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- Olivier Crepin-Leblond: Okay, good morning, everybody. My name is Olivier Crepin-Leblond. Welcome, everyone, to the Cross-Community Working Group on Internet Governance face-to-face session. Today is Wednesday, 26th of March, and it's just about 10:06 Singapore time. Welcome to participants around the world who might be following us remotely. [Ergis], I don't know, are we going to have the Adobe screen on the --. Well, I think we might have remote participants, so if they wish to speak and so on, then we would have to -- they're on the phone, okay, great. So, yeah, but if you wish to speak, they can put a hand up, though. Otherwise, you'll have -- for the time being, remote participants would have to just shout out their name, please. Let's do a quick around-the-table introduction, because I think most of us have been on several calls but not actually met each other, so we don't know who is who. So, we can all introduce ourselves, starting with, perhaps with Patrik?
- Patrik Faltstrom: Patrik Faltstrom, chair of SSAC.
- Matt Ashtiani: Matt Ashtiani, ICANN staff.
- David Fares: David Fares with Twenty-First Century Fox from the BC.
- Leon Sanchez: Leon Sanchez, member of the ALAC.
- Aparna Sridhar: Aparna Sridhar, Google.
- Keith Davidson: Keith Davidson, InternetNZ.
- John Berard: John Berard with Business Constituency.
- Marilia Maciel: Marilia Maciel from the Center of Technology and Society of GVF in Brazil and NTC member.
- Joana Varon: Joana Varon, Center of Technology and Society.
- Lea Kaspar: Lea Kaspar from Global Partners UK, Internet policy organization, the newly approved NCC member.
- Rafik Dammak: Rafik Dammak, one of the co-facilitators and NCSG chair.
- Olivier Crepin-Leblond: Olivier Crepin-Leblond, one of the co-facilitators as well, and ALAC chair.
- Filiz Yilmaz: Filiz Yilmaz, member of the Address Support Organization.

- Greg Shatan: Greg Shatan from Reed Smith and a member of the Intellectual Property constituency.
- Olivier Crepin-Leblond: And just checking the corner was [Ergis Ramash], who has arranged and done all the magic for us. So, we have several things that we need to discuss today, and I think that the first thing that we need to look at is what we have heard in the -- is it Monday's session, when we had participants bring us their input, their feedback on our session. There is this morning, on the mailing list there has been a summary of the plans that Marilia has sent. I wonder whether, Marilia, you could take us through maybe these points so that we can quickly summarize them. I'm afraid I haven't read them and I suspect several of us have not, either. And I also note that Lea, you haven't introduced yourself. Oh, you have? Okay, that's gone faster than -- I must have blinked or blanked out, sorry. Over to you, Marilia.
- Marilia Maciel: I'm trying to open the document. So many (inaudible) and my computer is so slow.
- Olivier Crepin-Leblond: It's Olivier speaking. In the meantime, I've put in the Adobe chat cross -- oh, so that this working group's Adobe chat, I've put the link to the Google Doc.
- Unidentified Participant: (Inaudible)
- Olivier Crepin-Leblond: Well, there are only three people in the Adobe chat at the moment and no one locally. But perhaps Ergis can put this on the screen, please. Yeah, the Google Docs, yeah. And then, Marilia, you can then explain to us quickly what we've got there.
- Marilia Maciel: Well, Leon and I were the rapporteurs of the session. Leon focused on a more narrative report of what everybody has said, which I think is very useful for us to do a recap of the session if we want to and the positions of the different [contributors] and stakeholders. Whereas, I have focused more on doing bullet points, comments, and trying to capture what were the main issues that we should take into account in our next meeting.
- So, I separated the comments into three buckets -- general comments, comments more specifically about the document, and comments that were made regarding our intervention of NETmundial and how the document should be taken into account there.
- So, in terms of general comments, I think one important thing to highlight is that the community in general showed appreciation and support for the document and for the work that this group has carried out. And mentioned that the document should continue to be improved and should be given visibility during NETmundial. And we should think about the strategy to do that given the fact that we had so many different contributions come to the meeting.
- Regarding the document itself, I think one interesting thing that has been highlighted is that we should maybe reinforce the outward-looking aspect of the document, because we were concerned at the beginning not to supersede the mandate of ICANN. We were very much focused on the dynamics in ICANN and how ICANN could contribute to the discussion. But then participants like -- I understood that they give us some faith and leeway to try to understand how ICANN in the dynamics that we have here, such as the creation of working groups and the experience that we have in working and carrying our network efforts could be transposed into other Internet governance environments. So, ICANN could be a good model of multistakeholder, bottom-up process and other spaces as well.
- It was mentioned that it is important to agree on a common vocabulary and for the community to be able to speak in a unified way. For instance, the difference between

ICANN the organization and ICANN the community was something that was highlighted.

It was suggested with broad support that the document should be placed under an expedited public comment period to be reflection by the group, by the community. And we may want to address it be created as a channel to receive comments and contributions to the document.

Regarding NETmundial itself, many people comment that NETmundial is not the point of arrival, but we should think about how to link our participation in NETmundial in this document as well to other (inaudible) suggest. ICANN's next meeting in London and the IGF in Turkey.

One thing that we received as a mission that is going to be in Sao Paulo is to speak about the importance of the multistakeholder model, especially for ICANN, but to the broader Internet governance [debate itself]. And some people try to map how we could intervene on the debate of a roadmap. And, of course, one important point is going to be the IANA condition and how the discussions are going to evolve, And some people highlighted that ICANN should have this role of facilitator of discussion [and authorization].

And we should also try to understand how we could play a role and ICANN could facilitate the process of developing a broader framework that would be able to tackle and discuss more broader Internet governance issues, especially during the (inaudible) process. That was it that I captured. Thank you, Olivier.

Olivier Crepin-Leblond: Thank you very much, Marilia, and I believe that's consolidated with Leon Sanchez's notes as well. Okay, excellent. Any immediate feedback to the feedback we received in this session? Okay.

So, the first question, I guess, that we have to ask ourselves -- well, first question I would like to ask Marilia, putting her back on the spot, is whether she believes there will be an opportunity to submit either an updated paper or an addendum to the paper that was submitted in a hurry, of course, admittedly, to the NETmundial conference? Have there been any discussions in the organizing committee about this?

Marilia Maciel: Yes, we have discussed this especially because news about the transition has come after the comment period has ended. So many people are asking the executive committee if they could amend contributions. Instead of amendment, what we are going to accept is additional documents that would serve as additional important background for discussions.

Since the beginning on the role on the side of principles we have at least the background documents that people could consult. And if you want to send another document, could be listed as well as additional document for consideration. And to the meeting (inaudible), because they're not going to consolidate that into the initial (inaudible).

Olivier Crepin-Leblond: A question from Bill was what's a time frame, and so there is no consolidation at the moment. No knowledge as to the time frame?

Marilia Maciel: No. Additional document could be treated as resources that the community can consult, but not as -- they're not going into the input document that the (inaudible) is drafting for initial input into NETmundial.

Olivier Crepin-Leblond: Okay. Thank you, Marilia. It's Olivier speaking. So, I guess with all of us discovering the input -- or rediscovering the input, remembering the input that was given to us on Monday, the first question really is whether this working group believes that there needs

to be an additional contribution from us, whether we need to either beef up our contribution or add to the contribution that we've sent so far. So, I open the floor for this. It's a simple yes, no; or, yes, no, but; or yes, but. Bill, go ahead.

