

# 07 Dec 2009 At-Large Director Appt Process - Transcript - EN

Cheryl: Okay. Thank you. At five minutes past the hour then, I'd like to welcome everybody on the phone bridge and everyone in the Adobe (ph) Connect room. Remind everyone that even though this is only in English, for the transcription and for the ease of those who are dealing with the MP3, the recording later--and just remind anyone who is new to these calls that all of these calls that (inaudible) does are recorded. So everything you say will be taken down and held against you. If you have a problem with that I suggest you disconnect now.

But what we will be doing tonight, of course, is something that many who aren't able to join the call will want to listen to. So please speak slowly and also make sure you say your name when you begin to speak unless I've sort of said something like, "Okay, Miko, over to you," because that gives people the idea of who is speaking.

This evening we're looking--

Unidentified Participant: Hello, Cheryl (ph).

Cheryl: This evening we're looking at the next steps. And I would like to think that they are the penultimate ones in the process of the community discussions for how we are going to be appointing an At-large director to the Board.

I won't go to the background because (a) it's on the Wiki space, and (b) most of us are very aware of it. But just to cover off the purpose of the call, the major purpose of tonight's call is actually twofold. One is to have final confirmation and feedback on the regional (ph) discussions, if it happened coming up to and after our sole meeting. Specifically, we will be reviewing any particular recent thinking with respect to the particulars of the vote mechanism, so the selection process and some of the other matters such as the criteria that we will be looking for.

We're also taking the opportunity to have a look at an issue, which has been of some concern for many in our community, and that is the choice of voting services or voting systems. To that end, I'll be welcoming in a moment Mr. Ralph McKay from BigPulse Online Voting, and that is the current online voting service that we use for all of our votes and will be using for whatever, in whatever way it is decided on when we do our votes for our candidate nominations and any of the regional work that's done, and also for the final slate as we go to select and then appoint our candidate for the Board position.

Ralph, there are people who are not in the Adobe Connect room. For those who are in the Adobe Connect room, you may see them put their hand up. That will be a key hint for both you and I that someone wishes to ask a question. But for those of you who are only on the telephone bridge, I will ask for questions from time to time, and Heidi (ph) will capture your questions into the Adobe Connect room so that they are also recorded for posterity sake.

With little less ado, I think I'd now like to hand over to you. Ralph, the microphone is all yours. Thank you.

Ralph McKay: Okay. Thank you. Well, I think this is best handled mostly with questions, but I'd like to just give a five or ten minute summary of my thoughts on the issue of vote fairness.

Most will agree, I think, that fairness of the vote is the most important criteria for a voting system.

I hope I'm talking at the right pace here.

Cheryl: You're perfect. Please continue.

Ralph McKay: Fairest vote could, I think, be defined as a vote which best represents the wish of the majority of the electorate. The choice of vote counting method is an important consideration in fairness. For example, first past the post, instant runner or range voting, and each voting can produce different winners. Applicable voting system will cater for many vote-counting methods. However, it is important to note that it's not always clear which measurement of opinion actually best represents the majority because there is not always a definitive mathematical answer to this question. So it is not always possible to give a clear-cut answer to the best vote-counting method.

For example, the first-past-the-post contest with three or more candidates can produce a winner, which never wins in a paired contest with any other candidate. While it is also possible that a losing candidate in a first-past-the-post contest may always win any paired contest. However, most people will agree that this-- that in this case the first past the result-- the first-past-the-post result is not fair. And an alternative voting method that came closer to emulating the paired result is fairer. On this point, ranked voting methods and first past the post with multiple rounds of voting tend to reduce the risk of eliminating candidates that do better in paired contests.

I'd also say maximizing a degree of proportional representation and minimizing the incentive for strategic voting are two important measures of fairness. Proportional representation means the elected candidates represent the natural divisions within the electorate. Strategic voting means voting for what you think is the best possible or likely outcome, even if it means not voting according to your true preferences.

For example, in a contest with three or more candidates, voters can be tinted (ph) to yes while others will vote and attempt to vote in a manner that gives the best likely result rather than voting their true preferences, which most would agree is the preferred.

A degree of proportional representation is possible in a contest with more than one winner. The more winners, the more proportional it can be. In this case, the former or preferential or ranked voting, now on a single transferable vote, or STV for short, is fairer than first past the post because the STV vote is not better at producing proportional representation. However, in a single-winner contest, which I think might be more relevant to this discussion at the minute--

Cheryl: Yes, this particular (inaudible).

Ralph McKay: Now, in this instant runoff, in the case of STV, no other system can produce proportional representation. Although the STV may be considered a little fairer in the sense that it leaves the door open to proportional representation, or at least it's a little bit easier to move in that direction.

If eliminating-- if elimination of strategic voting is the criteria for fairness, and I think that's more relevant here, then the fair choice between the first half of the post and instant runner is not quite so obvious as it depends on the number of candidates and how many rounds of voting can be tolerated with first-past-the-post voting. And I think these last two points I mentioned are critical to this discussion.

For example, if only one candidate is eliminated after each round of voting, then from the perspective of strategic voting the first-past-the-post vote is just as fair as instant runoff and also allows people distinctly vote their first preference in each round of voting. However, with first past the post-- okay, first past the post, using a serious (ph) or instant runoff, with respect to strategic voting, when more than one candidate is eliminated after any round of first-past-the-post voting.

Also, with the first past the post with multiple rounds, I think voter fatigue, cost and time delay may also impact on fairness. Now, to illustrate that, for example, a contest with ten candidates can require up to nine rounds of voting using first past the post if it is to match the instant runoff vote. Whereas, with instant runoff, obviously, it's always just one round of voting.

Now, I'll just conclude this-- these pertinent points with a short list of other considerations, which I think are I mean when analyzing fairness. Vote counting method is just one of many. For example, a fair vote is influenced by, obviously, how (inaudible) is to willing candidates, the ease with which people can vote and gain access to information on candidates, the integrity of the vote harvest, vote counting and result reporting; the existence in transparency of an audit trail; ease with which voters can confirm that their vote was recorded and counted correctly. And I'd add the time costing also that's required to run a vote.

