

UNIDENTIFIED FEMALE: Thank you, Avri. We will start the recording now. I'd like to welcome everyone to the At Large SARP briefing session on Wednesday, the 8<sup>th</sup> of May at 13:00 UTC. Before I hand it over to Avri to do the introductions, I would just like to say that, on today's call, we have Spanish interpretation with Sabrina and Veronia, so if I could ask you all to speak at a reasonable pace and very important to state your names not only for transcript purposes, but also to allow our interpreters to identify you on the other language channel. Thank you.

And also, if you happen to be on the Adigo phone bridge as well as the Adobe Connect room, please do remember to mute your speakers. Thank you. Over to you, Avri. Thank you.

AVRI DORIA: Okay. Thank you, (inaudible), and hello to everyone. Thanks for joining. I'm going to very quickly go through the agenda and then get started, because we have only an hour.

So, first of all, I wanted to say that for all that's here, the starting point is not about what SARP is or how we developed or any of that. The starting point is at the point at which the curtain was drawn and the JAS group members and the At Large New gTLD working group members stopped having any visibility in the process, that that is the starting point for this – not how we got to that point.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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So (inaudible) Karla to give us a little bit of a background on what was going on, how it was being looked at and so on. The (inaudible) how it was actually set up to get going, what decisions were made, what implementations/policy notions were developing in terms of confidentiality and all that. And then going into the SARP results as were presented and have asked both.

So in the first part – sorry, Karla Valente was going to speak on the background. On second part, I think Trang Nguyen was going to speak, Director of New gTLD Operations. And then on the SARP results, what happened in the committees and how they got to the results, we have Zahid who is the chair and Cintra who was the SARP Jazz contact.

Hopefully we leave lots of time for questions and answers at the end, and then if there's any next steps – and I'm not even sure there are next steps, but if there are next steps – to start looking at what they might be at the very end.

Any changes we need to make on this? Any hands? Anyone think it should be otherwise? Okay, then we'll go with that agenda. And Karla, you're next, please.

KARLA VALENTE:

Thank you, Avri. This is Karla Valente from ICANN and I'm going to be talking a bit about the process for the SARP selection. So ICANN publicly sought to have volunteers to participate in the SARP memberships and we had approximately 80 individuals that applied from around the globe and they have a very broad expertise. We selected five people from the pool of 80 because we learned after the new gTLD applications how

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many applicants we would have for the program and that kind of guided how many of SARP members we would need. So we decided on having five, and those five were selected representing different geographic regions and broad expertise.

The expertise that we had ranged from running a small business in operating developing countries to awarding grants, understanding of financial matters in (domain name) industry, running a registry and some of the other relevant areas.

So the geographic diversity and the mix of expertise of the panel members was an important factor in the decision, as well as the number of applicants.

Once the SARP was created, the individuals signed an NDA. The individuals also were asked to follow the Code of Conduct like any other evaluator had on the new gTLD program. We had a third-party administrator that was a consulting company (within) myICANN that helped intermediate the process, as well as the community member representative which was Cintra that was appointed by the applicants – not the applicant. Yeah, the Jazz Working Group.

And when we had that composition done, the SARP was trained. They did both things. They did some self-training. We provided them with all of the materials and most of it was what you already know about the program. This is the handbook that is published.

Then we also had group training. The training covered all of the aspects of the Applicant Support Program. It also provided opportunity for the SARP members to seek clarifications.

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After the training, we elected one chair member for this group and they held – and I will let Zahid go from that – but in my notes about six meetings, and that was done through a conference and online tools. And this is how they conducted their evaluation of the applicants.

And I think, from my end, this is it. The deliberations that they had were private and the decision was final. Part of the deliberations were the third-party consulting call (inaudible) community member representatives, not ICANN staff. They completed the task in November 2012. And there was some time before them completing the task and us notifying the applicants and posting the results on the website. Part of it was really bureaucracy trying to put together all of the documentation that was needed, and part of it was also because we informed management and the board of the process of the result. So we had to feed things into the schedule for the board meeting and so forth. So this is what I have so far. Avri.

AVRI DORIA:

Okay, thank you. I'd like to ask people to hold their questions until we've gotten all of that. But please start putting them in the chat area if you have them so that the presenters can start thinking about answers as they need to.

Next I had Trang, which I'm not really sure what goes in this bucket, but whatever ICANN work was done to sort of prepare for doing this. Perhaps how decisions were made about various things. I'm not even really sure what's in this bucket. But, please, Trang.

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TRANG NGUYEN:

Thank you, Avri. I just wanted to pick up where Karla left off essentially, because the work of the SARP panel was very independent in their work dates on the Financial Assistance Handbook. So ICANN staff did not have input into the deliberations of the SARP panel.

But what we did after the SARP panel deliberations was that we posted the results of that panel I believe on March the 12<sup>th</sup>. The initial posting included just general information about how many applications we had under the applicant support program and whether or not the application meet or did not meet the criteria under the program.

Then after that information was posted on March 12<sup>th</sup>, after we posted that information, we had some additional questions from the board and from the applicants wanting to get some additional information around all of these decisions. And so on March 20<sup>th</sup>, we posted additional information on a website with regards to – that provided some additional details around the (three) criteria that the SARP panel made determinations on and whether or not each of the applications meet or did not meet any of those criteria.

So of the three applications, only one of the applications met all of the three criteria and the other two applications did not meet all of the criteria. So that is all that we have done with regards to the SARP (results) today.

AVRI DORIA:

Okay, thank you. Is Zahid back online? I got a note that's saying...

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ZAHID JAMIL: Hi, Avri. I'm back on Skype. Yeah, I'm back to Skype. I can't hear anything (inaudible) about me I'm on, but if I get disconnected, hopefully I can dial back in.

AVRI DORIA: Okay. Please take the floor then, and sort of tell us about – as the chair of the group, how did it work? What was the process you went through, you know, etc.? How much can you tell us? I don't know. But certainly about all the process. And you do have at least one direct question already in the Adobe, which I know you can't see which is, if you can weave in here, how did you define public interest benefit? So that's the only question to you, so I'll put that to you up front. Please, the floor is yours.

