

Terri Agnew: Welcome to the GNSO Bylaws Implementation Drafting Team call held on Thursday, 29 September at 17:30 UTC for 90 minutes

Terri Agnew: agenda wiki page: https://community.icann.org/x/6w_4Aw

Amr Elsadr: Sounded like somebody was thumping a mic. :)

Wolf-Ulrich Knoben: Hi all

Julie Hedlund: Hi Wolf-Ulrich!

Terri Agnew: New GNSO SOI: <https://community.icann.org/x/c4Lg>

Terri Agnew: Missing SOI's : Steve Delbianco and Malcolm Hutty

Amr Elsadr: Agree Steve.

Edward Morris: Good idea Steve

Terri Agnew: Welcome Matthew

matthew shears: sorry about that

Edward Morris: My position is the same as Amr here.

David Maher: @amr +1

Edward Morris: yes

Marika Konings: Note that in relation to nominations, the DT is also expected to develop/propose the process for the nomination process as well as decision ('The Council instructs Staff to include consideration of a uniform selection process as part of the work associated with implementing the post-transition bylaws')

Amr Elsadr: There is an indication that Ed prefers that individual SGs/Cs may initiate those, and I would find that even better than a threshold similar to issues reports requests. Not sure how others feel about this.

Amr Elsadr: @Ed: +1

steve metalitz: I+1 to Amr in support of Ed's alternative....

Darcy Southwell: I also support Amr, et al., on 1/4 of each house or simple majority of one house.

Amr Elsadr: I would prefer SGs/Cs making those requests, but if that doesn't work..., then I'd opt for the 1/4 of each House or 51% of one House.

steve metalitz: 22.7 references Decisional Participant

Edward Morris: Perfect

Amr Elsadr: Good idea, Ed.

matthew shears: also OK with the 1/4 of each house or simple majority

Marika Konings: where does that leave NCAs?

Edward Morris: +1 Marika

Mary Wong: Also, does this make the Council a mere conduit for this purpose?

Amr Elsadr: Sounds good to me.

Edward Morris: By allowing both Council and SG/C's both to request we solve the NCA problem.

matthew shears: agree with Ed

steve metalitz: or --- SG or C could communicate directly with our SO's EC delegate

Marika Konings: maybe it is symantics, but according to the Bylaws the GNSO consists of SG/Cs, two houses and the GNSO Council which does include NCAs.

Edward Morris: Agreed Syteve M

Amr Elsadr: In the bylaws, the Council is part of the GNSO. :)

Amr Elsadr: Technically, two of the NCAs are also part of the Houses, not just Council. :)

steve metalitz: the bylaws set up council to manage the policy development process.

Marika Konings: @Steve - I think that is what the Council tries to do in addition to its other work :-)

Amr Elsadr: Issues report

Amr Elsadr: It's the lowest existing threshold the Council uses.

David Maher: @ed +1

matthew shears: agree with Ed

Amr Elsadr: Nothing additional from me, except that I support this option as an alternative to the SGs/Cs.

David Maher: Yes

Amr Elsadr: @WUK: The comment along with the abstention is a habit picked up on Council, right? ;-)

Julie Hedlund: @Wolf-Ulrich: would you mind typing your comment for your abstention in the chat. I didn't catch it. Thanks so much!

Wolf-Ulrich Knoben: Abstain because there are ongoing discussions within the ISPCP whether the council should exercise the EC power at all

Julie Hedlund: Thanks so much Wolf-Ulrich!

steve metalitz: IPC does not support council exercising any of the new powers by voting within the present House-bound structure.

Julie Hedlund: Thanks so much Steve Metalitz!

Marika Konings: Supermajority is required for a consensus policy, but not everything that is adopted by supermajority is a consensus policy.

Marika Konings: according to the contracts, consensus is reflected by a supermajority vote (but again, that specifically relates to consensus policies)

Amr Elsadr: I was using the term "consensus" loosely, as I did last week. These decisions should ideally have a degree of consensus, as opposed to a simple majority beating a minority in a vote. That's the way I see it.