Bill Drake: Yes. Quite obviously the situation has changed dramatically from when the topic was struggled with last time. We did miss the opportunity to make any kind of a coherent community joint statement in support of the transition and so on. It might be sensible given -- if you read what people have submitted so far about the IANA issue and the way in which it's been framed by various other parties, I think it could probably be constructive for this community to weigh in and to weigh in in a way that was relatively (inaudible). That is to say, we don't need to go into all the points where one could begin to defer on the exact implementation forms and so on. I think it probably it isn't necessary. But I think for us to say something strong and affirmative and, if possible, spin it towards the extent to which this is responsive to the international communities, demand expressions over the years, I think is useful. Because, after all, we've lived through a decade of government saying that the IANA relationship was one that threatened their national integrity and their policy processes and so on. It's gummed up the Internet governance debate for so long and made it almost impossible to focus on other, more real issues in many ways. And I think that is something that was more responsive -- that was outward looking to the kind of community that will be in NETmundial rather than the inward looking, say, to congressional Republicans, or something like that, could be highly useful. I can't see why we wouldn't try and do that.

Olivier Crepin-Leblond: Thank you, Bill Drake. Filiz Yilmaz?

Filiz Yilmaz: Thank you, Olivier. Filiz Yilmaz. I agree. I think second rounds of documentation are extension to what we have submitted so far. I understand you're not looking for updates but additional documents.

I support that for two reasons. One is the content that [Leon] already explained. We have some new input in the light of recent developments, plus what we heard as was happening with the IANA contract and NTIA statement. But also what we collected here on Monday. We need to have a reflection of that towards that documentation.

But, also, I think due to the strict time frame and pressure we had in the last round, the wording, general composition of this document still is open for improvement. There are various things I would like to, at least, correct from my part on where I'm coming from, from the address support organization side, you know. (Inaudible) but also general readability of the document. So, in fact, it is a good thing if you can do it as an additional document so that it can be made in a different format maybe, in a different -- an extra title, etc. So, I would like to work syntactically, or how would you say, like -- give a facelift to the document itself in terms of its wording, as well as its composition. Thank you.

Olivier Crepin-Leblond: Thank you, Filiz. It's Olivier speaking. Marilia, I did hear, is it possible to update the document or is it just possible to submit additional addendums? Because I think what Filiz was mentioning here is that we could just -- we could refine the document, you know, another round of refining. But I'm not quite sure whether that would actually be taken into account or not.

Marilia Maciel: It could be taken into account for discussion but not for the document that the executive and stakeholder committee is going to draft based on contributions and sentiment at NETmundial. So, we are not going to take that document into account in the paper that we're going to draft for NETmundial, but all the actors can consult the document. That's why I say it's an additional contribution. Can I just ask, is someone on the line to speak? Okay, can I just add something?

Olivier Crepin-Leblond: Go ahead.

Marilia Maciel: Okay. So, this is Marilia speaking. I think that one thing that we should take into account is how the group sees itself now the task has been completed. Do we see -- I know maybe it's a rhetoric question. I think there is broad support for the group to continue working. But if we see the group ourselves continuing the discussion and having specifically any role on the discussions about the transition of the IANA contract, it is something we should discuss as well, because it would create importance of the updating our contribution.

Olivier Crepin-Leblond: Okay, thank you. We have a queue at the moment. So, that is Keith Davidson, Aparna, Marilyn. So, let's start with Keith.

Keith Davidson: Thank you. Keith Davidson, for the record. I'm a little confused. My memory, which is old and sagging, remembers that this group was sent out to look at how ICANN can better engage in the broader Internet government arena, which means to me things like NETmundial, the global -- local IGF initiatives. So, it's us collaborating together to make sure everybody knows and understands about ICANN's role in that arena.

The IANA functions contract and the future of that, it occurs to me, is part of ICANN's business as usual, and we should be addressing that in our silo if those (inaudible) within ICANN. And if there needs to be some cross-constituency group to consider that, I see it as a very different subject and it's got a different set of sensitivities. So, I'm a bit confused as to why I'm hearing the idea that the IANA contract is coming through onto this agenda. So -- and I'm fairly sure that wasn't part of our original intent. So, are we creating an expansion of our mission on the fly or are we going to carefully consider constraining ourselves to the [agreement] we've already set ourselves. Thank you.

Olivier Crepin-Leblond: Thank you, Keith. Next is Aparna, Aparna Sridhar

Aparna Sridhar: I think this builds on Keith's comment, but to the extent that we're going to put in a contribution around the IANA transition, I would suggest it focuses primarily on ICANN being the place where that is going to be discussed. I don't think we want to have that discussion in another NETmundial type forum. There is a place for this. The Department of Commerce has set ICANN as the place for it. We ought to focus on that.

Olivier Crepin-Leblond: Thank you, Aparna. Next is Marilyn Cade.

Marilyn Cade: Thank you. Sorry to arrive a few minutes late. It turns out that it's a hike to get to this room, so I'm delighted to be here. I think I'm building in a general direction, but I'm going to open my comments by saying something that I said on Friday, in that I'm thrilled that I didn't copyright it since it's now been picked up by the chairman of the board, members of the board, and CEO. And that is that we're working on three related sets of activities, one being -- at ICANN -- one being the relevance to Internet governance; one being response to the recent NTIA announcement about the transition of the IANA; one being the continued improvements in globalization of the ICANN ecosystem with accountability mechanisms about the broader roles of ICANN and activities; and three being, to me, ICANN's place in the evolution of the larger Internet ecosystem.

And so I agree with -- where I think the charter originally was taking us and where the assumption of the endorsing constituency, in our case, was focusing, as Keith had said, on -- I think we were generally as a community, if we remember Buenos Aires, we were very unhappy with the top-down approach to -- it seemed to be a completely staff-driven and maybe board-driven Internet governance portfolio, activities, etc. We weren't even then talking about the IANA transition. And I think what happened, if I recollect

correctly, was the community wanted to come together and have cross-community input and guidance into our ICANN's activities. But that was about the -- to me, that would be about mostly items 2 and 3 of the ones I just named.

It is my understanding from the NTIA announcement and the discussions that took place in the two-hour session on Monday, and the 90-minute session on Monday, and certainly in the discussions that some of us have had with the board in our consultations, is that there was a call for input now from the community on what the transition approach might look like and how broad it would be. And then there would be a draft plan proposed by March -- sorry, April 7.

I don't see this ccWG having completed its work on guidance, on Internet governance participation, but I also -- and I think I'm mirroring what Aparna said, is the only comment that it would seem to me this ccWG would make would be about -- perhaps related to ICANN's activities. But I think we also have to remember that the NTIA requirement includes consultation much more broadly than just the present ICANN community. Also, with the I-stars, etc.

Long speech, sorry about that. But I would take us back to, I don't think our work is done. I think NETmundial is an important step event. I think input, as well, into ICANN's presence and activities in the IGF, into the CSTD working group on enhanced cooperation into (inaudible) I'm looking at Lea, who is joining me in some of those events. I can't see how we say check the box, NETmundial is it, as important as that event is. Because nothing stops at the end of NETmundial.