ZAHID JAMIL: Okay, thank you. What I'll do is a couple of things. I'll try to give SARP some background to explain how we sort of self-organized ourselves and what happened internally process-wise and procedure-wise. It's difficult to me at the outset to sort of – I just wanted to sort of say – to comment on any particular applications. But I understand that (inaudible).

AVRI DORIA: Zahid, could you please speak a little bit more slowly?

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ZAHID JAMIL: Oh, I'm sorry. I'm sorry. I'll slow down. But am I clear? Can you hear me clearly, though?

AVRI DORIA: This is Avri again. Yes, I can hear you, and while I've interrupted you, we have to all give our names when we're speaking and I always forget that. But, yes, we hear you.

ZAHID JAMIL: Thank you, Avri. This is Zahid Jamil. Yes, thank you. So I'll do a couple of things. I'll speak about background, and then I'll basically also try and address individual questions that may come. But I also wanted to say that I represent a group and this was sort of (inaudible) defer to the decisions that they also make, number one.

Two, we have had actually several months where we have not actually met for this reason, because our work had been concluded. And that's something maybe we want to (inaudible) if somebody wants to raise a question. I definitely want to talk about what can be done about future work with SARP members maybe or this existing SARP, etc.

But I also just wanted to say – the point I was trying to make was that individual results are a little tricky for us to talk about for various reasons, including the very obvious one that I think at least one of them I hear. I don't have any documents, but somebody is trying to sort of review them. There may be a possible review, so I don't want to prejudice any of that. And to that extent, I'd like to sort of avoid that.

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Okay. To start off, the group was I think fairly diverse. Had a lot of different expertise coming from different people and we did sort of call upon the expertise of the different individuals who were the analysts, and I must say that it was, for us as members, it was fairly exciting and a very (inaudible).

The initial point that we sort of had to decide was whether we wanted this process to be confidential or we wanted the whole process to be open. And so there was a lot of discussion and debate about the transparency, and on the other hand, the basically (inaudible). And the decision that everybody collectively came to was that it would probably be best, considering that this was – it had financial implications, and also there may be issues of people trying to contact folks. We actually had some sort of – accidentally, some of that happened anyway.

So we have to sort of take into account certain circumstances and chose and took a decision to say, “Well, we would like to sort of maintain confidentiality of the process,” and afterwards, obviously the results would be public, etc.

And just to let you know, Avri and everybody else on the call, we (inaudible) interaction with the community in this form or even maybe with other SARP members (inaudible).

AVRI DORIA:

Did we lose Zahid?

ZAHID JAMIL:

To make sure that we...

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AVRI DORIA: This is Avri.

ZAHID JAMIL: Sorry, yes? Hello?

AVRI DORIA: We just had a silence on you for a while. Sorry.

ZAHID JAMIL: Oh, I'm sorry. Okay. If it's possible, maybe you can dial me up (inaudible) better lines in the meantime while I'm speaking still.

Okay. So that was the first decision that was taken by the SARP members. Then, as the process continued, there was a training that took place of all the SARP members together. So there was a self-study process where documentation was provided. It was our responsibility as members to go through the document, to understand (inaudible) process supposed to work according to the handbook.

Then there were presentations. This was all done online, so webinars, etc. We were sort of given that training. That didn't sort of decide for us what we were going to do, but explain to us how the rules have been written and what the process was outlined in the guidebook.

Subsequent to that, we had then three applications that everybody knows that we had to look through. And they were handled in sequence. I think this much ICANN obviously mentioned that the first one was the dot-kids one, and I think the sequence was, if I'm not

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mistaken, sequential with regards to a number value I think the way they were applied for. I'm not sure which – there was a non-discriminate way (inaudible).

So dot-kids came first; dot-idn second; and dot-ummah third. So the process of handling the first application, which was dot-kids was actually fairly interesting because that laid a lot of the groundwork and, in some sense, was a yardstick for us to see how we were going to be evaluating many of the criteria that was stated in the guide book.

And so, taking the application of dot-kids and then relating it to the criteria that was set – criteria set one, two, and three. And if I can (inaudible) mention, I've seen the way the results are displayed on the website – on ICANN's website – at the moment and what you see is just the criteria set one, which is public interest; and criteria set two and obviously set three. But as those who may have gone through the detailed criteria within each one of those sets, there are several questions that exist that need to be asked to SARP members, evaluators.

So the very (large) detail that each and every one of those sub questions and criteria had criteria of their own. We did not, to be clear, go through a process of trying to interpret or define criteria on our own. And whatever we did, we did on the basis of the documents that we were provided – basically the handbook. So that was basically the way that we evaluated each and every application.

So matching, basically, those criteria to each and every application, the first one, as can be seen – the dot-kids one met all the criteria. There

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were certain (inaudible) into details, as I said. But eventually, we had a success on that round.

The second one did not go through. The third one I think was the most difficult one, because as can be seen, all criteria met except for criteria one. And just to clarify then, I think I'm sort of, in a sense, maybe getting ahead and maybe that's the question that was asked in the Adobe chat room.

Did we define and did we have our own set of criteria? We did not (inaudible) criteria. Set one had a number of different criteria – criterions or criteria – which basically had to be sort of evaluated individually. So there were several questions. In fact, I think it was seven questions in criteria set one. So each one of them had been laid out in the guide book itself, and so we had to answer it in accordance with that. And since they were individual questions, it was either a question of it was a yes or a no, or a one or a two.

So instead of sort of trying to go back and retrofit our answer, we were more focused on making sure that we looked at each question, decided (that) on the merits and then tallied up the score. We avoided as much as possible trying to decide on the basis of what we thought the end result would be of our overall evaluation. That was something that would've been, in some sense, undermine the integrity of each and every criteria set.

So that was the process. But I also wanted to mention I think this was one of the strengths, and surprisingly so. I've been involved in many of the other aspects of ICANN. I've been surprised by this. This group

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actually worked with unanimity. All the positions that were taken were taken on the basis of unanimity. I think there were possibly two sub-questions which went to a vote, and once the vote was done, I think there was no opposition from anybody, saying, “Let’s move forward. That’s the decision. Let’s move forward.”

So the positive aspect of this entire process was that all the evaluators felt comfortable with each and every decision of the criteria set that they had taken. That’s quite helpful in moving forward.