Edward Morris: Agreed Steve

Amr Elsadr: @Marika: I meant "consensus" not "Consensus". Apologies about any confusion I have caused.

David Maher: I support supermajority

matthew shears: lets not make this any more complicated given time and stick with super majority as a reflection of consensus

David Maher: @ matthew +1

Darcy Southwell: I agree with one threshold - we

Darcy Southwell: we

Darcy Southwell: we're making this too complicated with multiple thresholds

David Maher: @ Darcy +1

Amr Elsadr: If I'm not mistaken, a Council supermajority means 2/3s of both Houses or "an affirmative vote of a majority of each House and further requires that one GNSO Council member representative of at least 3 of the 4 Stakeholder Groups supports the Recommendation". Did I get that wrong?

Amr Elsadr: Sorry Steve. :)

Amr Elsadr: @Steve M.: Right.

Steve DelBianco: back to page 7, everyone

Marika Konings: To Ed and Steve's point, the table that staff produced called out all the new responsibilities, so maybe there is a need to go through those to see if some of those are 'less big' things?

Wolf-Ulrich Knoben: @notes: WG Guidelines: most agree and a small minority...

Julie Hedlund: Thanks Wolf-Ulrich!

Darcy Southwell: @Marika, that would be helpful - that's part of our challenge here with once size fits all guidelines for all 101 powers.

matthew shears: may be appropriate Marika

matthew shears: I think two would be appropriate at most

matthew shears: if we go down that route

Edward Morris: Steve, the earliest we can get this on the Council agenda is for the Oct. 13th call. I believe we could fit in another call - Marika can confirm.

steve metalitz: @Steve, you should not apologize, you have done an excellent job under an impossible deadline.

Mary Wong: Document deadline for the 13 October Council meeting is 3 October.

Edward Morris: Not much time

Edward Morris: Exactly

steve metalitz: I thik we have another 35 minutes.....

Julie Hedlund: The call is scheduled for 90 minutes. 3 pm I think.

Mary Wong: Note that the 30 Sept deadline was for a draft implementation plan, this Draft Report is actually very substantive, so you can consider sending what you have as consensus among the DT by 3 October, with the understanding that work will continue (unless Council directs otherwise).

Amr Elsadr: I would like to change my position to support the simple majority.

Mary Wong: With perhaps an estimate of when the DT believes work can be completed.

steve metalitz: Abstain for reasons previously stated

Amr Elsadr: Honestly, I'm split between the two options.

Wolf-Ulrich Knoben: yes

steve metalitz: yes

Amr Elsadr: Was dropped off the call.

Terri Agnew: calling back out Amr

Julie Hedlund: @Amer: If you are split between the options are you proposing an alternative or can't decide?

Marika Konings: Maybe you could note on this one that the decisions would need to be reviewed in more detail but it will likely be either supermajority or simple majority, depending on the 'severity' of the decision?

matthew shears: I think that is a fair way of proceeding

Edward Morris: +1 Marika

Amr Elsadr: Also +1 @Marika.

Marika Konings: To reiterate my previous point: the DT is also expected to develop/propose the process for the nomination process as well as decision ('The Council instructs Staff to include consideration of a uniform selection process as part of the work associated with implementing the post-transition bylaws')

Marika Konings: but that could be part of the implementation, not necessarily the implementation plan

Marika Konings: exactly :-)

Amr Elsadr: Thanks for the reminder Marika.

steve metalitz: The appointment of liaison to CSC was with the specific notation from at least one constituency (IPC) that our vote was not meant to imply support for Council as the entity to make that appointment. Thanks to staff for reflecting this in the record of this meeting.

Amr Elsadr: 60% of each House is what is used to elect the Chair.

Julie Hedlund: @Steve M.: Noted and added your note.

Edward Morris: And 60% of one house for Vice Chair

Amr Elsadr: I need to check. :)

Marika Konings: I believe it is in the operating procedures, not the Bylaws

Julie Hedlund: It is in the Operating Procedures.

steve metalitz: 60% and 2/3 are the same in CPH as currently constituted. It makes a difference in NCPH. (8 v. 9)

steve metalitz: +1 Wolf Ulrich that one size does not fit all in these "who" decisions" as well as the "what" decisions

Edward Morris: I'm happy with that Steve.