Olivier Crepin-Leblond: Thank you, Marilyn. Olivier speaking. I think we're kind of somehow going a bit on a tangent at the moment to the next part of our discussion. The first part, how this whole meeting is structured, the first part is really to look at our contribution to NETmundial.

The next part of the discussion is to whether this working group's work is done and should close, or has gone through just the first thing, the first hurdle, I guess, and then needs to continue. And then the third thing being what are the next steps? And I think a discussion on the charter will probably be one of the next steps that needs to be dealt with. But let's continue down our list and the next person on the list at the moment is David Fares.

David Fares: I was going to focus on the second agenda item, so I don't know if you want to wait -- if you want to focus the discussion right now on whether we're going to update the [submission to] NETmundial. I guess I would just say on that, I think several of us were at a meeting yesterday with the steering committee and with NETmundial secretariat and members of the CGI, and I think it's important to note for everyone here that they are working on two documents -- the draft principles and then the draft roadmap. They are working on that through the executive committee. They will then share it with the 12 governments and the high level committee. A final draft will be issued about, I think they said 10 days before the conference. We suggested at the meeting that they post it for public comment so they could start seeing where the community thoughts were headed on the document.

So, I think they probably have already reviewed our submission. I think in the context of what they're doing, the documents they say are going to be short, probably one page. I don't -- total. Oh, two to four, five pages. So, I think while we did receive some contributions from the community at the meeting on Monday, I don't think that they were so substantive that it was going to change the nature of the input that we were going to provide at NETmundial. And would suggest that we just close that and we then move on to the next discussion, which I agree is whether we should close the working group or

continue, and I can continue my thoughts on that, if that would be helpful, or do you want me to wait?

Olivier Crepin-Leblond: Okay, thank you, David. I've got a list here with Leon and Bill after you, so let's see and ask if there is any last questions or comments regarding the input, whether we should beef it up and so on. And then, of course, if we do agree to do so, I don't expect, with people having just received the updates and so on on the computer in this crazy week, I don't expect people to work on it word-by-word here. We're probably going to have to have some conference calls maybe not next week, but the week after. But Leon Sanchez is next.

Leon Sanchez: Thank you, Olivier. This is Leon Sanchez. Well, regarding theme from the community that we received on the public session, well, I think it's needless to say we need to add this input into the document, because otherwise it would have been pointless to have this public discussion. So, I think we should incorporate these comments to the document. Whether this document is considered by the committee of NETmundial it's another thing, but we should definitely add these comments to our document.

And one other thing that was from my point of view widely commented on the session was the public comment period for this document. So, I think we should find a way to accelerate this public comment period. There was this concern that we might not have time enough to conduct a public comment period in the usual manner that is addressed with ICANN. But then we must find a way to have this public comment period and then, of course, incorporate whatever comments we receive from the wider community to the document.

And as far as the point that Aparna was stating regarding the IANA stewardship transition, I do agree that ICANN has been designated to drive the discussion, but I don't think that ICANN is the place, the only place to have the discussion. So, we can take it to a different [forum].

Olivier Crepin-Leblond: Thank you, Leon, and thank you for reminding us of the public comment. We'll work on it in a second. First, Bill Drake?

Bill Drake: Thank you. I understand the sentiments around the room, and if this group is unable to reach consensus on saying something new, then I imagine component parts of this ccWG will make their own statements and that's fine, I guess, if that's where we are. But from my --

Olivier Crepin-Leblond: Bill, we haven't made a consensus call yet on this. We could make a consensus call if you'd like to put it on the table.

Bill Drake: No, no. I'm simply characterizing the conversation as of now. But my feeling -- I mean, I don't see it at all as being an expansion of [agreement] of the group. If we are trying to explain ICANN's role in the ecosystem and how it fits in, I can't think of any issue that has more crystalized attention around that question from a geopolitical standpoint over the past decade than this. And the level of misunderstanding that has been expressed by many, many governments over years, over precisely what the nature of the relationship between the US government and the IANA function was and what the significance of that were. I mean, we spent years with people saying, well, the US can press the button and we fall off the Internet.

It seems to be entirely appropriate in this context for us to simply lay out some basic facts that are responsive to the accumulated perceptions that are out there because this is a meeting that will bring together the international community in a much broader base than anything that will happen in ICANN. And while the details of carrying it forward may be

indeed done within ICANN, there is a call on the part of a lot of parties to say this discussion has to go beyond ICANN, has to be broader. And there will be -- let's face it, you can't control what's going to happen. People in NETmundial will want to talk about this, and they could talk about it in ways that are not the most productive. And I think it would be helpful if we provided some structuring background from our standpoint about why this is very much consistent with what's been asked for by the international community for many years and is directly responsive, and so on. So, I don't see this expansion of our role at all. I think it would be entirely appropriate, but I recognize that, again, there are differences of view on that.

Olivier Crepin-Leblond: Thank you, Bill. Greg Shatan?

Greg Shatan: Greg Shatan. I agree with Bill Drake. There, I've said it. I agree with Bill Drake on this. I think we have a great opportunity here. I don't think it's at all beyond our remit, as I understood it, and I can go back to our charter building page and our first draft. And as far as I see from looking at it, I don't think it goes beyond our remit. Clearly, we need to finish the charter, and the fact that we don't have a charter contributes a little bit to the divergence of views on what our charter is and we should focus on that. I know that's coming up, but I think that it's very important for the broadest possible slice of the ICANN community to get together. And this is one of the few places where in practice nearly all, and in theory all aspects of ICANN can get together and discuss this and kind of represent ourselves as a totality to the world, and also funnel comments and issues that seem kind of from the perspective from within this organization out into the world.

And this is clearly -- it was on the agenda for NETmundial before NTIA made its statement. A large number of the NETmundial submissions dealt in one way or the other with NTIA transition, whether they were invited to by the transition -- by the NTIA or not. So, we need to move, we need to move with the times. These are interesting times and I think it's important that we do continue, because if we don't, what is the alternative? To reconstitute this group again or to go back to our respective corners? Obviously, the corners will be speaking as well. Individual constituencies will have their statements to make. There are obviously going to be issues with building consensus here where there may be very many different views. But if you look at kind of ICANN versus the rest of the Internet governance perspectives, I think we as a whole have an important perspective to advance even as our internal individual perspectives differ. Thank you.

Olivier Crepin-Leblond: Thank you, Greg. On to Marilyn, Keith and David. So, Marilyn first.

Marilyn Cade: I'm going to see if I can kind of, not summarize what I've heard, but divide what I've heard into buckets or piles, maybe. So, one thing that I think many of us are saying is continuing to provide -- I just want to check this, and it's not a consensus call, but I'm just trying to divide this into what we've been saying.

There is a significant interest in continuing to provide cross-community, therefore more bottom-up like input into ICANN at the staff and board level on what should happen in the Internet governance space. Their own evolution with accountability on ICANN evolution, on the ecosystem, and on the ICANN's role in the larger Internet governance ecosystem. And I don't think I hear any lack of support for that, but we can come back to that.

