

**Transcription ICANN Dublin
Wednesday 21 October 2015
GNSO Public Council Meeting Part 2**

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

On page: <http://gnso.icann.org/en/group-activities/calendar#oct>
The transcriptions of the calls are posted on the GNSO Master Calendar page

List of attendees: NCA – Non Voting – Carlos Raúl Gutierrez

Contracted Parties House

Registrar Stakeholder Group: James Bladel, Volker Greimann, Jennifer Standiford

gTLD Registries Stakeholder Group: Donna Austin, Keith Drazek, Rubens Kühl

Nominating Committee Appointee (NCA): Hsu Phen Valerie Tan

Non-Contracted Parties House

Commercial Stakeholder Group (CSG); Philip Corwin, Susan Kawaguchi, Wolf-Ulrich Knoben, Tony Harris, Paul McGrady, Heather Forrest

Non-Commercial Stakeholder Group (NCSG): Amr Elsadr, Marilia Maciel absent proxy to Edward Morris, Edward Morris, Stephanie Perrin, David Cake, Stefania Milan

Nominating Committee Appointee (NCA): Julf (Johan) Helsingius

GNSO Council Liaisons/Observers:

Olivier Crèpin LeBlond– ALAC Liaison

Patrick Myles - ccNSO Observer – present on Adobe Connect

Mason Cole – GNSO liaison to the GAC

ICANN Staff

David Olive - VP Policy Development

Marika Konings - Senior Policy Director

Rob Hoggarth - Senior Policy Director

Mary Wong – Senior Policy Director

Julie Hedlund – Policy Director

Berry Cobb – Policy consultant

Lars Hoffmann – Policy Analyst

Glen de Saint Géry - GNSO Secretariat

[Audio Recording](#)

Jonathan Robinson: Good afternoon everyone welcome to the GNSO public council meeting in Dublin Part Two. Here we have an administrative agenda in which we deal with the election of the new chair.

For the record it's Jonathan Robinson speaking. So as a first order of business I need to see if there are any objections to myself who is no longer a councilor chairing the meeting. Does anyone have any objection to me chairing the meeting?

Seeing no objections I'll continue to chair the meeting in the absence of either a newly elected chair and/or either house having nominated a vice chair. Just when you'd thought you got rid of me.

Man 1: Did you tell a joke?

Jonathan Robinson: I did, just when you thought it was safe to go back into the water. I object to you still wearing a tie. How about that? For the second part of this meeting so the record will show that I removed my tie.

All right, I thought this was the formal part of the meeting. All right, so as we - of course thing we do is welcome the seating of the 2015-2016 councilors and for the record that is Keith Drasek, (Anthony Harris), (Yohan Helsingus), Wolf-Ulrich Knoblen, (Rubens Kuhl), Paul McGrady, (Stephanie Milan), (Jennifer Standiford) and (Suf) and (Valerie Tan), (Valerie).

Welcome everyone and (Glen) for the record I think we should take a roll call please.

(Glen): I'll do that Jonathan. Keith Drasek.

Keith Drasek: Present.

(Glen): (Donna Austin).

(Donna Austin): Present.

(Glen): (Rubens Kuhl).

(Rubens Kuhl): Here.

(Glen): James Bladel.

James Bladel: Here.

(Glen): (Jennifer Standiford).

(Jennifer Standiford): Here.

(Glen): Volker Greimann.

Volker Greimann: Still here.

(Glen): (Valerie Tan).

(Valerie Tan): Here.

(Glen): Phil Corwin.

Phil Corwin: Present.

(Glen): Susan Kawaguchi.

Susan Kawaguchi: Here.

(Glen): Paul McGrady.

Paul McGrady: Here.

(Heather Forrest): Wouldn't miss it.

(Glen): (Tony Harris).

(Tony Harris): Present.

(Glen): Wolf-Ulrich Knoblen.

Wolf-Ulrich Knoblen: I'm present.