Also, the choice between online, paper or hardware voting systems can affect all of these ethics of vote fairness, including the vote counting method. Obviously, as the manager of the firm that is specialized in security online voting for ten years, my bias is clearly-- be clear toward online voting (inaudible) hardware voting.

And I would add security and protection of anonymity when anonymity matters I believe the hardest ethics to get right in any voting system and do require many years-- 15 in the case of the electronic system. However, I'd add a properly tested online system does offer many advantages-- can offer many advantages for security transparency, accessibility, flexibility and cost.

So at that point I'd be happy to take any questions.

Cheryl: Okay. Well, thank you very much for that. I must say you've horrified a few of us at the possibility of nine rounds of voting. I gather the reasoning there is it can be as high as one less than the number on the (inaudible). Is that correct? Do I have that correct, Ralph?

Ralph McKay: Yes. Well, put another way, for the first-past-the-post method to match an instant runoff in terms of fairness as defined by its tendency to eliminate strategic voting, it's important that only one candidate is eliminated after each vote. That's the simple point there. So it would be likely-- with ten candidates, that does not necessarily mean ten rounds of voting because the winner might have been declared well before that, but it can mean up to-- I'm sorry, nine rounds of voting. It can be voted up to nine.

Cheryl: Certainly. I gathered it was a maximum from some limitation.

Evan, go ahead, please.

Evan: Okay. I've written in my question in the (inaudible) chat. Actually, what I wanted to get was, Ralph, what's the difference between local transferable votes and instant runoff? (Inaudible).

Unidentified Participant: Evan, you're very faint.

Evan: That's why I--

Ralph McKay: I have heard the question. I can read it as well.

Evan: Okay. Go ahead.

Ralph McKay: Okay. Well, in my definition instant run off is simply a special case of single transferrable votes, the special case being only one winner. When there's more than one winner that's when STV has the extra advantage that it can produce proportionality. So they're the same method, just different number of winners.

Evan: So if we're only really electing one person, then there's no preference between them?

Ralph McKay: They're the same except you're only electing one winner. But I'd also add that there's many, many little variations of STV, which therefore means a number of those will affect instant runoff. Minor variations in how votes are transferred after each count and tied (inaudible) and that sort of thing. But the basic idea is pretty clear.

Evan: Okay.

Cheryl: Evan, that satisfied your inquiry?

Evan: Yes.

Cheryl: Okay. Alan (ph) has posted (inaudible) Ralph, and I will offer him the microphone in a moment. But as not everyone is in the Adobe room, I know Vanda (ph) has connection problems and can manage only one or other. And I suspect some of our callers from Africa is going to be in similar circumstances because I know (inaudible) is on the call, but I don't see her in the Adobe room.

I'd like to ask for any questions that anyone on the phone bridge would like to raise. First of all, from people who are on the phone bridge but not in the Adobe Connect room. So perhaps if you just make a noise and do your best to--

Vanda: Okay. Well, I-- Vanda?

Cheryl: Yes. Go ahead. Thank you, Vanda.

Vanda: Yes. Well, just to say that I'm really clear the process for me, so I don't have a call. It's a flaw for the order (ph).

Cheryl: Thank you. Hong, go ahead.

Hong: Oh, well, thanks. I know very little about election. You know, I'm living in a place of not election at all.

Ralph McKay: (Inaudible).

Hong: Okay. Sorry about that. So I really want to know about STV. Does it leave it as only one round, so we don't have to go into multiple rounds, as in the scenario described by Evan? I hope you understand my question.

Ralph McKay: That's the advantage of STV or the special case of an instant runoff in that there's only one round of voting required but because people are ranking their preferences in that one round, all of the various-- the other rounds that were all calculated automatically by the system. So they can go through various rounds, but it only requires one actual round of (inaudible), but the counting process goes through rounds using the ones that have original ballots, as compared with using the first half the post. You actually need to have separate rounds of voting.

Cheryl: Hong, is that (inaudible).

Trisha: (Inaudible).

Cheryl: Certainly, Trisha (ph). Just let me check if Hong's got the answer she needs. Hong, is that (inaudible)?

Hong: Oh, thank you very much, yes. I'm done.

Cheryl: Trisha then Jean Jacques (ph).

Trisha: Really I'd be interested in some hybrid approaches because in a sort of simple scenario, if I were one of those (inaudible), I'd like to be able to express my preferences, first of all, and also to know what the preferences of others were obviously with it being anonymous. And then to move perhaps to the opportunity of being able to vote but without it being for nine rounds, to be able to (inaudible) from the frontrunners. And in this case it might be an interesting approach. I think there's probably one round (inaudible) automatically (inaudible) if I understand correctly. It's not (inaudible). So a combination of being able to put your impersonal preferences first, and then move into around (inaudible).

Ralph McKay: That's an interesting comment. I think what you're suggesting there is that the STV (inaudible) use to get a short list of candidates.

Trisha: Correct.

Ralph McKay: Which are then voted as a first (inaudible) with-- well, if you're going to limit it to two rounds of voting then you'd need to get a short list of three candidates.

Trisha: I wasn't necessarily saying limit it to two. I was also in fact agreeing with Hong, the thought of 9, 10, 12 rounds is horrendous. But just really the first (inaudible) picked up the first one. And then just one, maybe two rounds after that conversation for both candidates. But I think that's right because I say if I were one of those voting, to be able to have the opportunity to put my preference down in the beginning and then to go to the best method afterwards.

You mentioned (inaudible), so I thought it was worth putting it out on the table for you to consider.

Ralph McKay: I think that's an interesting creative idea. We'd like to just think that through ourselves with the mathematicians, et cetera, just to see if there's any--

Trisha: Sorry about that. (Inaudible) ask anymore.

Cheryl: Oh, no. Thank you, Trisha. I rely on you for bringing in interesting ideas, and Ralph, we look forward to your feedback. Jean Jacques and then Alan (ph).

