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Olivier Crépin-Leblond: Good morning, or is it -- Good afternoon everyone. Tim flies today. Welcome to the Cross Community Working Group on Internet Governance Working Group Session. We have a few things say before we start the meeting.

First, that we are being recorded, all the recordings will be transcribed, and therefore -- and found on the search engines et cetera. No obscenities, et cetera, as you know, the usual rules. Well, it has to be said, it has to be said.

As far as the Working Group operation is concerned, we will be giving priority to Working Group members to speak. But of course this is an open session, so everyone is invited to remain in the room, listen, and also to participate as well, if you find there are points that we are completely missing.

I'm going to hand the floor over to Rafik Dammak to run the show. And I'm really sorry for the delay, but there was a meeting on Internet Governance that took place just earlier. And if I can keep the mic -- and I think that the mandate that we have is definitely having -- after having heard-

Unidentified Participant: I have instructions to report on this one recording--

Unidentified Participant: I think you are -- I think you are recording and transcribing.

Unidentified Participant: Beautiful.

Olivier Crépin-Leblond: Okay. That's perfect, yeah. Thank you. So -- I've lost track of what I was saying, but that's fine. Over to you, Rafik.

Rafik Dammak: Thanks, Olivier. Okay. So I guess we started a little bit late, I guess, we need to move on. I think what we -- for this meeting it's already to do more, kind of, planning for our next step, since we work within the Charter route, and we sent it to the SO and AC leaders. I understand they've got (inaudible) -- most of them eventually said -- Okay, so we will give us -- Olivier will give us an update, yeah.

Olivier Crépin-Leblond: Yeah. Thank you very much, Rafik. It's Olivier speaking. A quick update on the email which you will have seen in the Working Group's mailing list. Had a few SO and AC leaders, having bumped into them, and have been on several committees with them, and the informal answers I have received is, we are quite busy at the moment.

So apologies for being late in coming back to you, but this is; from the -- on the agenda of the various supporting organizations and advisory committees. I understand that the SSAC has already moved forward, and the ccNSO has also got this on its agenda today, and I guess that for the others we are all going to work on that very soon.

So I think the Charter really, it's a letter that had been sent out, and we'll just have to wait a little bit more, maybe after a couple of weeks, after the ICANN Meeting to get an answer, but it looks as though the various SOs and ACs are going to proceed very soon, and we are going to have a positive reply to be able to proceed forward. Back to you, Rafik.

Rafik Dammak: Thanks, Olivier. And also on the agenda from yesterday, I think it's brought up already on the agenda of GNSO, but probably we'll discuss it later, after this meeting. And yes, Marilyn?

Marilyn Cade: Thank you, Rafik. My name is Marilyn Cade, I'm one of the Business appointees to the Group. I just want to make a comment for validation as we continue to work. And that is, that we are continuing to work with the assumption that the Charter will be approved without major modification. We have had a challenge from one member of the community about our continuing to work until the Charter was approved, and I think we took the decision that as we had a Charter under development, and we prioritized the work, that we would continue to engage. So we are not going to end, we are going to continue to work.

And we've heard no negative feedback so we are assuming we'll have a Charter. I just would like to -- all to affirmatively confirm that, because there's a number of issues I'm anxious that we address today.

Rafik Dammak: Okay. Thanks. So I understand that that there may be any other question, or any comment about the Charter, otherwise maybe we should move to think about the next steps for this Working Group, and I mean, what we should -- what should be our kind of next deadline. I think, having deadline, like, for NETMundial, to get people to participate and to be more active, so what we should for the next three or six months. Yes, Marilyn?

Marilyn Cade: Thank you. Marilyn Cade. I'd like to express disappointment that there was no awareness on the part of the ICANN Staff, that in planning the Internet Governance session, there automatically should have been engagement with the Cross Community Working Group and IG, and in particular, due to the other engagement and statement that we presented in support of NETMundial, and just to put into our planning, the request to the staff that our engaging in Internet Governance issues, that there be an affirmative engagement with this Working Group at various times, and in particular in planning public events that involves the community, et cetera. So much appreciated that you were invited, but I think affirmatively we would -- as an individual I understand, but--

Rafik Dammak: So I think Olivier will have this one -- because we had a discussion (inaudible)--

Olivier Crépin-Leblond: Yes. Thanks very much, Marilyn. Actually it was someone else that flagged that there was no one, and so I guess I just emailed them and said, why the heck is there no one from our Group? And the answer was, oh, please come.

Marilyn Cade: So I'll continue, and I know I'm going to need a stronger technical term to express my interest in this Working Group. But the second thing is there have been a number of statements made about the aftermath, the follow on to NETMundial, and NETMundial, the interpretation of what the output of what NETMundial means to ICANN and to the larger Internet ecosystem. That is the very reason that Cross Community Working Group was formed. And in fact, for everyone to just recall, was generated by (inaudible) Cross Community engagement in public sessions.

So, I'd like us to include in our planning, if we are going to be hearing about ideas like NETMundial follow up that affects ICANN, and NETMundial alliances, that affect ICANN, I think this is the place to start before there is a proceeding with spending another \$3.5 million -- and with an instinctive amount of training.