Farzaneh Badii: ok

matthew shears: I tend to agree with Farzi - and agree Steve on possible higher thresholds

Amr Elsadr: Also agree with Farzi.

matthew shears: I can go with simple now for so long as there is the option to adapt if necessary later

Darcy Southwell: I think this goes back to prior discussions where applying a single guideline to so many responsibilities is challenging.

matthew shears: + 1 Darcy

Farzaneh Badii: does this apply to IRP rep too?

Amr Elsadr: There's an important nuance in terms of working out the process for nominations, concerning the process. We agreed that we can't work out a process at this point, but there are currently appointments that are done via the Council leadership. I'm not terribly fond of this process.

Farzaneh Badii: I don't see that in the column

Farzaneh Badii: no I mean the IRP rep

Amr Elsadr: Thanks SteveDB. That sounds like a good way forward.

Farzaneh Badii: thanks Steve. Happy with that solution :)

Edward Morris: Thanks Steve

Amr Elsadr: @Steve: There was also a recommendation that I would like the DT to consider.

Amr Elsadr: Regarding follow-up on our work.

David Maher: should be in minority report

matthew shears: If we go that route then we should drop the a) that prefaces the sentence or drop the inserted text

Edward Morris: +1 David

Farzaneh Badii: +1 David

Farzaneh Badii: that's minority report I think

Darcy Southwell: I agree this should be a minority report.

Edward Morris: Its almost a definition of a Minority Report.

Farzaneh Badii: minority recommendation cannot be the whole DT recommendation. it is minority report!

matthew shears: Agree that differences of opinion should be reflected but sections b and c on p 8 go far beyond that - as such they should be a minority statement

Edward Morris: I'm opposed to hat approach. This is a minority report and should be labeled as such.

Darcy Southwell: @Matthew +1

matthew shears: I don't think we have time to agree what neutralized looks like

Farzaneh Badii: Yes Ed. it is not a set of recommendation from DT as a whole

Terri Agnew: The next meeting of the GNSO Bylaws Implementation Drafting Team will be held on Wednesday, 05 October 2016 at 13:00 UTC for 90 minutes.

Julie Hedlund: Terri: That will depend on whether the DT gets more time.

Julie Hedlund: it is supposed to complete its work by tomorrow.

Amr Elsadr: Before we end the call, I'd like to know what plans we're making beyond this call? Can the DT continue to work, or do we need to hand off to another group?

Amr Elsadr: We're certainly not done.

Mary Wong: The 30 SEpt deadline contemplated a draft implementation plan, not necessarily a full set of recommendations.

Edward Morris: I'll support two more weeks - but no more.

Farzaneh Badii: implementation plan is gonna be developed by another group?

matthew shears: we should prioitize thresholds over negotaiting on b and c in p8

Marika Konings: so you are not off the hook yet :-)

Mary Wong: So, unless the Council directs otherwise, it's likely this team should be able to continue.

Mary Wong: It may be helpful to provide an estimate of when you think you may complete all the tasks.

Marika Konings: From the motion: As part of the process of its consideration of the implementation plan, intended to be approved by a GNSO supermajority vote, the Council may further request that the Drafting Team work with ICANN staff to develop new, or propose modifications to existing, procedures and structures to implement the revised Bylaws for the GNSO. The GNSO Council intends to adopt any such new, or proposed modifications to existing procedures and structures to implement the revised Bylaws for the GNSO by a GNSO supermajority vote.

Julie Hedlund: Will do Steve!

matthew shears: thanks steve!

Farzaneh Badii: thanks a lot Steve

Amr Elsadr: Thanks all. Bye.

Farzaneh Badii: Bye

Wolf-Ulrich Knoben: Thanks Steve

Steve DelBianco: @Marika -- I already have that motion text on page 1 of our report. Thanks