Jean Jacques: Thank you very much, Cheryl, and thank you for inviting me on this call. I had a sort of preliminary question, and tell me brutally if it's completely useless. But is this the kind of thing that some sort of outside consultant could take care of? I mean, really the mechanics of how they're both being perceived in a clear fashion, of course, under the control of the body you represent. But instead of having everyone take care of this personally I'm sure there are several women of the field prize for mathematics among you, but still it's a lot of work. Thanks.

Cheryl: Thank you, Jean Jacques, and I know you joined the call slightly later than Ralph started to-- his talk. In my introduction I did make it clear, Ralph is, in fact, an outside consultant. He runs the online voting system BigPulse that we currently use. So, Ralph, over to you to respond to that. Then I see Carlton--

Alan: Alan.

Cheryl: Sorry. Alan, then Carlton, then Patrick.

Ralph McKay: I think my answer is just we're happy to remind the consultants.

Cheryl: Jean Jacques our community has--

Ralph McKay: I might not have understood or it's a (inaudible) kind of question.

Cheryl: Yes, I think Jean Jacques was saying this is something that perhaps we could outsource. And to some extent, Jean Jacques, we are, but it's something that our community needs to be highly comfortable and highly well briefed on because certainly just running a vote system, or, for example, Hong is the ideal example, her culture quite literally finds the whole concept of this sort of election really amusing and unnecessary.

Australia has a very, very complicated-- has a very complicated vote system, and we find what we've been doing really quite simple. And in between is everyone else who can be both confused and bemused by it.

Alan, then Carlton, then Patrick. Go ahead.

Alan: Okay. Since I sent out that note, I guess I started off some of this debate at this round. I have several concerns with the STV voting scheme that we've been using. The first is illustrated by the fact that during our last election, the election for the liaison, Nick (ph) felt it necessary when announcing the vote to send out a detailed explanation and spreadsheet of how the votes were calculated in each round to convince people and make them feel comfortable that the vote was fair. And I'm not questioning whether the vote is fair. I'm questioning whether it is perceived and understood as being fair, and I think those are two very different things. And the need to send out the detailed explanation sort of illustrates that. That's number one.

Number two, I think-- and Trisha brought up the issue for the first time, I think the concept of-- that people may change their second preference after the result is in I think is very real. And I think in the end the most important thing is the perception of fairness and the perception that the person who is elected really was elected by the electorate.

If you look in the ICANN bylaws they use terms saying that the person must have received 50% or 60% of the conscious votes-- I don't remember the exact wording. One second. Of the affirmative votes of their respective electorate. And I don't think that the STV method gives that to somebody who isn't willing to study it carefully and understand it. And that, I think, is a very real concern. So the combination that that is-- that it is complex enough that in the example I gave we needed explanation, that the other people watching may not understand it well enough to really believe that this person was elected by the majority of the people.

And, lastly, I think the dynamics in STV are-- or the dynamics in a real group, and we're talking about a small electorate here, 15 to 20 people, that people may well change votes based on the interim outcomes. And I think that's an important part of making sure that everyone buys in on the final result.

Cheryl: Ralph, any responses there?

Ralph McKay: Well, I'd agree with Alan that if the ability to change the vote after each round is important, and that gives that voting with multiple rounds an advantage. It's not obvious to me that the change in the vote increases the fairness. It may do, but some may also think that it decreases fairness. You can think of scenarios where the information of who got eliminated first then is unfairly used in the next round. But just as easily you could think of examples where it may be considered to increase the fairness. So I think that's open to debate.

And as far what the bylaws state legally as the process of finding the winner, that's a legal interpretation. I really don't think I could add much. But if, in fact,, the bylaws state that people must physically vote until there's a majority produced. And that would be a case for multiple rounds.

But, again, I would also say from the other side, was that an arbitrary definition of how it should be done, or maybe it's not necessarily-- (inaudible) is not a good rule to be in there.

On the first point, I'm sort of going backwards--

Cheryl: Alan, it's up to you just because you have a right to reply on the clarification point. Go ahead.

3; Two things. Number one, I raised the bylaws not because they necessarily apply to us because the bylaws haven't been written for us. But those are the rules that have been applied to other people, and it sets a mindset. And although fairness is important, I think the belief by everyone involved, that the candidate who was declared winner was elected by a majority or more with regard to what the threshold might be I think is key to that person's ability to function and represent the group going forward. And it's not only the electorate who has to believe it but the other people who will be the peers on the board in this case to understand this person truly was elected by a majority. And I don't believe STV gives you that. I think it's hidden by some mathematics, which do not give people that firm belief, unless they have been schooled in it and they used it for a long time. Okay.

Cheryl: Thanks, Alan. Ralph, go ahead.

Ralph McKay: It is true that the first part, the STV though would be more complex for people to understand. And so that is-- I don't think anyone could argue against that. But I feel like there's two sides to these points because if you focus on complexity then the many people running multiple votes is also complex. They may lose interest in the second round. It requires them to watch more, voter fatigue. And the fact that unless you have-- eliminate only one candidate in each round then it's simply not as far as an STV. There's really no question about that.

Then it could become very complex with requiring many rounds. So I agree there's points on both sides with complexity. I'm not sure I fully got my mind around the point about bylaws and what people are used to, but certainly we see many organizations using single-transferrable vote. And the trend is clearly increasing, and it's-- I've never seen any sort of issue raised about the perception of what people understood to be the correct legal interpretation or whatever.

Cheryl: Thank you, Ralph. Carlton is next. But Carlos did raise a question. I have given him the microphone, which will be after Patrick and Evan. But Ralph, just to-- Pat, to give you the opportunity to respond to what Carlos wrote to the room, which has to do with (inaudible) in terms of knowing that the final results are correct. He was asking in the room what-- does the system provide some tool to verify that. So perhaps as we go to Carlton, Ralph, if you could respond to that question from Carlos.

Ralph McKay: Well, regardless of which voting method is used, we operate a transparent voter verification page, which allows every bite to be seen with its receipt, but that still protects anonymity when it's required, so that people can verify that your vote was indeed counted and counted correct. That's one point.