Aparna's summary -- you may have to check me on this Aparna, but sort of anything that this group said would be made -- a statement would be made at a more -- at a level of what does this group think ICANN's role is. And the reason I bring that up is we have not undertaken consultation in the business constituency, and I spoke to Tony Holmes, who I hope came in here. Yeah, was on the way. I don't see Suzanne -- Kristina, but we have not yet taken consultation ourselves on what we think ICANN should do. The

chairs and the vice-chairs of the SGs will be trying to get together and consult on do we think it's a -- how we would think we would participate. How technical is the requirement? How broad is it? Is it done only at ICANN? Does it need to be much broader, which is what the NTIA, what Larry Strickland said. And we did meet with Larry Strickland and Fiona to get clarification.

So, I think it would be difficult right now for us to endorse a very detailed comment about the IANA transition. And I heard a lot of questions in the open session on Monday that would need to be answered before many in the community, I think, would be able to endorse a particular approach.

It seems to me that since there are 62 to more statements into NETmundial, one thing we could do is to read those. They're all compiled by Sam Dickinson, right? We could read those and begin to study them and then ask ourselves what about that input in terms of informing us and our community. Because it is one set of inputs, it shouldn't be the only one. But it is one kind of aggregated pile of -- I like that word, it's a technical term -- source of aggregated suggestions. But not necessarily with the point of view of endorsing anything or taking a position on anything, but treating it as an informational point to us in helping us to prepare for going to NETmundial and then afterwards. Thank you.

Olivier Crepin-Leblond: Thank you very much, Marilyn, Olivier speaking. So, just to remind everyone, this is a discussion to find out whether this working group should have an additional contribution that would treat -- that would make a statement about the IANA function transition. I've got a queue here. Keith, David and then Young-eum. So, first Keith Davidson.

Keith Davidson: Thank you. I think I need to reflect on my constituency issues around the IANA contract. The ccTLD community has just learned that the US government are taking their hands off the Internet. They've learned that the people's hands that it will go to will be a multistakeholder group, not a multilateral group, not government.

So, that's leaving our relationship with the GAC quite tenuous, where the GAC has asserted that there is a set of sovereign rights to ccTLDs, and essentially they are potentially feeling emasculated by that announcement, because they had -- if it's a multistakeholder forum they have an equal place on the stage.

Those sensitivities between our two constituencies need to be addressed very, very carefully by us. Those very difficult RFC 1591 local Internet community requirements versus sovereign rights in this new world are extraordinarily delicate. And most of the argument over the IANA contract in all of history has been about the ccTLD entries.

If under our -- this group's consensus discussion or consensus process it can make a statement that contradicts with that, you are going to put us in an impossible position. So, if you walk down this path, the only recommendation I can make to my council this afternoon is that the ccNSO withdraw from this group. So, let's not beat about the bush; let's get that on the table. We've got some really sensitive issues and we can't be compelled by a consensus group to conform to our position. Thank you.

Olivier Crepin-Leblond: Thank you, Keith. David Fares?

David Fares: On the particular issue of whether we should try and issue a statement in advance of the NETmundial on IANA, I would just caution on that point. I think we don't have that much time. I think we have to see how the entire discussion unfolds. I think it's probably important for us to continue that discussion as we continue our work and we outline from a community perspective what we think the process should look like. But until we see a

proposal, I think it's going to be very hard for us to come up with a substantive contribution about the ultimate transition.

And so I think it should be part of our ongoing work. And if I'm not mistaken, I think in our conversations yesterday with the NETmundial secretariat, they were saying their documents and things were not going to be focused on IANA in any case, it was going to be a higher level. The conversation might ultimately include issues around IANA at the meeting because they can't restrict what people raise, but their work is going to be at a higher level than focusing on IANA.

So, I don't think it's really something that we need to do in advance of the NETmundial, but I think it should be part of our ongoing work. And I'm sorry, I'm going to have to leave, so if I can just say I do think we need to continue our work, that we need to, as a community, provide guidance to ICANN staff and board about what its role is in the Internet governance debate going forward. And with that, I have to excuse myself.

Olivier Crepin-Leblond: Thank you very much, David. I've got Young-eum Lee.

Young-eum Lee: Thank you. Basically, I agree with what Keith has just said, but trying to take a more broader perspective. In terms of this group claiming to say that it is -- and this is a comment that I made during our session on Monday -- how can we sort of confidently say that we are a representative of the cross-community in all of the communities of ICANN? That's something, I mean, I guess my statement has to do with adding more to what we already have submitted, as well as to going forward, and that is trying to make this group more representative of the whole community. And in terms of trying to do that, I do agree that trying to come up with a detailed map would not be possible for this group, but that we just announce some basic principles.

And with regard to maybe a possible addition, I guess because this is an ICANN group and we also -- and as Keith has said -- we also have to think about the role of governments, we could include something about GAC in that statement as well.

Olivier Crepin-Leblond: Thank you very much Young-eum. I've got -- the list keeps on going, so there is Greg Shatan, Patrik Faltstrom and Tony Holmes. And then I wanted to close the queue, and that we reach either consensus or no consensus, or at least a sort of next steps on this. So, Greg Shatan?

Greg Shatan: It's Greg Shatan. I don't think these are irreconcilable views. I agree with David. I also agree with Keith in the sense that this group can't make statements that portions, especially significant portions of ICANN would disagree with. Maybe another charter question about whether this group needs to run on full consensus rather than on rough consensus or ICANN consensus, or GNSO consensus, depending on how you look at it. But there are really, I think, at least two values to this group. One is the value to the extent that it can speak publicly with one voice, and that may or may not be a very great extent, if you look at what the rest of the world is saying. There are certainly some things we can all agree on, but many we can't.

The second value of the group is as a melting pot across groups, and clearly without the ccNSO, it would -- we would be missing a critical ingredient, very critical. I don't know if I can add things on top of very -- extremely, essentially, and essentially critically.

So, I think that -- I'm sure I speak -- I can't be sure I speak for my group, but I feel that I speak for my group in saying that we wouldn't be happy in the IPC finding a position that said green when our group's position was yellow. But on the other hand, that doesn't mean we can't talk about green, yellow and blue, and figure out what it is that we do

agree on, what we don't agree on, and how as a community we move the path forward as best we can. Thank you.

Olivier Crepin-Leblond: Thank you very much, Greg. Next person on the list is Patrik Faltstrom.

Patrik Faltstrom: Thank you very much. I agree with previous speakers that we (inaudible) probably not participate in writing a statement because we have -- we have our plates completely full to just fulfill our requirement according to our charter to try to come up with principles for securing stability regarding the IANA that we plan to have ready before London. And that is -- and we will do that according to the charter and our role in the ICANN community. And yet in that, then, to sort of match what every (inaudible) statement do, which is just impossible. So, unfortunately, we can't participate. That said, we are not opposing this group is doing something, but we will not be signatories.

Olivier Crepin-Leblond: Thank you, Patrick. Next is Tony Holmes.

Tony Holmes: Thanks. On a parochial level, certainly I'm in no position where I could offer to sign up to that today. We discussed this issue and many others yesterday and certainly there wasn't any intent at that stage to go that far. I think as a group we're learning from this process as well, as much as debating the issue, and I'd be very reluctant to take any steps that would fragment this group in any way at this stage.