But that is not to say that the collaborative decision with respect to application number three was an easy one. There was a lot of back and forth and I think that one took the longest number of conference calls in total.

The first was – generally it was new, so we took a while. The second was far easier and shorter time. The third was (inaudible)

AVRI DORIA: Am I the only one that lost him?

UNIDENTIFIED MALE: We all did.

ZAHID JAMIL: Sorry, where did (inaudible).

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AVRI DORIA:                                Yeah. We all lost you for about 30 seconds.

ZAHID JAMIL:                              I'm sorry.

AVRI DORIA:                                Just go back...

ZAHID JAMIL:                              Yeah. Could you dial me out? I know I'm – is there a way for someone to dial me out as well, please?

[crosstalk]

UNIDENTIFIED FEMALE:                We'll try calling you back, Zahid.

ZAHID JAMIL:                              Okay, thank you. Can someone dial me out because...?

AVRI DORIA:                                We only lost a few seconds.

ZAHID JAMIL:                              Okay, all right.



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would be something that they would not try to be inconsistent with if they were taking a decision in say dot-idn or dot-umma.

And also the third was basically try to maintain unanimity. And then this is obviously opposing, as she's aware, discretion may come into play or how we feel about an application. It's rather more about the (inaudible).

GISELA GRUBER-WHITE: Zahid?

UNIDENTIFIED MALE: Lost him again.

ZAHID JAMIL: I'm sorry. Did you lose me again?

GISELA GRUBER-WHITE: Zahid, it's Gisela. Yes, we lost you again and we have you down at on your second line, which is muted. Zahid, can you please unmute the line we called you on?

ZAHID JAMIL: I'm not on that line. Nobody dialed me out. There is no other call. That's what I've been saying. There is no other call. This is just me dialing in through Skype. Okay. Thank you.

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So maintaining the values of merit and the actual application and its content versus the aspirational nature of what that string may – the potential of that string, etc. – was one of the things we were trying to maintain because of the integrity, the principle of consistency, and trying to make decisions unanimity.

Let me stop there. There are other concerns that we have obviously that might sort of go to some – may assist in the future of process being sort of improved. So let me stop here because its taken quite a bit of time and I'm not sure if everybody has heard everything I've said. So I'll wait for the other dialogue to take place while I get a chance to others to maybe ask questions and we can deal with the different aspects.

AVRI DORIA:

Thank you. This is Avri speaking again. Thank you, Zahid. I'd actually like to give the floor now to Cintra for a brief – what do you have to add to this, Cintra, as the community representative chosen by JAS?

UNIDENTIFIED MALE:

I got nothing on the call. I can't hear anything.

AVRI DORIA:

Would you like to add – I was not able to be heard on that?

ALAN GREENBERG:

We lost you for about 30 seconds.

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GISELA GRUBER-WHITE: Avri, it's Gisela. You are cutting.

AVRI DORIA: Well, I'll dial in also. But anyhow, Cintra floor's yours.

CINTRA SOOKNANAN: Thank you. This is Cintra. I just want to echo what Zahid has said. (inaudible) did evaluate each application on merit. There were instances where there questions as to thresholds relating to the criteria or the criteria themselves, and on these instances, they did consider an outside view of the JAS in creating these criteria.

I just want to point out – I've lost connection in the Adobe Connect room. But on the agenda, I'm listed as the SARP JAS contact and I do believe that this is a misconception. The rule, as what I was aware of, the JAS representative was as an independent, not a contact or voting member. So this is one aspect of this process that I do think needs to be maybe tightened up a little bit. As far as I was made aware, all contact between the SARP and the committee was meant to be through SARP or through the SARP chair. I know this was not really communicated appropriately to the community. So I do think that this aspect of the process does need to be maybe reevaluated and maybe met with some better consultation.

Just finally, there are some follow-up actions that is required from the JAS, and perhaps it will fall into Avri or working group, and that is these follow-up actions are not specifically defined in the rule of the SARP. So for instance, reevaluation of approved applicants to ensure that there is

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no future (inaudible) or that they still meet the criteria in a year's time. I think that's necessary.

Review of the non-disclosure agreement because, I mean, the community is asking for more disclosure, but as Karla stated, the non-disclosure agreement for all gTLD applicants has pretty much bound this up in this process. The striking off of an approved application from the entire gTLD process is something that was never really envisioned by the JAS and I do think it needs to be reevaluated and the JAS does need to comment on it.

And the last item I've just quickly identified is the GAC had mentioned that they wanted inclusion of local government entities, but this instance never really came up in the SARP in this round, as well as I'm too sure if it was actually described in the handbook. So this is something we need to look at whether or not this is really an extension of the SARP or the applicant support that we really want to encapsulate.

AVRI DORIA:

Okay. Thank you Cintra. This is Avri speaking again. Thank you for the comments and thank you for recommendations on where the next steps may go in terms of looking at future recommendations. Now I'm going back and looking through the questions. I found Gisela again telling me to please state your names when speaking. This is Avri, just in case I didn't say so.

Alan Greenberg had a question. "Have named of the rest of the SARP panel members been released?"

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There was Adam's question to Zahid which is "How to define public interest" but I do believe that what addressed, at least to some extent.

Eric Brunner-Williams. Question for the queue. "If the determination of the panel is final and the panel has only a private record, how are the cooperation, transparency, and accountability goals met?"

Karla did answer a question. The names of the SARP have not been released. Zahid was chair in SARP. I guess my question on that is when will those names be released.

Eric was asking us to speak slowly for the record. I hope I slowed down enough. And then Karla responded to Eric. The panel had the privacy needed to independently deliberate. The CMR oversaw the process as a community member representative. So I guess that was – Cintra oversaw the process. Or am I misremembering my acronyms? Even I lose acronyms.

Let me see. Audio drop. Eric again. "The rationale for confidentiality during the evaluation process, A, financial details, B, non-interaction are now moot. What are the rationale open-ended confidentiality and how will the experience of the SARP be transmitted to the next SARP?"

And that's it. Oh, and somebody asking me to do the scroll. I don't know if I have the (inaudible) in the right place or not.

And then there was a last question. A question for Cintra was just "Was local government?"