With respect to the process of counting a single transferrable vote, the report will show the details of each round. The process of transferring votes after a candidate is eliminated either because they're a loser or a winner, ballots have become exhausted in the process. At which point-- all the information that could-- that would be seen if someone was watching the votes physically being counted can be displayed in a webpage for those who want to analyze it.

So the transparency of the process we believe is very important. We've given a lot of attention to that, and there's various other information that we can assist, people set aside and know if the vote is correct. That's a separate issue as to whether or not they have the time and fuel to truly analyze that information, but anyone could take that and appointment their own consultant and check the integrity of the vote.

Cheryl: Thank you for that.

Ralph McKay: That's something that's more difficult with the paper vote. Online voting does have that clear advantage on transparency, regardless of method.

Cheryl: Okay. Thank you for that. Carlton, go ahead, please.

Carlton: Yes, thank you, Cheryl. And there's two things, I think. Ellen has touched them, and Trisha has touched on them. But it's important for us to bear in mind that it's the perception of fairness that is a very critical point in all of this. So it seems to me that we want to keep devoting system at a point where people perceive that it is fair. And that means you can't have too many processes that are-- seem to be offline the actual voting, it seems to me.

The second one is I personally like a situation for this where we can declare favorites. And then on the basis of the clear favorites then go to a second round of vote. I think that gives people an opportunity to mull over what they've seen and look at others. And I would think it would satisfy the perception, the fairness perception quite easily. I know there could be an (inaudible) explanation, but that's the one that I would prefer to embrace. That when people see that their preferences are shared or not shared by others, it tends to satisfy the perception problem.

And finally-- and so I would like to see a voting process where preferences are preferred first, and then we go to a second count. And Alan, I think you brought up the issue of the bylaws. And it does say that you must have a majority of the affirmative votes. And I believe in this situation that will be a very key understanding, and that will be something that we need to watch out for. And remember that we operate on the laws of the State of California here, and it is going to be a factor.

Cheryl: Ralph, response at all, or I can go to the next question?

Ralph McKay: Well, I'll certainly agree that perception is very important, perception and fairness. The main point I'd say coming back to here is that it's clearly not as fair if more than one candidate is eliminated after the round. So as long as that condition is set aside, I think the suggestion for a hybrid somewhat shortens the list. It is beginning with the rank vote and finishing with another line of voting. I suspect if we analyze that in more detail we won't find reason not to do that.

But if first past the post with two rounds of voting is the system, regardless of the number of candidates, then I don't think it can satisfy a perception of fairness because anyone who wants delving into the understanding of it will see that in fact it's not as serious as it could be.

Cheryl: Thank you very much. Patrick, you have the microphone now.

Patrick: Yes. Thank you, Cheryl, and my apologies for attending the call a bit late because I was caught in traffic jams.

But, anyway, maybe this was answered already at the beginning of the call. I don't know so maybe you can tell me. I have a question to Ralph, which I raised in an e-mail all right large mailing list earlier today. If we first do the size of the voter base in the sense that all the-- our-- we have not yet really decided if we would have 15 elect members or elect plus (inaudible) or even all ALSs. So that could be 15, 20 or maybe 150 voters. So my question is does the voting system and the fairness of the voting system, is it influenced by the size of the voter base? That's one question.

And another point I wanted to make is that I tend to agree with Trisha's suggestion to have two rounds of election. And actually what I suggested to the mailing list was to have a simple majority system voting on the first round. And if there is no candidate to get more than 50% of the votes in the first round then we would have second round of elections with the two candidates having the most votes. That would allow people to indeed have-- to revise their choice and not to be forced to have a second or a third choice during the first round because maybe they don't want to have one. And also-- that would also allow the candidate that gets elected on the second round to have the legitimacy of being elected by more than 50% of the voters rather than being the second choice of maybe 70% or 75% of the voters if we had a sort of ranking during the first round.

And also I think that it's-- I think that people would like to be able to change their mind between a first and second run based on which candidates are still running on the second run. I may want to vote for-- I may not consider X to be a good second choice in the first round. But if this person appears to be in the second round, then I might indeed change my mind and say, well, I'd rather see X than Y, for example. So I think that having two rounds may be a good idea. Yes.

Cheryl: Thank you very much, Patrick. Some brief responses, Ralph, and then the next one is Evan.

Ralph McKay: Yes. I would also like to point out that rank voting is almost the same as having subsequent rounds. The point-- the suggestion that people are being-- are winning off their second preference has been something that's not desirable with rank voting. It's a misunderstanding that because when you have several rounds of voting that's exactly what you're doing anyway. You're ranking people a second time in the second and subsequent counts. But really-- and what the suggestion was there was to have the simplest system with the first half of the (inaudible) two rounds.

My main concern with that one is that it-- with many candidates it's become similar to the case of one round with three candidates where the person that wins can actually be on any paired contest, the least popular. Or put very simply, the least popular candidate can win in that sort of contest. Least popular in the sense that they would never, ever win against any other candidate in a two-horse race. Having more than one count (inaudible) vote greatly reduces that risk. That's my comment on this.

Cheryl: Thank you for that, Ralph. Evan, go ahead.

Evan: I just want to put on my (inaudible) head here on an issue of practicality. We already went through and experienced (inaudible) of checking the liaison and using a process that requires consulting all of our ALSs as well as individuals that's well within the (inaudible) process. That took a long time to do, to properly get and to properly extract the opinions of every ALS is going to take time. It's going to take time for every round. We manually have to do something that allows people to change their preference with each round. That means that every (inaudible) has to go back to their ALSs and in some places back to their individual members to extract that back in the form of a consensus or take another vote amongst themselves.

And I really think that you can't-- we can't spend too much time on the theoretical. That is what are all the different possibilities available to us. (Inaudible) of time. There are practical issues of the need of consulting every ALS. And if you have something that is going to-- you know, depending on the number of candidates. You know, Ralph is saying if you have a first past the post and you don't-- if you eliminate more than one person every round, then that's not necessarily the most clear cut.