(Glen): Marilia Maciel (Marilia) here? She's not here. (Amr Elsadr).

(Amr Elsadr Present.

(Glen): David Cake.

David Cake: Still here.

(Glen): (Edward Morris).

(Edward Morris): Here.

(Glen): (Stephanie Milan).

(Stephanie Milan): Here.

(Glen): (Stephanie Perrin).

(Stephanie Perrin): Present.

(Glen): (Johan Helsingius).

(Yoaf Helsingus): Here and a small comment. I would prefer to be referred as (Julf). Every time somebody says (Johan) that means I'm in trouble.

(Glen): (Julf) thank you. (Carlos Putiez).

(Carlos Putiez): Present.

(Glen): And I believe we have Olivier Crépin-LeBlond.

Olivier Crepin-LeBlond: I'm present at the moment but unfortunately I won't be able to stay here for the full session thank you.

(Glen): Thank you Olivier. And I see (Maria) has just come in now thank you. And Mason Cole.

Mason Cole: Present.

(Glen): And (Patrick Miles) is probably on the Adobe Connect. Can I think someone just check? Thank you. Thank you Jonathan over to you.

Jonathan Robinson: Thanks (Glen) could I check on a point of process. Is it possible for Marilia to give someone a proxy at this late stage? He's present and able to do so is it possible?

(Glen): Yes I think there is a provision in the GNSO operating procedures.

Jonathan Robinson: She needs to leave the meeting and so it would be great if we - who would you like to give your proxy to Marilia. All right so for the record that will be showing that (Maria) gives her proxy to (Ed Morris).

I don't know if you want to make sure that (Ed) is aware of your voting intentions. Okay good. So thank you very much Marilia, I'm sorry you have to leave early but at least we can accommodate that.

All right so we've seated the new council, we've taken a roll call, we've welcomed the councilors. We have a record of statements of interest. We will give you an opportunity to state any updates or any comments on those statements of interest.

Are you satisfied, is there any updates that any of the incoming councilors would like to make in respect to those statements of interest? Good, well Item 1.3 we have the opportunity to review or amend the agenda and we only have one item on the agenda which is the election of the chair for which - so any comments or points on the agenda?

Okay, seeing none we'll proceed straight to Item 2 which is the election of the chair. Now we've received two nominations as you're well aware from the contracted

party's house we received a nomination for James Bladel and from the non-contracted party's house we received a nomination for Heather Forrest.

We the GNSO council at least held a question and answer session within the GNSO weekend working sessions with both candidates and that's recorded and available for the record.

And so here the council can simply proceed to elect the new chair according to the GNSO operating procedures which you will all have seen. So I will ask (Glen) to distribute a ballot paper to each of you to cast your vote and this will then be either the determining vote or the first round depending on the outcome.

(Glen): Thank you Jonathan. May I just say that the green ballots are the contracted party house and the yellow ballots are the non-contracted party house.

Jonathan Robinson: So (Glen) is doing a careful job of checking but can you make sure you've got a green ballot if you're in the contracted party's house and a yellow marked ballot if you are in the non-contracted party's house.

The votes are tallied in terms of a percentage of each house so it's important that you vote on the right ballot paper.

Man 2: Jonathan we need your presence at the front of the table.

Jonathan Robinson: So we have a result of the ballot and the result is that the contracted party's house have voted 100% in favor of candidate two that's James Bladel and in the non-contracted party's house they have voted 53.85% in favor of candidate one that's (Heather) and 46.15% in favor of James Bladel.

What that means is that each house has not passed the 60% threshold for an outright result to occur in which case we need to have a second ballot where we run off James the leading candidate against none of the above.

And so as a result of the first ballot Heather is eliminated at this stage and James goes forward to a second round where he is elected against none of the above.

So councilors then have the opportunity to either vote for James or for none of the above or clearly to abstain should they not wish to vote. So that's where we go from here.