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And then (Yanna) Lee had a question. “Is there any parts to the remaining pool of money, as now only one application was approved for the assistance?” I’m sure that’s a board question that will have to look.

So I’ll go now first to – I see no hands. Does anybody have first responses to those questions? Alan would you like to—

ZAHID JAMIL: Avri, this is Zahid.

AVRI DORIA: Okay. One second, Zahid. Thank you. Alan, did you want to augment your question or should I let Zahid speak?

ALAN GREENBERG: I’ll augment my question and then let Zahid speak.

AVRI DORIA: Okay. Thank you.

ALAN GREENBERG: I would like to understand the rationale for why the individual members’ names are not being released, number one. And number two, although we are certainly – I would certainly not ask which person voted for each criteria – it would be useful to have the matrix of the individual answers for each of the criteria so we can understand, the community can understand and perspective applicants can understand

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what were the criteria that failed. Presumably they may have failed in an overall class public interest, but didn't fail in each of the seven questions.

So the full answer matrix and understanding who the people were who were doing the evaluation I believe would lend a lot to the transparency of this process. Thank you.

AVRI DORIA:

Thank you, Alan. Zahid, the floor is yours. And I'm looking for other hands.

ZAHID JAMIL:

Thank you. Thank you, Avri and thanks for the question, Alan. Actually that helped me clarify a couple things. Let me just say I'm having a sort of – I'm under an NDA as well and I have to respect the confidentiality of the other members of the SARP, so I'm having to sort of balance that situation.

But let me say the following. I know that there is a concern and I'll be frank and open about the fact that people have been commenting on one of the applications, having been – not having gone through – and being concerned about how that was basically handled, etc. And I think that's basically one of the concerns. And then the transparency aspect of the second.

I just wanted to say that there were at least two individuals who would have, in an aspirational sense, been showed a link to the community of the third application, myself being one and another gentleman being

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second. Actually, basically, who would have been, in a sense, from the region – or call it what you will – and I wait until the full disclosures are made, and I think they will be. They'll have to be.

I'll say this much. That if, basically, it was just a question of seeing that an application was suitable for a community – it should've gone through – we would have been quite happy to see that happen. But I think the diversity within the SARP evaluators in the form that I just mentioned actually speaks to the fact that the decisions were taken to some extent of merit. Now, having said that, it's far more—

AVRI DORIA: Zahid?

ZAHID JAMIL: Yeah, sorry?

AVRI DORIA: You're speaking quicker and quicker.

ZAHID JAMIL: Oh, I'm sorry. I'm going to slow down slower. Thank you. And as a result of that, I think having said that, at the same time, it does help having greater transparency. Now, I can't speak for the SARP at the moment or for ICANN as to how much they wish to disclose at the moment. To that extent, I think it would be helpful, since we haven't had any interactions amongst the SARP members for months now, to maybe go back and

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discuss this internally and think and discuss it. Because I have obligations to other SARP members. I think ICANN has obligations to them. They have obligations to ICANN to decide how much and where they want to go with the disclosure aspect.

On a personal note, then I'll speak for myself personally, I think that going back and trying to discuss this with the SARP, number one would be helpful. Number two, I think certain level of information coming out, a little more than what we have right now, may be helpful as well, especially at this stage.

I do not think, though, that individual evaluators marking would be something that we could go that far. But maybe – and I can't say yes or no to this – but having the decisions or the points they were scored as a group as the evaluators may be something that should be thought about.

On the issue of public interest, I'd like to sort of press a little more, to give examples because I know we've had this sort of coming out in the e-mails that have circulated before the call. If you look at the public interest criteria, you will see that the criteria itself is split into seven criteria. Those seven criteria, to read each and every individual one of them boxes one in if you're an evaluator into deciding whether or not you're going to give a one or a two.

I'll give you an example. If you look at Evaluation Criteria 1.4 that has to do with public interest, but specifically on geographical locations, you will see that it actually stipulates that if there's an indigenous peoples'

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application, you are to give a score of 2. If it's in the UNDESA list, a score of 1. Or if it's an other, a score of 0.

So to that extent, it should give you an example of how it's not arbitrary. It wasn't up to our discretion. We were run by the criteria that we were provided. And so the scores were consequent in that.

Now, I just wanted to sort of say a couple of other things. Having the JAS – and I don't know if the right word is contact or CRM or something else; I apologize because I'm not sure what would be the appropriate one going forward now. I know that Cintra mentioned something.

AVRI DORIA:

It was CMR.

ZAHID JAMIL:

Having someone – CMR, there we go. Thank you. Having the CMR there and the JAS input was extremely helpful. There were several times where we were stumped as to looking at the criteria and saying, "We're boxed in." And then some of the language really would have been far more stricter than we would have liked to. So we were trying desperately to be a lot more liberal, and in that respect, having Cintra there and feed in was helpful.

Now, I must be clear. She obviously wasn't a SARP member, so she didn't get to decide or vote and I don't think she influenced any of the decisions, but she did have the important role of trying to inform us what the JAS's thinking was behind some sets of the criteria. So she was called upon several times to answer some of those questions. I want to

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say that's something we should retain. It's a very helpful thing to have in a SARP.

The second is I completely agree that this overkill on the (gaming) aspect of striking the application off altogether because you haven't received financial assistance is something that needs to be reconsidered, because look what's happened to the other two applications.

Now, we were aware of this when we were having to make the decision, but we thought about whether we should be making decisions based on whether we thought they shouldn't be thrown out of the process or based upon the evaluation criteria we were asked to deal with.

And I think it's quite clear that we couldn't let what would happen after evaluation affect the integrity of our decision. So it was something we felt was an overkill and it's something I think we do need to reconsider. The community may want to look at it again, because it might be unfair in certain circumstance and I can understand why it was there, but it should be looked at again.

I think the number of applications that we saw we were disappointed as well, because there was no effective global outreach, given the sufficient sort of time to do this, because the rules were changing and there wasn't enough time for an outreach – an effective outreach – to sort of solicit enough applications and enough interest.

This was also – and the other fact was that there were no precedents. So we hope, as a SARP, that the dot-kids application can hopefully provide a precedent to try and sort of give to future applications an

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example of what could work. Obviously every SARP will have to decide on their own, but it is a good precedent.