What I'm hearing from that is a real difficulty in terms of the timeframe it's going to take for us to pick somebody unless we've got some level of automation of the time it takes to get (inaudible) vote. And I'm thinking of this purely as a matter of practicality and making sure that we don't have to take six months to conduct the vote (inaudible).

Carlton: Cheryl, can I--

Cheryl: I'll put you in the list, Carlton. I've heard what you said, and I thank you for your points, and I think they're very important. Ralph, do you have any very brief response? And please note the use of my word brief.

Ralph McKay: Yes. Well, Evan chose a good understanding of the issues there.

Cheryl: Thank you. I now have--

Trisha: Can I (inaudible) go on the list after Carlton or wherever, just (inaudible)?

Cheryl: Certainly, Trisha. I have-- just to let you know what the list is at the moment. Carlos, do you still wish to speak? I've given you the microphone.

Carlos: No, thank you, Cheryl.

Cheryl: Okay. In which case I then have Christopher, then Alan, then Trisha and then I'm going to call for the extension of our meeting by 30 meetings because I see this very important topic has indeed taken more time than we'd allowed, but I'm happy to let it run because it is a very important topic. Go ahead, Christopher.

Christopher: Is that right? Are you hearing me?

Unidentified Participant: Yes.

Christopher: Okay. Again, apologies for joining the conference a bit late. A personally reflection, I'm surprised we have so much latitude on this choice. I thought there was enough precedence in ICANN and indeed in Californian law that we might be-- might, at this stage, be receiving advice, but it seems apparently to, so let's go ahead.

The second question is whether this is a direct election or an indirect election. And I think I'm right in saying the ALS that I represent expects to have a vote and a direct vote. I'm very sympathetic to Evan's scenario about the consultations that would be required between rounds if there were multiple rounds. I think we have a tactical interest in getting on with it and getting this board member seated as soon as possible.

Finally, insofar that this could be a direct vote, I'm sympathetic to Patrick Vanderval's (ph) suggestion. We didn't know we were going to be on this call together, so there's no coordination behind this point of view. But the French say in the first round and the second round you vote with your head. I guess that's a good motto, and we have to do it simply and quickly the first time around and get a clear decision.

Damn. Sorry. That's my teacup gone for a (inaudible).

Cheryl: Oh, dear.

Christopher: My favorite teacup, Cheryl.

Cheryl: That can be quite a problem. Ralph, response to that or if not we can move to Alan then Trisha, then Carlton?

Ralph McKay: The comment on the direct side, you mean?

Cheryl: Yes.

Ralph McKay: Yes. I might not understand all of the issues there, but we've given a little bit of thought about-- to this mathematically. We don't think the two are equivalent. If 100 people vote directly for a representative, that's not the same 10 people voting for 10 people who then, in turn, vote for the representative. But what's not clear which one is fairer. I think it might be arbitrary. Our intuition is that the direct vote is in fact fairer; however, but we don't have the mathematical proof of it. It also would be easier to administer. In this case the-- each individual I think would be given a vote waiting because I understand that-- the way this works at the grassroots level, people effectively get a different way depending on which region they're in. So that can all be done technically.

Cheryl: Thanks for that, Ralph. And, yes, I think it is important just to read to the record or remind everyone listening to this call either in real time or later that a number of our RALOs because they have a number of ALSs in the country, as opposed to just one ALS per country, have waited both instances. And it does give us another level of complexity, to the point that Christopher was raising. But it's good to hear from you, Ralph, that in fact that isn't an impediment.

I now have Alan, Trisha, Carlton and Jean Jacque. Go ahead, Alan.

Alan: Just a quick point regarding Evan's comment that if we have multiple rounds we have to go back to every ALS in the RALO each time. I don't think that's necessarily so. I think at a different level if the individuals who are voting and voting their own conscience, as it were, have the ability to change between rounds. That doesn't preclude us saying that the RALO designated vote, the one that's instructed by the ALSs, cannot be a prioritized list, just as we would be doing now, except we don't feed it into the system all at once. So I don't think the two are mutually exclusive.

Cheryl: Thanks for that. I'm not sure that we need to respond, Ralph, unless you have a burning desire to do so.

Ralph McKay: No, not at this time.

Cheryl: In which case, Trisha, go ahead.

Trisha: Thank you. And (inaudible) nicely from Alan and (inaudible) and Evan's as well. Just to really picking back up on this hybrid aspect as being able to express favorite (inaudible) and then (inaudible) voting with your head for the-- whether it's a second or a third round, which is a different method to the first round and the moving to the second one. And I think that's (inaudible) the exploration, both in terms of the technical aspects from Ralph and BigPulse, but also from a (inaudible) perspective as well.

I think the other point I wanted to make really is picking up on Evan's point. And we usually end up in the same place, although sometimes the journey is more interesting. I mean, I absolutely want to get this director on the board. I think it's a very important step in terms of At-large and ALAC. So we're in the same place then.

But I think it's really important, not only (inaudible) and the person elected, but picking up on Carlton's point, that everybody feels they've had the opportunity to (a) participate, whether it be in the first round of the voting with their hearts in terms of getting candidates on the list. And maybe there's a hybrid from-- and I don't-- I don't want to get into any of the views on this of whether it's a (inaudible) on the (inaudible) aspects of voting for favorites. It takes into account every ALS and (inaudible) picking out their preferred way.

And then the second aspect, although a little (inaudible) but Ralph said it could be done technically. Whether there's a committee then that decides that that three for the second round is either the committee itself or Mickey and the (inaudible) or whatever. But I think it's coming out-- it's working out what is right to satisfy all of the criteria, whether it's-- we want to get that direct from the board so (inaudible) we're not having this conversation in three years' time, or we want to then make sure it's fair, or we want representation to make sure, picking up Christopher's point, maybe ourselves, actually, create our (inaudible). And basically getting a seat at the table and a boat that's there. So I think there's a bit of sinking both ways. And then Ralph has to say, well, okay, technically this is-- we can do it, or we need to do a wee bit of work in thinking there. So it's pretty urgent on all of the four of those points. But there seems to be a consensus emerging, and that's really, really encouraging.