Olivier Crepin-Leblond: Thank you very much, Tony. So, hearing all of what was said around the table, it's clear that we don't have consensus on putting a unified position with regards to the IANA transition in the future. The current contribution that is in the statement, the contribution that was sent to NETmundial was a very generic one showing support for work to be basically undertaken by the community. Clearly, it's not a simply matter and clearly Rome wasn't built in a day, so I can imagine that there is going to be a lot of discussion within our communities and also across the communities. But, of course, we've got this contribution for NETmundial.

I wonder if there would be support for perhaps adding a paragraph that would show our appreciation for the work that the US government has done so far? In other words, for the stewardship that has been done so far by NTIA until now, or whether is this too political for it to be touched and included in the contribution? In other words, reflect back on what's been done thus far rather than trying to say what should happen in the future. I saw two people. Filiz was first and then Aparna, then Keith, then Marilyn, then Marilia. Okay.

Filiz Yilmaz: Filiz Yilmaz. Yeah, in fact, I was thinking along those lines. This is linking what I just said in the previous round of discussion, which I think is with regard to this whole part of contribution in regards to IANA and whether groups can be signing any uniform statements or not from this group. My intention was not to sign anything, in fact, but this group in the contribution of the cc -- Cross Community Working Group was made before that announcement. And we make -- we have this huge paragraph, in fact, four paragraphs about this issue in the document. And I think a follow-up would be good in the sense that we heard the announcement and we will continue the conversation within our group in regards to this as well. Because that's an acknowledgement of the recent development which happened after the statement.

The other thing I think about the documenting and acknowledgement, you should also just, again, come back to the first round. My main intention in obtaining or any adding any extra documentation to the contributions is that documenting that this was discussed with the wider ICANN community, too. Because this was submitted as a smaller section of the ICANN community. We are not the ICANN community at all. We are just a group existing within the ICANN [sphere]. And we need to be able to say that after this

we went up there and we discussed it beyond this smaller group. And we also integrated their contribution or input separately here. Because that will be our signing within ourselves. This is our double-check point, that we did our work and brought conversation to the -- you know, beyond this group. So, thank you.

Olivier Crepin-Leblond: Thank you, Filiz. Aparna?

Aparna Sridhar: I think if there is a short way to support NTIA stewardship over the IANA function so far, that would be reasonably noncontroversial and something Google would certainly support. I think probably the process of getting specific stakeholder groups to sign on seems like it would be difficult to administer at this point.

Olivier Crepin-Leblond: Thank you, Aparna. Keith?

Keith Davidson: I'm worried with getting -- we sort of have the cart before the horse. I think the first issue we need to resolve is whether we're empowered to actually have this topic on the agenda, or whether we are limited. And while it might be the formulation of a relatively innocuous welcoming message, I still feel that that is asserting that we've approved in our mandate the ability to speak on this topic. And I'll go back to my original comments that my feeling was that this group was empowered to collectively participate and liaise across the ICANN community on issues that related to the broader Internet governance arena. My belief is that the IANA contract is an issue internal to ICANN. It's not a broader Internet governance debate; this is part of a narrow agreement of the unique (inaudible). And this resolution comes from us studying and resolving the issues that affect us uniquely in our silo.

So, the danger in this is that you -- we are assenting to agree that the IANA function is on the table. So, even though it could be innocuous, I would still find it quite objectionable and I'd find it difficult to explain that back to my community.

Just as another little aside, given the sensitivities at my own community, we have an assertion, we have a bylaw to the ccNSO, we have no ccTLD who can speak on behalf of another. The highest principle is that of subsidiary, so each ccTLD stands alone. So, we've only been able to work together because we've appreciated these very, very delicate matters. So, yes, some of us are run by governments, some of us are run outside of governments, some of us have hostile relationships with governments. So, we need to be very, very careful on what we do, so that's why I don't want to spoil the party, but that's why I'm being very, very cautious on this.

Olivier Crepin-Leblond: Thank you, Keith. And I gather it's also worth noting that since the group has not chartered yet across ICANN, it really is just a group of individuals in a way that has come together. I appreciate this. Marilyn, Marilia and then Bill.

Marilyn Cade: We're being transcribed, yes?

Olivier Crepin-Leblond: Not transcribed, but recorded and then transcribed later, yes.

Marilyn Cade: Marilyn Cade. I want to recall that when we founded ICANN that the CCs were -- and the [IRs] were in extremely different situations than they are today. And I think it's important to know that there are some members of this ccWG who are also part of the I-star community in their own right, and they have other priorities or positions, and that's fantastic. But within the ccWG, I want to make a comment about us.

Usually, in any group, facts are our friend, and so I'm going to go back to a comment that Leon made, and that is that we made a commitment to the community, at a minimum, that we were going to hold a public session. I in particular jumped up and down in a

corner -- that's a nice technical term describing my hysteria over the fact we couldn't get the time slot that I thought we deserved. And through the extreme patience of the rest of you and our two co-facilitators, we held a very productive session with full participation, I think, from the ccWG and from the community. We took input.

I think we need to focus on summarizing that input and appending it into our document, not for purposes of a new submission to NETmundial, but for purposes of preparing those of us who are going to go to NETmundial so that we are fully prepared with an updated version of the document. And I think that is what Leon was proposing, and so I think that's a priority.

Secondly, I have a certain amount of background and experience in organizational development, and I think we're approaching the lifeboat crisis, where people are going to start jumping out of this lifeboat and swimming away from this working group because we're trying to go in too many directions or in directions where we can't easily find commonality. And this particular issue that's been raised by Keith, I also heard, if I understood correctly, Patrik saying that if there were a statement that they might be able to sign on to it, we have great difficulty in the BC, to be frank, coming up with two sentences that we would agree to. And part of it is a question of time, but it's also a question of, for business, it's hard to endorse something when you can't even figure out the direction you're going in.

And so you can say I welcome the fact I'm going to be on a journey, but I don't know who is going with me and I can't quite figure out yet how long it is. And I want to be really cautious here and take us back to what we can agree on. I don't like the idea of spending time on getting endorsement of an agreement.

And then, finally, as facts are our friend, the ICANN staff has already gathered up every endorsement in the world they can find, put them into a document and they're sending them around the world. So, that's done and in fact now the BC statement is a part of that, which I support. So, I don't understand why the ccWG would be repeating what I consider to be a staff function. It's done. There is a lot of endorsements from various groups, and so I would oppose our spending any time at all on it.

Olivier Crepin-Leblond: Thank you, Marilyn. Marilia?

Marilia Maciel: Thank you, Olivier. Marilia speaking. I think that if we want to present something to NETmundial, it should be something that would add value, otherwise there is no reason to present another document. I think just thanking NTIA for steering the IANA functions is backward-looking. I don't see the point in doing that. And welcoming the transition could be something meaningful, but I think a joint statement is being worked on, so probably if we want to present something would be that joint statement, if this statement ends up being approved.

I think that what I thought regarding what we could add to the debate, it's not how the transition should be conducted on concrete terms, but how the transition should be conducted procedurally, giving a sign to the world that, yes, ICANN has been tasked to lead the process of discussion, but it should involve a broader community that is not only ICANN involved people. And it sounds really strange to me when people say that this is a discussion that is internal to ICANN. I mean, it's a discussion that is coming (inaudible). It is inside the UN, it is inside the Commission on Science and Technology. There are many, many actors that are not here participating in the community that have presented very valuable contributions all over the -- through the years. So, I think that's something we should not disregard, their opinions and their input. They have something to say and I think it would be a very important moment at NETmundial to say to the

world that we want to hear them, what they think, and we will take that into consideration as well.