One other thing I would like to sort of mention here – oh, sorry. Two other points and I'll end there. We do, in the SARP – we did have the opportunity to go back and ask questions. We were told we could ask for clarification. But the way the sequencing and the deadline are set up – and I don't think this is anybody's (deliberal) fault – was had we done that for one, we would then have had to do it for others, because there was this question of can we only do it for one and not the other applicants? And if we did that, how would that lengthen the process?

And I think that it would've been far more helpful if the SARP evaluators were able to not have those constraints and could have gone back, had the sort of time and space to ask questions and clarifications if not from all, at least from one or two of the applicants.

The last part – and I don't think we have time for this on this call – is there are several things that many of the SARP members may want to sort of contribute on individual criteria that was set up. So not just criteria number one, two, and three but the (inaudible) little sub-questions or 1.1 and 1.2, and we have several suggestions, etc. But I think that it won't be possible to follow all of that on the call right now. That is something I think definitely the community and maybe with the JAS, etc., we should improve upon to try and make sure that the next round, we can iron out some of these problems. I'll stop right now. Thank you.



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AVRI DORIA: Can I ask a qualifying question? Are you asking for the single individual vote – I mean number – on each of the sub-categories or are you asking for each of the members in addition to that?

ALAN GREENBERG: I'm asking two separate questions. The names of the people who participated; and number two, the matrix, without names associated with them. That is, how many – for the seven questions in public interest, what was the score for each of the applications?

AVRI DORIA: Oh. Just for each of the applications, not by each of the evaluators.

ALAN GREENBERG: Not by – I'm not trying to tie a particular answer to an evaluator, although obviously if the answers were unanimous, we implicitly are tying an answer to the evaluators. But if it's mixed half and half, you can't tell.

AVRI DORIA: Okay, sorry. I just wanted to understand. Thank you. Please.

ALAN GREENBERG: Yeah. And I'm asking this question – and I suspect Avri would ask it if she wasn't chair – on the ATRT, we are looking at whether one has opened this and transparency by default or closed this by default.

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And what I'm trying to understand here is was a decision consciously made by staff or by the SARP to not reveal this information, or was it simply not discussed, and therefore, by default everything is closed. Thank you.

AVRI DORIA:

Okay, thanks. I'd actually like to get Eric to get his question in now, too, and then ask for both questions to be addressed if that's okay. Eric, please, the floor's yours. Can't year you. Okay, Eric says he doesn't have audio.

So, "One, I agree with Alan, as this the number of seven public interest metric is similar to the 14.16 metric for community application, and to the best of my knowledge, that evaluation."

Yeah. I'm continuing to follow as Eric types. Karla, is this something that you can speak of from who made the decisions about what degree of openness there would be about various details? What it made priori or was it mad posteriori or was it made not at all, but just sort of accepted? Who can give me clarity?

ZAHID JAMIL:

Avri, this is Zahid. Can I step in?

[cross talk]

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ZAHID JAMIL:

Let me go ahead and sort of say the following. It's a two-part question. Let me answer both of them and I'd be happy to have Karla to add as well.

As far as the disclosure of members is concerned, I'm not sure how ICANN wants to disclose those. They have disclosed the chair's name. It may be, because I don't think I've had this discussion with Karla or anybody else in ICANN yet – it may be that they might want to sort of ask the members first. That may be one reason. I honestly don't know. The second is they may just want to decide for themselves. So I'll leave Karla to answer that one.

But the second question I think is important that Alan asked, which was about the scores. Was it us deciding not to disclose them or was it staff? So let me get ahead of that and say there were different discussions as to the level of details about how the scoring is done that was discussed within the SARP itself.

So the discussion within the SARP members did take place. We did get to decide whether we wanted to give detailed, in a sense, scorings. And I can tell you that the SARP members decide that, at this stage, giving a high detail scoring was not something they were comfortable with.

I don't know if this decision will be changed if we have another call. I can't speak to that right now, because it's been so long. But I can tell that that decision was not sort of imposed upon us by staff.

Now, beyond that, the SARP did sort of send a reasoning, but I am not aware to what extent within ICANN then how much was disclosed, how much was not disclosed.

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So I think I've answered Alan's question as to deciding to give the details, but the rest of the stuff to the extent that it was disclosed in the volumes, etc. would be something that maybe ICANN could answer and help with, and maybe Karla can speak about the other members' names. Thanks.

AVRI DORIA:

Karla, did you want to address either of these two questions?

KARLA VALENTE:

This Karla Valente for the record. Regarding the names of the SARP members, this is now with management, Avri. In relation to the level of detail of the disclosure of the evaluation, we tried to be consistent with a lot of the other things going on in the New gTLD program, and if there is any either suggestion on how this should be managed moving forward, I think we need to find just a better way or a good way that we can have this escalated to management maybe from this group to the JAS Working Group. If it's not effective anymore or it's not active anymore, maybe find a way in which we can convey to ICANN what would be (inaudible) improvement from the program. That would be very useful.

Any kind of additional disclosure, there is a disclosure process within ICANN. So I suggest you use that if you feel that there is more disclosure needed.

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AVRI DORIA:

Thank you. This is Avri speaking again. Very interesting suggestion about using the document disclosure and other information. Also very important about the perhaps value as we go forward in, as it were, escalating the questions to management, which is a concept I have yet to fully digest. It does sound, though, therefore in a phrase like that that Alan may be right in intimating that there really are Accountability and Transparency team issues in the whole operation. And once I put my ATRT hat on, I may actually think about that some.

Eric had basically written. I guess he had a problem with audio. “My interest is actually in the evaluation, not the membership. I would not like the community type application evaluation for the 14/16 metric to be” – and this is a community evaluation metric – “to be opaque to the applicant as well as to others interested in the process.” So I guess that’s sort of the Accountability and Transparency issue. I see Alan’s hand up.

One thing I’d like to comment on from I think both Cintra and Zahid and Karla spoke of basically having an inheritance and knowledge from this SARP to the next process, be it SARP or SARP-2 or something much, much better, that if they actually produce something written beyond this webinar that could be useful – recommendations, evaluations, comments, etc. – would be a useful contribution. We’re not quite at the “What do we do next?” but I have a feeling that the Working Group on the New gTLD rollout will be talking about this more. Alan, please.