Cheryl: Indeed, Trisha, it's something we all aim to do.

Ralph, a response from you? I suspect anything that can be done technically, can be done technically, but the hybrid type model, you already indicated that you'd get back to us on that. I think we would like some specific mathematical advice and the advice and the examples of where such systems may or may not be used internationally or how they'd be recognized as well. Response to that? Then I have Carlton, Jean Jacques and Patrick Vanderval again.

Ralph McKay: Yes. Just to confirm clearly, technically there's no problem with any of these suggestions. The hardware [ph](#) vote is ready to go now technically, and the direct vote, to my thinking, that's actually easier to implement on the current system, and it's ready to go now if you wanted to use it. That's all I'll say.

Cheryl: Thank you very much. Jean Jacques?

Jean Jacques: Thank you. And it's just that Carlton's first?

Cheryl: Oh, my apologies. I did. Because he's not in the Adobe room I was looking up there instead of my piece of paper. Thanks for taking me on that. Carlton and then Jean Jacques.

Carlton: I wanted to endorse Alan's response to Evan because I know he's something that we talk about here in ALAC/RALO. I personally believe that we should have-- in these kinds of votes we should have-- we should not have the directed voters of the left-- of the RALOs. We should release them from the (inaudible) and so they have a free vote. That will take care of the-- so Alan gave to Evan, which I support. I want to support Trisha's interpretation, though if we go the way of the red [ph](#) votes in the first round for voting with your heart. Then it might be a way to include the ALSs.

And this is-- I'm saying this as somebody who believes that we should have ALAC plus RALO leadership as the voting pool for this. But I see where Trisha is allowing for the fairness and that it can be implemented technically. And I think it's a very interesting way to look at it.

Cheryl: Thanks for that really more than a comment than a question. Ralph, any response from you?

Ralph McKay: Okay. I can't think of anything to add there.

Cheryl: Okay. Thank you. Jean Jacques, correctly now, in order, the microphone is yours.

Jean Jacques: Thank you, Cheryl. Two or three points. The first is I'm in no position to offer any valid system on which would improve what has already been discussed by you. I do have a question though. It seems that out of very high standards [ph](#) of fairness and what is appropriate, this mechanism, voting mechanism, is being discussed in a fairly wide manner, and I approve of that. But at the same time I think there is some interest in placing a director on the Board in not too long, and I'll come back to that point in just a few moments.

So would it be-- could you envisage to a point among yourselves a small working group which would beat this out with Ralph as a consultant and come up with the two or three preferred or two preferred methods, which would then be put to a vote among you? So, so much for method, but as I said, my contribution here is of very little value.

My second point, to which I come back, is the question of opportunity and timeliness. I have the honor and the pleasure of working with Trisha as a very able leader on the ALAC reform-- sorry, review working group. And I was one of those who pushed hard for two people to be able to be nominated by-- At-large for a board position. The position, as you know, was cut down to one, but never mind. It is a good result.

So because of that and because I am a Board member speaking in a personal capacity just now, I'll give you, I'd be very keen, actually very anxious even to see someone proposed by the At-large community seated on the Board in a few months. Ideally I would think that by the middle of next year that should be done because I think it would not be very realistic to hope that this person would be elected and designated or nominated by Nairobi. That may be a big shot. But the next international ICANN meeting, which is (inaudible), would be a wonderful opportunity. And the one after that would be really the last one. But I think if it's at all possible, you should, as a matter of a political statement, aim for the middle of 2010. Thank you.

Carol: Thank you, Jean Jacques. And in fact I've just popped into the Adobe room, our current timing, which is every bit as aggressive as you've proposed. And I believe we will do our very best to meet that, although we may see it slightly on our getting our final draft process to the structural improvements committee at December. I suspect that might perhaps (inaudible) if we need to explore the hybrid model. But we will do our very best.

Patrick, the microphone is yours.

Patrick: Yes. Well, just-- thank you, Cheryl, I just wanted to confirm what I already said in the chat room and what Ralph confirmed earlier is that if there is no issue with having a weighted voting and (inaudible) then I think it would be no issue with having all the ALSs voting directly rather than indirectly through a representative-- a RALO representative. And I think indeed that that would lift a weight on the shoulders of those RALO representatives to be sure to carry the right vote, too. And on the other hand, it would also be a great way to involve the ALSs much more in the (inaudible) decision making, I think.

Cheryl: Thank you, Patrick. And I see Olivia [ph](#) is in agreement with you there. Of course, an exploration of the hybrid model may offer us some interesting opportunities to explore meeting everyone's desires and needs.

May I call now for anyone who wishes to raise final points or questions, firstly from those of you who are only on the phone bridge? Is there anyone just on the phone bridge who'd like to raise a point or a question?

Trisha: Yes, just one very, very, very, very quick one, Cheryl.

Cheryl: Go ahead, Trisha.

Trisha: Just one issue that just sprang to mind on-- it's in the fine-- I call it the final round or realm, so otherwise after voting with your heart (inaudible) the head. Is there an issue of all the ALSs were to vote, or I'm (inaudible) you in terms of geographic diversity and representation. It's only a question that's off the top of my head. I haven't got the thread or individual ALSs there.

So if it's the ALSs going into the RALO, which brings Evan's complexity concern into play anyway if that was happening, this (inaudible) is important in the final vote on fairness than the geographic diversity is taken into account. So (inaudible). It's just a flag that's just been worrying me during the call.

Cheryl: Thank you for that, Trisha. And I think I'll say to you and make sure Ralph hears very clearly, we will be taking that very important question on notice. It is my belief that this feeling of this meeting as we're wrapping up this part of the meeting, and when I do recognize you as the next speaker, is going to explore the hybrid model in a subcommittee form. And obviously we're going to rely on very particular advice from Ralph but also perhaps some exploration on our other experts and internationally recognized standards as well. And the matters that have driven a number of the regions to use weighted voting, of course, Trisha, is how they avoid exactly the concerns that you were raising within region. To not recognize those risks across regions would be foolhardy indeed. So we'll definitely have to look at that very carefully.