But, of course, ccWG, in my opinion is a forum inside ICANN that is a value that brings together all the community. So, in the transition [plan], it's not clear how this ccWG should have a role. We can discuss if it should have a role or not, but I think that it's a pity if the community, if the ccWG decides that it does not have any role, because it could be a place to percolate and share information and maybe try to bridge consensus. But, of course, the mandate of ccWG is broader, and I think that we need the charter to be approved because we have the (inaudible) coming up. And the Internet governance debate is something that we will have to take into account very, very strongly in 2015. So, it is urgent to get the [charter] approved.

Olivier Crepin-Leblond: Thank you very much, Marilia. I do see a divergence of views around this table with regards to whether anything to do with the NTIA migration, transition of stewardship is concerned. I mean, I certainly heard from the ccNSO that this should be an internal matter in ICANN and not something worldwide, and I know that others are saying the opposite. So, it probably is that we wouldn't be touching on the case. However, we still have Bill Drake in the queue, and then I think we need to close and move to the next thing. And Patrik.

Bill Drake: Given the lack of consensus, almost anything I say is probably redundant, but I'll say it anyway. As Marcus (inaudible) always like to say about the IGF, everything has been said but not by everybody, so I take advantage of my opportunity to contribute in that context.

I understand that groups have their own internal dynamics and if it's simply not possible or desirable to some that this group would make a statement, that's okay. I do -- I think others of us will, and I do wonder and worry a little bit about how some governments, in particular, and opponents of the NTIA action in the US, also, will interpret any amount of daylight that they're able to find between different parts of the community. I don't know why you're looking at me so puzzled. They will, I think, make -- see an opportunity there, and that opportunity presents them with more possibilities to stick their fingers in and muck around, raise different issues, try to redirect discussion, things like that.

So, I think if we can't do something together that's fine, but I don't think it's completely without consequence. And I think that if we could have at least said how we thought the process -- I mean, I agree with Marilia, that only saying we welcome it is at this point kind of not so important.

But if we could have said something about how the process should be conducted going forward to ensure that it is indeed an inclusive and open process, and that ICANN doesn't interpret its mandate to facilitate as being a mandate to control everything, and to ensure that -- and to signal to the international community that will be at NETmundial that this is a process where input will be most welcome from all parties and so on, I think there would have been a positive message for the ICANN community to put out. But, again, if we don't feel that we can be there, then we'll roll with the alternative.

Olivier Crepin-Leblond: Thank you, Bill. Next is Patrik Faltstrom.

Patrik Faltstrom: Yes, let me clarify, the reason why we cannot support any statement has nothing to do with the importance of NETmundial. It is that we did not have any consensus in the process where we can reach an agreement fast enough. We cannot -- I don't know any way a cross-community working group can reach consensus in that short time frame. That is the problem, not whether it's important or not.

Olivier Crepin-Leblond: Thank you, Patrik. You just cut the grass under my feet. I was going to actually ask whether -- because we definitely can't reach consensus today. Whether we could actually go back to -- no, but whether we could go back to our constituencies and find out what the feeling is. And, Kristina, I'll give you the floor in a second. But -- and go back to our constituencies and find out whether there could be something relating to the NTIA message of thanks or support, or something, for the work that they've done so far. At least not giving that, as Bill mentioned, the daylight thing. It may well be that this is not the case. As we know, there are diverging views, so if that's not the case, then the contribution that we so far have and which appears to not be opposed by anyone will just stand and we won't be adding anything to it. Kristina?

Kristina Rosette: Thanks very much. Kristina Rosette. I am president of IPC, but I am not participating as president. Having said that, I do want to share with you kind of where the IPC came out on this, because I think it would be helpful background information. We discussed this extensively yesterday in our meeting about signing on to a statement that others had put out, coming up with our own statement.

The organization -- the issue that we're having is really kind of a timing, structural one, and that is because the vast majority of our members are either individuals employed by corporations, corporate entities, multinational associations, like INTA, which has got about 10,000 members, as well as individuals employed by law firms who have cumulatively we're talking thousands of clients.

So, the problem that we're having is really coming up with a statement that we can all support without fear of creating conflicts or making statements against the interests of -- for law firm members, their clients; for association members, some of their members. So, we're trying very hard to come up with something that will work, because we do believe it's important to come out with a statement. But something like that, unfortunately, is going to take time.

I am agnostic as it currently is as to whether the ccWG puts out a statement, and I recognize some of the consensus issues that Patrik has raised. I think there would definitely be great interest in seeing a statement, the type, Bill, that you were referencing, so that we could take it back and discuss it internally. Because notwithstanding everything that I said, there is very much an interest in ensuring that the bottom-up consensus-based multistakeholder model is applied to this process. So, that might be a really good way forward.

So, again, I just wanted to provide that information to you, because I've had a couple people ask me, is the IPC coming out with something? If not, why not, etc. So, there we are. Thank you.

Olivier Crepin-Leblond: Thank you, Kristina. The question was whether a few sentences or a paragraph could be added to our current contribution to support the NTIA's past work. But there are divergences of views as well, and certainly there is an issue of timing for everybody.

Just before we close on this subject -- and I do realize that we spent an hour on this, or more than an hour on this -- I just wondered whether there had been any discussion in your community about the actual statement that we presented on Monday to the community? And whether it would be possible from now until the Brazil meeting to obtain something stronger than just the individuals around this table having drafted this?

I think it was made clear to the community that this was a working group made of individuals. I wonder whether we could strengthen this by -- this is an open question -- by going back to our communities and saying, well, having some kind of a vote, or I don't know, whatever approval process you have in your part of ICANN, and saying actually

the following entities, the following parts of ICANN have actually shown their support as an organizational part rather than just as individuals on this working group. Marilyn Cade?

Marilyn Cade:

My comment is not a response. I'll describe our approval process quickly, but I want to go back to -- we made a commitment to the community we have not fulfilled, and I haven't -- I know I was late, but I haven't heard us talk about how we're going to take those additional points, whatever they were. And since I did make a consensus call from the floor, I want to -- I have a vested interest in, are we going to at least append to the existing document the key points that were made, where we saw additional elaboration or enhancements?

So, just to remind everyone, the proposal I made, having rested humming out of [Vitron's] proposal and turning it into applause, was that the output of NETmundial should come forward into the IGF, the Internet Governance Forum, in Istanbul and to be considered and discussed further. I'm not remembering exactly what I said, but I think I also would have been assuming that we would be talking about the output of NETmundial further here, as well, as it is relevant. But I'm not going to tell you that I actually said that, because I was responding on the fly to a comment in the community.

But that was not the only comment that was made. When people did take the microphone, we had rapporteurs, and I think a couple of them here. How are we going to incorporate that, because -- now I'll say this very quickly. We can go out from the BC for a member's endorsement vote. We do have a formal vote process, which makes it a policy statement. The executive committee could also propose something less than that, which would be a statement of support in polling our members. I don't know what that provides, but if this -- and I would look to Keith and to others who have more complex, perhaps, environments, to say what would they give us? What would that -- and does that freeze anything going forward? Which is the other thing that I would ask, because I don't want to find a situation where my community, the business constituency is then limited in what they do in the future.