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ALAN GREENBERG:

Thank you. I agree with Eric that the names are far less important than the scoring. However, if confidentiality was not promised to these people and it wasn't a conscious decision of their group, I have trouble understanding why it becomes the default. And that's a real serious issue, number one.

Number two, I gather, but I'm not sure since Karla said something about being forwarded to management that the SARP did send the individual scores on up the ladder, that they're not (field) in a SARP document. But almost regardless of that, this is a community-based process and the original criteria – and yes I know it was refined by staff and possibly the board – but how in the world can the community refine these requirements for our next pass if we have such opaqueness as to whether some of the criteria worked or not?

My mind just boggles at how are we short-term go forward from this, other than to make it more and more opaque and say the next SARP, the complete set of rules will be done by staff because only they're the ones who are allowed to know this one worked. I can keep on talking, but I'll say the same thing over again.

AVRI DORIA:

And this is Avri again. We only have a few more minutes.

ZAHID JAMIL:

Avri, this is Zahid.

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AVRO DORIA: We only have two more minutes.

ALAN GREENBERG: Oh, I thought we were an hour and a half.

ZAHID JAMIL: Avri, this is Zahid.

AVRI DORIA: Excuse me, Gisela, are we an hour and a half or an hour?

GISELA GRUBER-WHITE: Avri, this is Gisela. We're on for an hour. I'll check with (inaudible) if we can continue.

ALAN GREENBERG: Okay. That's my mistake. I'm sorry.

AVRI DORIA: Yeah. No, I thought we were only an hour. Sorry.

ZAHID JAMIL: Avri, this is Zahid. Can I respond?

AVRI DORIA: Please go ahead, yes.

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ZAHID JAMIL: Thank you. You won't fault me for being quick this time in responding very quickly. Let me say a couple of things. I completely agree that there is this issue of getting more information about how SARP functioned. The purpose is, number one, (inaudible). Number two, to have that feed into improvement.

So let me say the following very quickly. One, I think it would be helpful if the SARP was able to convene again and discuss to what extent they want to give any further information out. Having that discussion between staff and ICANN would be a positive thing. I don't know to what extent that may happen, but I would put it out there that I think that may be a useful exercise considering we're learning from the comments we're getting from the public, and the community, and other things. That's one.

AVRI DORIA: Can I stop you for a second, Zahid?

ZAHID JAMIL: Yeah, sure.

AVRI DORIA: We've been told that we have another 30 minutes if we want it, but I've also been told that Karla needs to leave in the next 2-3 minutes.

KARLA VALENTE: I'm sorry, Avri.

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AVRI DORIA: Zahid, can you stay a little longer.

KARLA VALENTE: I can't. I have a—

ZAHID JAMIL: Yeah. I'm happy to.

AVRI DORIA: Okay. So, Karla, if you could take three minutes to give any last comments before you leave – and I appreciate you being here for the hour.

KARLA VALENTE: My only comment is that all of the feedback that we are receiving, we need to find a formal way to capture all of that and convey that to management for the future of the program. Yeah. Unfortunately, I'm not overseeing the program for some time already, and I think like anything else, in terms of process, it could use improvement and there are different levels of requests and different levels of suggestions that are being made here that I think is quite useful and just finding a formal way.

In relation to the SARP, Zahid, we can have a summary for the future evaluators on issues on how to deal with it. I think that it would be more useful to have something that would just be general suggestions on how to improve the program, because depending on how you (inaudible) the

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program and what changes you make, the guidelines for the evaluators might change. So I still think that an overall “how to improve the program” recommendation would be very useful.

And I am not quite sure, Avri, what would be the best mechanism to do that, to convey that to ICANN. Is it through the New gTLD group, how to do that? But I think that a more official, more formal way to do that would be good.

AVRI DORIA:

Okay, thank you. Karla, thank you very much for being here. One last question. You say that you’re not the person anymore. Who is exactly the person that should be laid on the doorstep of?

KARLA VALENTE:

The Applicant Support Program is now under the umbrella of the New gTLD program. So it’s under Christine.

AVRI DORIA:

So this is another thing we need to get Christine to – thank you. Okay, thanks very much for coming for this and for reporting. We’ve got 30 minutes left here if we need it. So I’d like to turn the floor back over to Zahid. But since we have time, I’d ask you to speak slowly anyway. Thank you.

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ZAHID JAMIL:

Thank you, Avri. Yes. Thank you. That is good. A couple of things. One, we never in the process as the SARP felt that we were being dictated to or that staff was coming down hard enough. This never happened, so I just wanted to sort of lay any fears that the SARP in any way tried to do certain things and wasn't able to.

The only thing I think that we would have liked to be able to do, which we were unable to do, was basically go back to the applicants and ask them more sort of clarifying questions, etc., for two reasons.

One, if we did it with one, we were thinking we would need to do it with others. And if we were to do it with others, then the timeline issue arrived.

So I think going forward, a couple of things. One, I think SARP meeting and deciding to what extent they might want to further disclose information may be helpful. But I leave that to ICANN to decide, and maybe JAS can try and input that into some sort of process.

Secondly, I think Cintra and her role is a challenging role. The rules around what she can disclose and what she cannot disclose outside the SARP meetings I think needs to be looked at. I would underscore that as something that needs to be looked at in any new future process.

Thirdly, going forward, I tend to think that it is not going to be I think sufficient if the SARP came out with a document which was very general and simply said that these are the various areas which require improvement, because there's specific aspects – and this won't come out just by looking at the scoring. It just won't. It will be difficult to understand how the scoring took place, unless SARP members work

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with the JAS to try and improve the criteria sets – each and every question and the criteria that’s laid out in those.

And I think allowing the SARP members to do that without having to say, “Well, in this application, this question and this response and this position that we took, let’s do this or let’s improve this.” So without attribution, without giving examples, (simply) the SARP members could in some way have a detailed discussion and has worked with JAS members – I’m sorry. Work on that might be helpful.