So thanks very much so we have to conduct a second round ballot at this stage.
Paul.

Paul McGrady: Paul McGrady. I don't know since I've been a GNSO councilor for 4-1/2 minutes how this works but are we allowed to recess for a few minutes and discuss this with...

Jonathan Robinson: A reasonable request and I don't see that we shouldn't consider it. So I'll ask (Glen) to distribute the ballot papers in any event and we can take - how long would you like?

Paul McGrady: About 5, 10 minutes.

Jonathan Robinson: Five minutes, five would be - if you can manage with 5 try and do it in 5. I'll call the room to order in 5 if you need more time let me know. It's 1508 now let's make it 7 so that's 1515. I'll call the room to order again at 1515.

Paul McGrady: Thank you.

Jonathan Robinson: Okay thank you Paul. So just to make sure that everyone is clear rules. I'm not calling the room to order yet but just to make sure everyone is clear on the rules of the election.

We now vote between James and none of the above and to the extent that we - well the requirement in order to appoint a chair which will be James if we appoint a chair it is required that each house passes a 60% threshold in favor of James.

So as long as everyone is clear on those rules that is the position. So we vote between James and none of the above and each house must pass the threshold in support of James to the extent that we elect James as the chair of 60% and if we don't we will go to another nomination period.

James Bladel: Yes thank you. I was wondering Jonathan if you wouldn't mind articulating the alternative of not being able to reach the 60% threshold. The new nomination period would occur with 15 as I understand 15 days for nomination period and another 30 day period for candidates to be nominated.

Is that - I'm looking at Marika now but...

Jonathan Robinson: Yes a new nomination period along the lines previously circulated to the council.

James Bladel: Yes so basically not today, not in this room.

Jonathan Robinson: No, no, no, no there will be - no, no there will be time given it will take some time. And in addition then the council will need to be chaired, co-chaired by the vice chairs and so we would then go to the different houses to seek a interim or permanent, you know, permanent being for the next year co-chair appointment from each house.

I've had a request for further time to be provided. Since this meeting was initially scheduled for 1515 until 1600 it seems reasonable to work within the boundaries of that.

And so we're currently waiting another 15 minutes until 1530 to recommence the meeting.

All right after that little break if I could recall the room to order please, if we could recall the room to order please rejoin the table. Okay we'll just give it a couple of minutes to make sure that everyone is back in the room and we will recommence proceedings at no later than 1530. It is 1526 now we'll recommence no later than 1530.

Okay let's recommence. I think for the sake of good order we should just take another roll call to make sure that everyone is present and that we haven't in any way lost anyone.

So if I could encourage the GNSO council to be receipted and let's recommence the meeting it's 1531 in Dublin and we propose, we plan to hold another ballot now where we cast a vote between the leading candidate which is James Bladel and none of the above.

So (Glen) if you could start off by taking a roll call to make sure we know and understand exactly who is present.

(Glen): Thank you Jonathan. Keith Drazek.

Keith Drazek: Here.

(Glen): (Donna Austin).

(Donna Austin): Here.

(Glen): (Rubens Kuhl).

(Rubens Kuhl): Here.

(Glen): James Bladel.

James Bladel: Back here.

(Glen): (Jennifer Standiford).

(Jennifer Standiford): Present.

(Glen): Volker Greimann.

Volker Greimann: I never left.

(Glen): (Valerie Tan).

(Valerie Tan): Present.

(Glen): Phil Corwin.

Phil Corwin: Present.

(Glen): Susan Kawaguchi.

Susan Kawaguchi: Present.

(Glen): Paul McGrady.

Paul McGrady: Here.

(Glen): (Heather Forrest).

(Heather Forrest): Here.

(Glen): (Tony Harris).

(Tony Harris): Present.

(Glen): Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: I'm here.

(Glen): Marilia Maciel is absent and she has given her proxy to (Ed Morris). (Ed) are you here?