Olivier Crepin-Leblond: Thank you, Marilyn. Young-eum?

Young-eum Lee:

Thank you. Young-eum here. With regard to Marilyn's statement, I guess -- and going back to the charter issue, and also talking about the future, I guess it all depends on what we mean by we. I mean, what are we? Are we a group of individuals or are we a group of a real cross-community interest that has support of all the -- I mean, most of the members of the ICANN community? And so I think we're kind of going back and forth, because if we're trying to say that we are trying to come up with something that the community can basically support, then that's one thing. But if you're talking about going back to our constituencies and asking the consensus, I think that's something that -- I mean, we have our -- each constituencies have our representatives. And, as Keith had said, I don't know if we have the mandate from our constituencies to be doing that. Thank you.

Olivier Crepin-Leblond:

Thank you very much, Young-eum. So, let me ask the question again, simple. Are we able as individuals to go back to our communities and ask our communities whether they agree with this statement, and the statement being: Would we present it on Monday in the public forum? Do we have time to do that or is it too short of time to have an answer before the Brazil meeting? That's the only question I'm asking at the moment. Now, it may be that, yes, we do, maybe no, we don't. We don't need to obtain consensus here, either, because it might be that some of our communities don't agree with it, or cannot sign to it. But at least if we have more than what we have at the moment, which is just a group of individuals, that might give it more weight in Brazil. So, Keith?

- Keith Davidson: We would have had to have had the topic on our agenda for our governance body before Tuesday in order to have it discussed here. We already have probably three hours of work to do in our one hour of governance time. So, to add this and go through the complexity of this issue with our constituency would probably make it worse, not better. So, I think what I would rather do is see if we can find other ways to do things. But, no, is the short answer. Thank you.
- Olivier Crepin-Leblond: Thank you, Keith. Stephanie Perrin?
- Stephanie Perrin: This may be a naive question and I'm reminded of Ogden Nash's book of poems entitled "I'm a Stranger Here Myself." I feel like it sometimes when I'm trying to analyze the discourse, because on the one hand we have this bottom-up, multistakeholder process and we're proving that we are bottom-up because nobody can agree to anything until they go back to their stakeholders, right? On the other hand, we need something for Brazil, it seems to me, although I have a vested interest. I'm going there and I need to be able to figure out what the heck I'm defending as a multistakeholder model.
- So, this is a really silly idea I'm sure, but couldn't you have a draft check that actually demonstrates how the multistakeholder bottom-up process works with all of the derogations and caveats going? Well, we got this, but this hasn't been agreed by this stakeholder. Because one of the frustrating things about the discourse about NETmundial is, it's as if this is easy. No, none of this democracy is easy, and this is even harder than the average democracy, so why are we shy about putting out a text, understanding somebody's going to get shot when they go back to their stakeholder group when they said, "You said what?" See where I'm going?
- Olivier Crepin-Leblond: Thank you. We got Keith and Marilyn.
- Keith Davidson: We're talking at cross-purposes, I feel. I am specifically referencing comments on the IANA changes. I'm still unsure whether it's within the scope or not.
- Olivier Crepin-Leblond: Keith, we're discussing the document we presented on Monday, this community presented, the one we signed up to -- I know the IANA intractable, sorry, that was my statement -- intractable for the time being.
- Keith Davidson: Okay. On this document it's already -- it already achieved consensus. We didn't comment, so we're happy with that. So, if that's the statement of multistakeholders, I'm sorry, I was probably not paying the attention I should have. But, no, no problems. It has got the consensus, we're not trying to revoke consensus.
- Olivier Crepin-Leblond: Okay, thank you, Keith. All right. So, now we're getting something, because I was concerned. I mean, equally speaking on IANA, just for the record, the ALAC has spent a significant amount of time discussing this and it's just so quick so fast. So, that is something that is out of the way. Marilyn?
- Marilyn Cade: Actually, it was that clarification that I wanted to make. It was my view we had a document, we already submitted it. I thought the question was whether someone thought that now -- and I had asked to have the couple of points that were made appended to it, which I saw as just an update of information. I thought the question that we were being asked was, were we going to take the document we submitted, which we made in our capacity as appointees. And I'm going to make a distinction here. ccWGs, I don't think, are ever going to move people into elected representative status. I suspect there will always be limitations on a charter so people have to come back and check in with their community. I wouldn't call us a collection of individuals; I call us a ccWG with a pending charter.

On the vote thing, I want to go back to -- do people think it actually matters now that we take what we submitted and go get a vote? Because that's the question I thought you were asking and that's why I reported what our process is. Thanks.

Olivier Crepin-Leblond: Thank you. Aparna?

Aparna Sridhar: I think it's in answer to Marilyn's question, but I agree that I don't think much is added by getting the various constituencies to say I sign on. I think that means something within the narrow world of the ICANN community, but it doesn't mean a lot in the broader world of Internet governance. And I think with the exception of the people who are already well familiar with the ICANN process, it's not going to be a signaling mechanism to anyone at NETmundial.

Olivier Crepin-Leblond: Okay, thank you, Aparna. Okay, I don't see anyone putting their hand up, so I think we can close this subject. As a follow-up, I would ask that we all work on reading the input that we received on Monday from the community and maybe put a tick or point out what we would all be happy with adding to the document, or what we would not be happy with adding to the document. Aparna?

Aparna Sridhar: So, I thought Marilia's summary was actually really helpful and I would totally support like a one- or two-page additional sort of appendix that says we share this document with the broader ICANN community, we took comment on it at a public session in Singapore. The responses we got were as follows. And in general, the community -- in the mean chance the community has supported this document that was drafted in the smaller groups.

Marilyn Cade: Just real quickly, that would serve the -- that would answer my question about how we are going to append the -- so we could just provide the process we took after that as well as what we heard.

Olivier Crepin-Leblond: Okay, thank you. Sorry, but over to you for the charter. The charter, of course, is one of those sticky points that we haven't had time to put together with the speed at which we had to act. I have had some discussion with Keith and with Bart regarding the drafting of this. I'm afraid I plead total incompetence in this, because I've not had to draft charters and things, so I would leave it to those people who are well knowledgeable about drafting charters to perhaps lead on this and push for this working group to have a charter soon. That's, of course, very -- if we do agree that this working group is not solely going to have a one track, which provides some input for the Brazil conference and then close down afterwards.

There has been a call that has been asked by someone in the At-Large community for this working group to declare that its work has been done and to disband, which is interesting, because we spend so much time and effort in trying to come together. And yet because the procedures and the processes and so on were not done in a correct way, then there's the criticism that we're effectively running out of bounds at the moment. I open the floor. Keith?

Keith Davidson: I think all of us detect the value. I think the problem with the value, and the reason why we've spent so much time and energy today debating things is because we don't have clarity around the scope, the constitution, and the limitations that provides us with. If we have a clearly articulated scope and (inaudible) of what we can and can't do, it makes it very much easier and empowers us to not have to think here about what we can and can't do; we're committed to doing what we've committed to do.

