple so that I'm - I have a clear mind also. Your question is should we already send out the motions and amendments discussions and proposal sorry to the public comment so that we can capture all the public comments coming in from that one? We don't need to finalize it in the way of getting it to the council election - council voting till we got the second issue handled. So is that a way forward? Is that something that you would like to propose that we send out the first issue for public comments, we collect the comments and we handle that one separately from the vice chair and chair elections issue and we then focus on that one?

Anne Aikman-Scalase: Yes. My suggestion -- this is Anne again -- is that in order to avoid the problem of revising operating procedures twice but still, you know, so that the council knows what's going on that we could go ahead with the public comments on the amendments to motions, report that to council, you know, before or at Helsinki with respect to the amendments to motions and then maybe, you know, as we are working and asking council about the chair elections procedures then they would be followed by a later comment period but perhaps the revisions the operating procedures could be done at the same time. Thank you.

Rudy Vansnick: Thank you Anne, yes Rudy for the transcript. Well I'm just wondering and probably Julie will help us here if - when we do the public comment for the motions and amendments proposal is there any timing that we need to respect to - after we get the comments is there a timing that we need to consider for bringing it to the council? Can we wait till we get the second one done? Julie can you answer that maybe?

Julie Hedlund: So this is Julie Hedlund. So once the comments are done we could hold making the motion to the council with the - all of the revisions of the operating procedures until the elections procedures are also that language is also concluded. But what I'm not understanding is how this would help the council

do anything differently with the amendments because until the formal procedures are published the only procedures that council would follow is its informal procedures for amendments. It could not follow even what has been put out for public comments as a procedure because those aren't procedures. Yes they could be informed of them but they would not take effect.

So it's a little bit unclear then to me what the advantages of putting - doing two public, periods which at 40 days then it would be 40 days for that one that was the other, you know, sort of expediency was that if we combine the public comment period, you know, 40 days for one in this case you would have at least 80 days of course, you know, in the intervening time period. So - and I'm cognizant of the time here for everyone. It's now 14 minutes after. And so I, you know, I'm wondering whether or not we could take this question to the list? You know, in the meantime of course staff would produce the language for review on the elections and then, you know, we would have a regular call scheduled for the 19th. It's just still not clear to me the advantage of doing a separate public comment period when we - but then holding up the changes to the operating procedures.

Rudy Vansnick: Thank you Julie, Rudy for the transcript. And I'm thankful for your proposal. Indeed we are already past the hour. I would also propose that we take this take care of this question on the mailing list so that everybody can respond. And Amr is not of the call so it's I think it's also important that he can give his input. Let's work that way. Let's try to allow the ICANN staff to work on the text the final text that needs to be proposed. Unfortunately the 19th I will not be available. So I'm just wondering are we - take another day? It would be then the week after the 19th only that I would be available or Anne would take the chair of the SCI meeting. So I don't know Anne could you eventually take the lead for that call?

Anne Aikman-Scalese: Yes, thank you Rudy. I am able to chair on the 19th. I would not be able to attend the meeting on the week after but so it's, you know, whatever you want to do.

Rudy Vansnick: Okay.

Anne Aikman-Scalese: I think that it's just...

Rudy Vansnick: Well I'm sure that you can handle the call anyway. I will just not be available the 19th. I discovered that I'm - that day I'm away and will not have easy connection at that time. So I propose that we try to end this call this meeting here with the proposal that ICANN staff will provide the adopted text of the Section 2.2. On the mailing list we have a discussion about sending out together or separately for public comments the other question. And we then schedule for the meeting on 19 May. Is that a way forward? Can we agree on that one?

I don't see or hear any objections. So I would propose that we then hold the meeting for 19 May. And meanwhile we will see the input coming from probably from Amr about the proposed discussions we had on having the comments the public comments period for both together or separately. So sorry that it took so long but I think it was important that we had that discussion to have a clear view on the next process. If there is no other business I would then close this meeting and see you on the next call perhaps at the council meeting I could listen to do it. So have a nice evening it was a nice afternoon. And here is...

Julie Hedlund: Thank you Rudy.

Wolf-Ulrich Knoben: Thanks. Thank you, bye-bye.

Michelle Desmyter: Thank you. Today's meeting has been adjourned. Operator, please stop the recordings and...

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