So I think whereas a general document coming out of the SARP may be helpful to a certain extent. I don’t think we will fix the problem that we solve unless we do a detailed Working Group, if you will, or some sort of a mechanism where we could maintain non-attribution to some extent, and at the same time, be able to try and work and fix some of the criteria. I hope that’s helpful input.

AVRI DORIA:

I think so. This is Avri speaking again. I think that whether the JAS group goes and gets itself re-chartered to look at the system and re-improve it for future realms is one issue. I think that it is totally – and somebody could correct me – within the charter of the At Large New gTLD Working Group to do a post view and analysis. I think that analysis is best done with participation of SARP members and CMR and SARP staffers participating and working in that project within the working group.

I think that getting whatever can be gotten from the SARP members themselves and the CMR and the staff responsible on a post-mortem and their recommendations are all pieces that are helpful in eventually,

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first of all, ALAC perhaps making a recommendation that comes out of the Working Group. I have no idea what that would be at this point. And that then the Working Groups themselves, however, looking at how do we manage applicant support programs in the future is obviously something that must be done, but how it will get done I think is still a good question.

I had a bunch of questions here in the chat. Let me see. Did we get them all? I'm going back. Karla thanked us. Okay. Eric had – "Zahid at this point, as coauthors of the JAS recommendation have no idea which element of the language presented problems to the SARP members. We can assume that Cintra has a coauthor of the JAS originating language, a JAS contributor, knows each of these but that is an assumption. Do you plan to provide a summary of "language too restricting or ambiguous" issues?"

Let me read others and then see what answers they are. Karla left. Jonathan also had another meeting. Yeah, that's one I'm planning to join later. Okay. Then Edmund had a question – "I was wondering whether there is a plan to invite feedback from the applicants – open parentheses – all of those who applied as well as trying to identify some of the ones in this realm that thought about applying for financial – " Oops. It just bounced on me.

"That thought about applying for financial support, but did not) – close parentheses – I think this very well fits into some of the other work that's being done on things, but yeah that seems like a good idea as we move forward in the group."

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And then there's Eric – "There is a process (inaudible) issues Zahid identified: if any question is to be asked, then must all applications be asked the same question, and if any question is asked is there sufficient time for the question and response?"

This is one where I actually – the whole notion of clarifying questions that came out in the application process wasn't an integral part of this process, but I would assume that somewhere along the line people would recommend that clarifying question be a part of any application process. But it is a really good point there. I don't know if anyone has answers to those questions. I don't see any hands at the moment.

ZAHID JAMIL: Avri, can I just step in for (inaudible) a couple?

AVRI DORIA: Yep. Please.

ZAHID JAMIL: Thank you. I just wanted to clarify something. The trouble that we have in the SARP is we're disbanded.

AVRI DORIA: Slowly.

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ZAHID JAMIL: The trouble that we have in the SARP is we're disbanded. I'm sorry. The trouble we have in the SARP is that the SARP doesn't technically exist anymore. I am chair and I was given the mandate by the members that if supposing there was some situation where we would need to address certain public situations, I should do so, but I have to clarify – I should be careful here – then when I volunteer SARP participation, say, in a JAS Working Group that would obviously be dependent on the member autonomy of any SARP member because they may choose to do so, and then they may choose not to. So I think that may be an individual (inaudible). I just wanted to make that clarifying point.

But I think the fact that the SARP disbanded does create the problem that I am unable to go back and speak to them and take some of the things we've heard coming not just from you, but from the rest of the community and have a discussion. So that process doesn't exist. I don't know what we can do about that. The second is—

AVRI DORIA: Can I ask a question?

ZAHID JAMIL: Sure, sure.

AVRI DORIA: (inaudible). Does that mean you don't even have an e-mail list to talk to them anymore?

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ZAHID JAMIL: We do. But since this is a formal process, I think that having a meeting... So let's assume what I did was I e-mailed all of them and then we decided that we should have a conversation with Karla. That's something we could try and initiate. We just disclosed the chair's name and had this meeting. I may still try to do that. But we need ICANN to be able to be responsive for this. I'm not saying that it probably wouldn't, but I think the formal way of trying to do that through some mechanism may be much more appropriate. That's all I'll say at the moment.

AVRI DORIA: Okay.

ZAHID JAMIL: But sure. That's a good idea. Maybe we can just have a discussion ad-hoc. But again, as I said, that's just completely informal. We need to in some way formalize the process moving forward.

The question asked by Edmund, absolutely brilliant question. I think that in any process where voluntary SARP members and JAS Working Group members sit together to try and work at individual criteria questions or other process issues, I think it would be helpful to – if not necessarily in the entire meeting, but...I don't know how that will work out, but definitely have applicants come to the table and say, "This is why we did not apply," for a proposed applicant; or those who did apply, what they thought didn't work for them. I think that would be helpful. So I would just concur with that.

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AVRI DORIA: Okay. Thank you. Does anyone wish to ask a question or comment? This is Avri speaking again. Alan, I see your hand.

ALAN GREENBERG: Thank you. Alan Greenberg speaking. I guess I just want to summarize where we are right now. We may well be in a position where every SARP member thinks that the third criteria under public interest was really stupid. After looking at the applications, after having a gut feel about whether the application would've served the public interest or not, the third and fourth question forced them to say no.

And if that information exists – and I'm not predicting it does, but it's conceivable – that information must get back to those who are going to be involved in the next round. Aside from putting into question whether the final evaluations were appropriate or not, if we're going to do this kind of thing again, that information cannot be shielded in secrecy. Thank you.

AVRI DORIA: Okay. Thank you. I have an action item request to staff from Eric, which really is an action item request to staff request to us, I guess – although I guess Eric can file it privately if we don't all support it, but I think we might. "Please post the seven public interest metrics, and if available, the findings of the SARP on each of the seven and the aggregate as well as the waiting, or inform us that this information is not available."

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Personally, I think that's a really good question to ask the staff. Does the rest of the folks on this call sort of support that request? Is there any objection to that kind of obvious? Please speak up.

ZAHID JAMIL: I have to abstain, Avri, as to the chair. I have to abstain for that reason.

AVRI DORIA: Of course. I understand you have to abstain. Of course.

ZAHID JAMIL: Okay.