Alan, go ahead, please.

Alan: Yes. I just wanted to point out that although it may well not be possible with the timeline we're looking for in this meeting, in the steady state model we probably can arrange to actually have the voting at an ICANN meeting, so multiple rounds is not necessarily a difficult problem at all. And that, in fact, is what I believe most of the other organizations do.

Cheryl: Yes, we recognize that, of course. The issue in how we bring the ALSs more intimately into that is something that we now need to consider and look at in the hybrid or two-round model.

Hong, sorry, you appear to be mentioning some confusion. The confusion, if I hope I can help you here, Trisha raised the possibility of a hybrid model where there is an opportunity for a more broad and general vote to narrow down to a short list, something that was mentioned as voting first with one's heart, and then second with one's head.

Please be very clear. This is a discussion at this point. Nothing has been decided.

Alan, more points from you? I did cut through you then.

Alan: Yes. No, I was just going to add done more thing, that when we're talking about two rounds of voting, I am assuming that if we decide that the voting mechanism is-- not the mechanism but the electorate, as we have tangentially decided through most of the RALOs that it should be the 15 ALAC members and 5 RALO appointed people, as it were, or five votes cast by RALO. I presume we'd use that same mechanism in the hybrid model of the first round and the second round. That's obviously not a given, but that was the model that I was assuming in that we just-- we seem to have come down-- come on to that model as the one that meets our needs best, so it's not clear that we should change it just because we're going to two rounds.

Cheryl: Recognizing that, Alan, but also recognizing what I'm hearing as the mood of some of the participants this meeting, specifically from you RALO, I will not, the availability of a direct vote in a hybrid model, so a direct ALS model in a RALO model might be very, very attractive.

Ladies and gentlemen, I'm going to call this part of the debate and meeting to a close now and thank Ralph very, very much for his I think very clear and carefully considered advice and explanation. I'm also going to thank Trisha for creating a greater level of complexity. Thank you so much, my dear. We thought we knew what we were doing until we got to this point in the call. And take up the suggestion that a small subcommittee delve into-- promptly delve into the world of hybrid models considering everything that's been said here.

At this point I propose that such a subcommittee involve at least one if not more, preferably two, regional representatives from each of the five regions. And I would propose that the regions come to us with names of someone from their executive and specifically someone from an ALS and preferably someone who has been on this call. And they can work with the ALAC as a whole, or at least those of the ALAC who have been on ours as a phone bridge of this call to explore. We will use the Wiki, but we may, in fact, need to have people attend the next round of regional meetings and elicit specific feedback from the regions on this possible hybrid model.

Ralph, I think that means there's a little bit of homework for you and BigPulse as well. And I'll let staff skew [ph](#) in particular. And also note that Romando [ph](#) has asked one of our Board members-- who has joined us on this call today-- has asked if some of the background material and information that has been alluded to here, might be made available for other parts of ICANN to look at. And, again, I'll leave staff to pursue that quite specifically.

Evan, your question three on the part of the RALO chairs or am I misreading, can you-- that's in response to Carlton.

Evan: Yes.

Cheryl: Can you both just raise that very quickly with each other so that we can get clarity?

Evan: Well, basically I was asking for clarification from what Carlton said about a free (inaudible).

Cheryl: Okay. Carlton, can you be clear to Evan in a shorter time possible, please?

Carlton: Yes, I mean, it should not be a directed (inaudible) from the chair. You should be released from the (inaudible). I really think in this case.

Evan: On the first round or the second round?

Carlton: On the first and second rounds. I mean, that's totally free. I really believe that that ought to be. And that's what I'm urging (inaudible) to do.



Cheryl: Okay. Well, good luck on that. I look forward to hearing the definitive feedback from each of the RALOs on what had been discussed tonight-- sorry, today. Ladies and gentlemen, technically we are at the end of our first amount of allotted time. So I'm going to ask those who are at the meeting now what is your view. I believe we have some additional work now to do, very important work, very worthwhile work, and work that I trust we can do in short order, and by short order I do mean within the next 14 to 21 days.

I believe we should be at a point of continuing our specific design choices and passing on to the structural improvements committee a draft procedure by no later the end of December, at the worst early to mid-January. As we have some of the structural improvements committee on the call now, might I ask, Jean Jacques, if you could be so kind as to let me know when the next meet dates are from the SIC? Hopefully that's not Jean Jacques that he hung up.

Unidentified Participant: Maybe that was him.

Cheryl: Jean Jacques, do you agree is there-- do you have dates for December and January meetings? When will the structural improvements committee be next convening?

Jean Jacques: January is the (inaudible). January.

Cheryl: In January. Okay. That's actually-- I think that means that this can work. Ladies and gentlemen, what I'd like to propose then is that we form a subcommittee with everyone on this call unless, of course, you have an objection. Encouraged and invited to contribute to it, but we will require that the subcommittee has broad geographic representation from all the RALOs and that ALSs as well as regional leadership are represented in that subcommittee.

I'd like to propose that the subcommittee explore what Trisha has raised and what I think has been a very interesting and generally well-received option of looking at a hybrid model and that we work directly with Ralph from BigPulse to see what the logistics are and that we come out with a whitepaper by no later than the 22nd of December. Correct me if I'm wrong, Heidi, that is the next meeting of our next ALAC meeting. Is that correct?

Heidi: I believe it's the 22nd. I will confirm onto the chat.

Cheryl: Thank you very much. So what I'm proposing is that we have a whitepaper for discussion, titled and prevented by the December ALAC meeting. We believe that is the 22nd of December. I'm fairly sure that is the case. And that we will start a Wiki and list discussion. Each of the representatives on this call need to go back to their RALOs and elicit specific responses based on today's discussion and the points raised. Staff and members of ALAC will work directly with Ralph from BigPulse and perhaps look at any other internationally recognized best practice model that we might want to consider in preparation for the white paper.