(Ed Morris): Present.

(Glen): David Cake.

David Cake: Present.

(Glen): Stefania Milan.

Stefania Milan: Present.

(Glen): Stephanie Perrin.

(Stephanie Perrin): Present.

(Glen): Julf Helsingius

Julf Helsingius: Present.

(Glen): Carlos Gutierrez

Carlos Gutierrez: Present.

(Glen): Mason Cole.

Mason Cole: Present.

(Glen): Thank you very much Jonathan.

Jonathan Robinson: Thank you (Glen).

(Glen): (Amar) sorry I did not call your name (Amar) and you're present.

Jonathan Robinson: So thank you (Glen). Have you previously distributed the ballot papers?

(Glen): Yes they are I will now collect them.

Jonathan Robinson: So all councilors you should have a ballot paper in front of you in which you are, with which you are voting for James Bladel or none of the above. If you are in the contracted party's house you should have a green ballot paper and in non-contracted party's house you should have a yellow, fluorescent yellow ballot paper.

Okay everyone we have the result of the second round of the ballot and the result is that for candidate one that's James Bladel from the contracted party's house we have a 100% in favor and for that same candidate from the non-contracted party's house we have 53.85% in favor and for the candidate two that is none of the above we have the reciprocal 46.15% in favor.

What that means is that James Bladel candidate one has not met the required 60% threshold from the non-contracted party's house and therefore we re-open the nominations.

We'll send - you do have the procedures with you and we will re-send those to the council list just to make sure to give you the full clear time scale for those re-opened nominations.

And moreover as a consequence the council now needs to be chaired in fact co-chaired by the vice chairs. As it happens we do not have vice chairs nominated.

My understanding and this is my interpretation of what's going on is that both houses were waiting for the result of the chair election in order to put forward nominations for vice chair.

So what we will need from both houses now, from each house is a nomination for vice chair whether that be on an interim or permanent basis for the full year ahead. But in any event we need vice chairs to cover the period in which we no longer have a chair of the council.

So if you could go back to your houses please and make sure that this is clear that we require a nomination and I think it would be useful to say whether the intention is that that chair will be in place until such time as a new council chair is elected or for the full forthcoming year ahead.

Philip, Phil.

Phil Corwin: Just a point of inquiry on information. If a member from either side is nominated and selected today as vice chair would that person be eligible to run as chair if that side of the house decides to nominate them for chair?

Jonathan Robinson: Yes to the best of my knowledge just on eligibility and we can cross check this but to the best of my knowledge the eligibility for chair is now everyone who you see seated around this table now.

So in fact there is a slightly different slate than we had before. So these are your eligible candidates including the vice chairs.

Phil Corwin: Thank you.

Julf Helsingius: Yes Julf Helsingius. Just a question about or question to (unintelligible) procedure. Isn't it the case that the present vice chair, the old vice chairs are going to remain and to overcome that (unintelligible) period? Isn't that coming from those? Thanks.

Wolf-Ulrich Knoblen: That is exactly what I thought but apparently not. We may need to clarify that.

Jonathan Robinson: Ulrich it's not sufficient clear and unambiguous and therefore it would be much clearer if the houses would simply confirm either that the existing or previous vice chairs remain in post until such time as a new election takes place or an alternative vice chair is in place.

But we need a confirmation because the vice chair is in place for a year from appointment and we never received new appointments from the different houses.

Wolf-Ulrich Knoblen: (Unintelligible) for me. I thought we had once this case when Jeff Neuman was vice chair and it was not the case (unintelligible) I'm sorry.

Jonathan Robinson: So we are saying just to be clear that we need either we need reappointment or appointment of vice chairs in short order from the two different houses and clarity on whether those are in place until such time as a new chair is elected or for the full forthcoming annual period.

Okay so that concludes the proceedings for this meeting and thank you very much for your participation and we'll look forward to you participating in the new nominations period.

END