AVRI DORIA: I see nobody objecting. Please, if you're not on Adobe, shout out if you object. Okay, thanks. I'd like to make that an action item, and then one that we'll review going forward.

What I'd like to suggest now, if there are no new questions or if no one has a sort of last comment they want to make in response to things, that going forward that at least I see no barrier putting this on the At Large New gTLD Working Group list of things to continue looking at and working on. We have a lot of things that we're doing there.

I'm not sure how well we're getting everything done, but nevertheless, that seems one vehicle. I would also recommend that I guess we have (inaudible) on the call and Carlton said he'd listen to it later – that the

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JAS take this call and basically chew on it and decide what it thinks is appropriate for the JAS to do as next actions and go on from there.

Cintra, I see your hand. Please.

CINTRA SOOKNANAN: Thank you, Avri. This is Cintra. I just want to add as well, I know I've listed some follow-up items for this group (for) the JAS. But it's also important that we look at the \$2 million (inaudible) fund and the status of that after this deliberation is done. I think it's important that that fund be kept for future rounds, and it's important that this group make that recommendation as well.

AVRI DORIA: Thank you, and I think that's an excellent point, and hopefully—

ZAHID JAMIL: This is Zahid.

AVRI DORIA: Yes, Zahid?

ZAHID JAMIL: I just wanted to – Cintra and me had been discussing something recently in Beijing. Cintra, there was some issue that you had raised about the fact that if you didn't make it through the SARP, then you would get refunds or something of that nature and there was some sort

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of a loophole that I think Cintra had (inaudible) and I don't know if she's still of the same view. And it has a fiscal benefit to applicants, conceivably. And I think that's something that may be discussed.

Just one another additional point. Both as an individual obviously and as a chair of the SARP – of former, you know – chair of the former SARP, I think it would be helpful that if there's any deliberation that you have or have suggestions, it would be great for us to hear about them even (inaudible) informally in touch with those folks to see what you guys think and if there are ways that you would think that we can actually try and revamp, work together, reinstate – not reinstate, but have the SARP discuss these things again. That would be helpful. And if you could let us know, that would be great. Thank you.

AVRI DORIA: Okay, thank you.

CINTRA COOKNANAN: Hi, Avri?

AVRI DORIA: Yes?

CINTRA COOKNANAN: This is Cintra. I'd just like to maybe just spend two minutes going into the point that Zahid made. The issue that I raised with him was that even if an application is approved in the SARP process and is funded, at

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the point where, for instance, there are other applications with the same name and it comes under dispute resolution or there's (payoff) in the auction, that applicant would invariably benefit financially from the proceeds of an auction, and this should not be the case. And when I say applicant, I mean successful SARP applicant.

I mean, I don't really think this call is really the forum to discuss that and I'll be happy to capture it through e-mails (inaudible).

AVRI DORIA:

Thank you. I think that, yes. I think that it is good to capture that point to go further down these discussion lines. I agree. Okay. I had one last Eric comment that I didn't read out, and then I'd like to get into the closing this meeting part.

"The non-eligibility rule again to staff. Identify where this originates, as it is outside of the recommendation of the JAS, to the best of my memory, as a co-contributor." That's the end of the quote.

Eric, I agree with the question both from a JAS perspective. I do not remember any discussions of this ultra-secrecy on notion for the SARP, and as Alan has said, from the ATRT's perspective where the default presumption is openness and transparency and the only closure should happen when there's a well-documented reason for such closing, I couldn't agree more.

So, in closing, does anyone want to propose further actions than we have? We have the one request to the staff on public interest metrics that Eric put out, and with the addition of the origination question. We

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have a recommendation to JAS that they take the content of this and decide what they would like to do going forward. We have the item that I will bring this into the AT Large New gTLD group and see what further – what we want to do.

Yes, Alan, please.

ALAN GREENBERG:

Just in deference or in memory of all of the discussions we had regarding charters and JAS and longevity of the group and rebirth of the group, may I suggest that we put this on the ALAC gTLD group and suggest that they invite former JAS members to participate in the discussion?

AVRI DORIA:

Certainly. This is Avri speaking again. I've already invited JAS members frequently to participate. Certainly do that again and such. But it really is up to the JAS group chairs to decide, and of course with deference to those processes, it would be their decision whether they wanted to go for chartering more work or not. I didn't want this meeting to pre-suppose that. That's why.

ALAN GREENBERG:

No, no. And indeed. But let's not pre-suppose that that is the path. Let's make sure the people can consciously make the decision.

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AVRI DORIA: Sure.

ALAN GREENBERG: But do that in a venue where the both of us are not going to have to tend of questions about violation of charters. I don't want to do that again.

AVRI DORIA: Certainly. And certainly the At Large New gTLD Working Group does remain an open working group as far as I can tell. Certainly I will extend an invitation not only to the JAS members but through the chair of the now-defunct SARP to any of the SARP members who wish to participate. So I extended that in every way possible.

ALAN GREENBERG: Yes. There's a mine field there. Let's try to avoid the mines.

AVRI DORIA: Sure. Let the At Large New gTLD Working Group go traipsing through the mines. We do it so well. Anybody else have anything else that we should be doing as follow-up to all of this?

In which case, I want to thank all those that spoke on these first steps on transparency into what's behind the curtain of SARP. I want to thank all the contributors that had questions. I want to thank the silent observers. I invite them to participate going forward. And to all that listened to this, the At Large New gTLD Working Group will be following

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up on these issues. I will put up a wiki page that points to the questions raised here in so far as I can capture them. I will ask others to contribute to that. I'll try and collect information into that page. And on we'll go trying to understand not only what happened with SARP but how to make applicant support at ICANN for future realms a reality next time.

Anybody else before I close?

ALAN GREENBERG: Thanks for running a good meeting, Avri.

AVRI DORIA: Thank you. And to the translators, thank you very much – or is it interpreters? I always get it wrong. Forgive me if I use the wrong name – for sticking with us and to staff for extending it. So thanks and I'll talk to you all on other meetings. Bye-bye.

ALAN GREENBERG: Thank you.

ZAHID JAMIL: Thank you, Avri. Thanks, everybody. Thank you, bye-bye.

GISELA GRUBER-WHITE: Than you, bye-bye.

[END OF TRANSCRIPT]