Heidi, I'd ask if you can establish in the next 12 hours or so who on the At-large staff will own this particular piece of work. Perhaps it might be Nick, it might be you, it might be more than one of you, but I'd appreciate feedback on that. And I will propose that we halt the rest of the agenda until we have that whitepaper and we convene the rest of the agenda listed for today's meeting to be both online, ongoing discussion on the Wiki, and to reconvene at the earliest agreed dates in January but before the date of the structural improvement committee meeting, which, again, we will have concerned my staff within the next 12 hours.

Does that meet with everybody's approval?

Unidentified Participant: Yes. It's okay for me.

Cheryl: Excellent. Jean Jacques, Romando and Trisha, I very much appreciate your feedback into our process. I do keep saying that everything with the At-large and ALAC (inaudible) is open, but we really do value the input from you all. And if you would like to consider one or more of you as exofficio on this subcommittee as we prepare the whitepaper I would very much welcome that, and I'm sure the community will as well.

Jean Jacques, the only question that I think we need is specifically from the structural improvements committee is the exact date in January so that we can work our timing back for our doodle to look at when our next community call will be so that in a perfect world we will still be on our time course schedule to have our proposal to you for consideration by your January meeting. And then be on schedule for having the vote, have (inaudible) face to face in the Brussels meeting and our appointed director able to join at the next annual general meeting of ICANN, which will be December this year.

Thank you. I'll make sure Heidi and Nick pursue Marco [ph](#) with the answer to all of those questions. And with that, unless someone very much objects, I-- thank you, Sebastian [ph](#), I see your hand. Please go ahead.

Sebastian: Yes, sorry. It's not an objection. It's a question. We start to have this discussion about when the Board director will be seated. And it seems from what we read from the Board Review Committee it will be better to have our At-large director seated in midyear meeting. And I was just wondering why, if we are able, as a community to have our director selected, elected, whatever, by Brussels, if we can't have him seated after the Brussels meeting itself just because of the Board Review Committee inclination. Thank you.

Cheryl: Thank you for that. Perhaps if Jean Jacques or Romando would like to respond to that, I believe we certainly discussed and saw the advantages of having our appointment process being finalized as early as possible and certainly before the nominating committee process begins. Romando, please, go ahead.

Romando: You know there is a proposal to align all the terms of all the supporting organizations-- the directors. And that date should be in the midterm meeting, which meet in Brussels. So (inaudible), which is on the table by now, (inaudible). The new director could be start his term in (inaudible).

Trisha: I think the other thing just to add to that, for finishing off, is there is normally a Board retreat in let's say September and August, that's set after-- it's like a meeting. And in fact, the nominating committee directors are invited to participate as observers and start there. But I think one of the opportunities is the selection and voting that's taken place is that the At-large director can, if there is going to be a Board retreat this year or in 2010, as there has been in previous years, that timing fits in, and that may also be the reason why the Board Review Committee had suggested, and everything is synchronized. (Inaudible) add on that.

Cheryl: Thank you for that, Trisha. And of course our own time (inaudible) was calling for our votes. And (inaudible) outcomes to be at or about (inaudible) meeting, so that certainly would fit. Jean Jacques, I believe the final word, other than my thanks to all, goes to you.

Jean Jacques: Well, thank you. I wasn't expecting such an honor, but still. I want to support what Romando pointed out is that there is an effort on the part of Board or Board committees to align certain tasks and the overall calendar so that (inaudible) perhaps more cogency (inaudible) work of the Board or committee.

The second thing I'd like to say personally is that we have-- you have actually the opportunity of taking part in this renewal of ICANN at a particularly important time because now we are in the post JPAH. We've entered the modern times with the AOC, it seems, and I think it's interesting for At-large to be represented as soon as possible in this new set of tasks, the reviews being only the most apparent tip of that iceberg. It's the whole concept of governance in the internet and at ICANN, which is now at stake. And you have an opportunity.

Thanks very much.

Cheryl: Thank you, Jean Jacque. And my particular thanks go to Ralph. I think it's been a very important meeting we've had tonight. My thanks go to each and every one of you who have joined us either on only the phone bridge or on the phone bridge and in the At-large Adobe connect room.

I will remind each and every one of you as your regional representatives and regional appointments to the ALAC, that at this meeting, that is, of course, the Adobe room and the notes are available for promulgation out through your regions. All of this does need to get out to the edges. And indeed it is your task, regional representatives, both the regional leadership and those who region has appointed to the ALAC to ensure that your region views are directly importing to the development of this whitepaper as we discuss our model. And of course that we get the necessary buy-in and ownership of this process, particularly as we go in to explore the rather exciting world of hybrid.

Ralph, again, thanks so much. Staff will be in close contact as we have undoubtedly (inaudible) and things we would like to clarify with you. We look forward to the feedback you indicated you'd be able to get us in the not-too-distant future and any assistance you can give as we develop the whitepaper.

Heidi, may I ask are you and Nick and Mattias [ph](#)-- I'm sorry, Mattias isn't on the call. You and Nick and Mattias, by definition, if you two are happy (inaudible) still on the call. Are you all set aside that you know where we're heading and what our action items are at this meeting?

Heidi: Yes, very clear. And also I believe the notes in the note area will be a good record of that. And there will also be a transcript and a recording of this call available.

Cheryl: Thank you very much. And, again, please, regional reps and regional leads make use of these tools, ensure that it comes out to the edges and the information comes back to us so that we can properly (inaudible) and we gain ownership of this process by all the ALSs and of course individual members in the region.

Ladies and gentlemen, I'm calling tonight's, today's, this morning's or this evening's-- and in the case of the North Americans, the very wee small hours of the day, I think it must be about 0430 for some of you, to a close. I thank everyone from Africa, from Asia-Pacific, from Europe, from North America and of course from Latin America and Caribbean for having a call at this time. And I look forward to all of the input we're going to have in preparation of our whitepaper for discussion for a fairly large part of our time at the next ALAC meeting on the 22nd of December.

And just to remind the regional reps that like all ALAC meetings, you are all more than welcome, as are any of your ALS representatives to attend the meeting on the 22nd and be a part of the discussion and the process.

Thank you, all. Good morning, good evening, good day, goodnight.