So, I think, yeah, we have spent far too much time actually trying to get on with our business without knowing what our business is. So, if we are to go on, and I believe

there is a valuable role for cross-constituency work, extraordinarily valuable role. If we are to go on, I think what we have to do is resolve the constitution before we get to the next step of business.

And so ,yeah, not wanting to go into the legal drafting and so on, if that's the spirit of the group, if that's kind of the common theme of the group, then maybe we can go forward. Maybe we need a doodle poll to see whether people believe our work is done or whether there is a benefit in continuing, or something like that. But if we are to proceed, I'd say we don't proceed with any other agenda item until we've got this resolved. Thank you.

Olivier Crepin-Leblond: Thank you, Keith. Phil Corwin?

Phil Corwin: My view on this question, to quote an old pop song is we've only just begun. I think it would be a huge mistake to declare our work done and disband this group. The work of this group -- I don't believe that NETmundial will be a one-off event which just issues some declarations at the end and then disappeared and has no further impact. Certainly, the CEO in his Monday address at the opening session portrayed it as the most important meeting of the year as addressing a vast mosaic of issues of which the community is supposed to discuss in response to NTIA, which is a transition plan are just little tiles in that great mosaic. We don't know what NETmundial is going to do. We don't know how it's going to feed into other meetings this year -- IGF, ITU, who knows what else is coming. And I would suggest that rather than declaring our work is done or even saying it's just focused on NETmundial and its aftermath, that this group, since in the rush we have come together and developed a working relationship where all the different constituencies have developed a working method, we might even think about expanding the work to come together as much as possible in consensus for the transition plan. So, I think it would be a great mistake to disband.

Olivier Crepin-Leblond: Thank you, Phil. Does anyone around this table believe that this group should be disbanded or closed? I know it's a blunt question, but we don't have very much time, so I wanted to -- okay. So, it looks like we're continuing. Well, the charter is the next big thing.

Rafik Dammak: We have a charter draft, we can continue working on that. So, if you have support by other volunteers from the working group, so we can handle that. And I think about this (inaudible) and the mission, it's already including it, so we can't just rework it. The only issue it seems to me when we finish that is how really to handle with the different SOs and ACs, because it may take much more time depending on their internal process. And I think Olivier and me, we have to handle that (inaudible) with the different SOs and ACs. So, we can make it, but if we have kind of maybe -- we agree on some kind of time frame to finalize the charter and send it to the SOs and ACs for review.

Olivier Crepin-Leblond: Thank you, Rafik. Who will shepherd this? Thank you for volunteering, Rafik. So, with help from Bart -- Greg Shatan?

Greg Shatan: Two things. One, first kind of a point of order. Should we circulate the NETmundial statement back to our groups to get approval or review, or are we kind of just leaving it as it is?

Olivier Crepin-Leblond: I heard mixed messages on this, but we can certainly circulate it. Some believe that this has already been agreed by the group, some don't. So, this is why I think we should perhaps all, in our own capacity, go back to our SOs and ACs and find out if there is. But yet if there isn't, it's not the end of the world. We're not doing this with any specific message at the moment. What I've heard is a number of people believe that it wouldn't make much of a difference at NETmundial whether this was ratified or not ratified. Leon, and then a follow-up from Greg.

- Leon Sanchez: Thank you, Olivier. For me, I suggest that we first ask the feedback for this document and then maybe in a parallel way go back to our communities at the same time as we open for public comment.
- Olivier Crepin-Leblond: Thank you, Leon. Part of the problem is timing, 30 days or something. It feels to me at the moment we're trying to slow down our fall jumping off the building with an umbrella. Greg Shatan?
- Greg Shatan: I hope the umbrella is open.
- Olivier Crepin-Leblond: That's the part I forgot.
- Greg Shatan: Sad. I guess, first, I will volunteer to be a humble member of the charter completion team. Second, I think that in terms of -- just in terms of public comment, I don't think we're bound to the 21 plus 21 because this is an oddball situation, doesn't fit into the rules there, although I'm not going to make a parliamentary determination on that. That's my informal understanding of that point.
- Olivier Crepin-Leblond: Thank you very much, Greg. Is anyone -- that's the second consensus call, then. Is anyone against the launch of a public comment by this working group, no matter how that would work. Because if we don't have a charter we might not be able to send a public comment of whatever we've been told, though, by staff is, oh, we'll find a way. There was the suggestion of a public comment being launched. And, of course, we will not be finished by the time NETmundial takes place, but that's sort of an ongoing thing. Yes, please?
- Jim Baskin: My name is Jim Baskin. I know I'm not a member of the group, but I just have a question for you. If a comment period is created, generally don't we feel that there is an expectation that comments will be taken into account, possibly changing the document? And if we don't do that, then why are we calling it a comment period? Or what's the purpose of it?
- Olivier Crepin-Leblond: You're right. Thank you for your point. Kristina and then Marilia.
- Kristina Rosette: I think -- I'm agreeing with Jim's point, but I think there might be a way around it if we want to utilize it. I know that in the past the request for information mechanism has been used to kind of solicit feedback in lieu of a formal public comment period. And if it is in fact the case that staff is willing to help us make this work, if that's what we want to do, it is certainly an avenue we can consider.
- Olivier Crepin-Leblond: Thank you, Kristina. Marilia?
- Marilia Maciel: Marilia speaking. From my understanding, the public meeting mentioned that this could be an important document for the community, so we will not (inaudible) for NETmundial itself because we will not have time, but the public comment period would make a better document that could be useful in other situations.
- Olivier Crepin-Leblond: Thank you, Marilia. Keith?
- Keith Davidson: It's a process we should be (inaudible) as a commitment to openness and transparency.
- Olivier Crepin-Leblond: Okay, fantastic. We'll work out the details. First we need to get feedback from staff as to how this thing could happen. Second thing, yes, e-mail address, we definitely need an e-mail address. We did promise the community -- it's in the works, okay. I don't know

how we're going to transmit this throughout ICANN, but maybe at that point it will be in the public comment that we transmit, so that will be also [visibility].

Okay. We have run out of time. Is there any other business that anybody wishes to earmark for our next call? I believe there will be a next call.

John Berard:

John Berard. I would encourage those of you who care about the charter question to attend the GNSO council meeting later this afternoon. We have two motions before the council instigated in conjunction with the ccNSO and with ALAC. One is to create a cross-community working group to focus on the question of a methodology for these cross-community working groups. It may sound like a snake eating its tail, but in fact the hurdle that you have been trying to get over for the last 40 minutes relates to the fact that there is no methodology for doing it within ICANN.

The second motion is actually a proposal from ccNSO to create a cross-community working group initially with the GNSO on creating a framework for the use of territories and countries as TLDs. So, it's a practical application. In each case we have tried to align players so that there is information transfer, but if the cross-community working group methodology motion passes, the chairs initially, co-chairs will be Becky Burr from the ccNSO and me from the GNSO. And if ALAC wants to jump in, there is always room for another chair. So, anyway, if you wanted to come, contribute, kibitz, I'd appreciate it.

Olivier Crepin-Leblond: Okay, thank you. Thanks, John. Okay, I think that's it. I see no one else wishing to take the floor, so thanks all of you for coming here, and I think we've moved a little step further forward. This meeting is adjourned.