Bill Drake: Yes. I assume we are going to have a discussion of the Charter and things like that, but just follow up on this immediate point. The Internet Governance discussions that they hold at these meetings, I have found, and I have been on the Panel a number of times. I find them increasingly (inaudible) and inescapable. You hear a Group of insiders on a Panel who spends a lot of times saying; everything is good, we have to keep going, we have to be committed, keep the momentum going forward, and the conflicts, and issues, and real challenges that are ahead of us, not (inaudible).

And I think part of the reason why that happens is, quite frankly, this process of planning these sessions is not something that is inclusive, it is (inaudible) and things, and I think that one thing that this Group could usefully do, is take the (inaudible). We really think that we have identified a group of people within the ICANN Community who have an interest in this broader set of Internet Governance issues, who have committed a lot of time, trying to build something at the suggestion of the CEO, and it would be appropriate for them to have -- play some role in trying to shape this part of the agenda and going forward. I don't think there's anything difficult to that, in my view.

Rafik Dammak: Thanks, Bill. I think, yeah, it can be an action for us. And we'll follow up with Nigel, and to participate in the planning for the next session. And, yes, Stephanie.

Stephanie Perrin: Thank you. Stephanie Perrin, for the record. This may be a silly question, but I wonder if anyone has done a risk assessment on Internet Governance from the perspective of ICANN, that one could examine. I mean, if I were going level another \$3 million, I might spend some money on doing a really comprehensive risk assessment of what was on the horizon, and what the threats were, and at the public communication that's were -- because I haven't -- and I did have the pleasure of going to NETMundial, and we did a lot of talking, but I didn't see such a document, and that would be very useful.

Rafik Dammak: I'm not sure if we -- if we have someone who can respond to that, Stephanie, but yes. Okay, we have it here now. Marilia?

Unidentified Participant: We had--

Marilyn Cade: My brain may be confusing the discussion, so pardon me if that's true. Marilyn Cade speaking. I think we talked about the idea of trying to understand the landscape. And to me, Stephanie, that's sort of part, not in any way completely addressing, but it certainly is part of understanding both what I would say, risk and opportunities are for ICANN, as well as identifying and commenting on, perhaps, different roles that ICANN would play in different places, related to Internet Governance.

And I think that's related to your comment about risk. I would add the word "opportunity" as well, because it seems to me from the work that I do in meeting with new players from governments or from business, or NGOs, anywhere, just beginning to really learn about what Internet Governance is and what its tentacles are, and what's its influences. But there is an opportunity of awareness, and encouraging and facilitating engagement in the various places in the ecosystem. So I wonder if you would accept, sort of, a friendly amendment of both risk and opportunity.

Stephanie Perrin: Absolutely, and I'm speaking in short form here, and a proper scan which will show opportunities for -- for instance, partnership development, I would consider an opportunity, and even if ICANN doesn't take on more roles, the possibility of partnership is a real one, and it's also a risk mitigation, so. But I just sort of would like something a little more structured and formalized because I can't keep up with plowing through transcripts. I'd like to see a document, you know.

Rafik Dammak: Thanks, Stephanie. Marilia.

Marilia Maciel: Hi. This is Marilia Maciel from NCUC. I'd just like to make some suggestions about next steps and things that maybe we would be willing to look into. One document that has emerged as a very important framework for us, where from now on is the NETMundial documents, and I think it was

a very important point there, and maybe we should look into, if ICANN could help to implement some of the (inaudible). What are some of the ideas that fall beneath the limits (ph) of ICANN, and how we could facilitate the implementation, I think.

But in terms of the principles and the ones that are connected with human rights, that luckily there are quite a few of them, we have a good initial point with the report that was put forth by the CEO, in this meeting. And maybe this is something that, maybe, connects some of the principles of human rights that were covered by NETMundial with the discussions in ICANN.

Other than that, I think that we have some very important events coming up, such as IGF, so probably one thing that we could do, is to map the proposals that have been advancing the idea of workshops that have to do with such topics that are important to ICANN what workshops have been proposed by community members, and how could we help, or be present there and help to publicize them, and send contributions to this workshop even if background arguments, more and more we are trying to get a background documents for this workshop.

Another point that I think it is important, it's the idea of the alliance, that it's unclear to many of us, but clearly this is related to the broader Internet Governance ecosystem, and it's something that is being rudely pushed by ICANN. And my view is that if we let the discussion be loosely confused by -- and the CEO -- this could be another one night, that we've spent so many months just trying to understand what is the goal, what has been -- why are we being convened (ph) for?

So I think that one debate that we should follow very closely is the one about the alliance, and I think this debate is very much connected with the report that was produced by the High-Level Panel. I think that the blueprint, or the general framework that this alliance would follow is there in that report. Maybe the broad ideas that are guiding the CEO to create this alliance have been put forth there.

One thing that I have suggested to the CEO, and Nora, is that this document is being put on the public consultation, because this is not an ICANN document, they did not do it. But I think it would be very important to do it, I have formerly requested that at least a working group could bring forth that request, that would e something very important I think. Thank you.

Rafik Dammak:

Thanks, Marilia. So on this current issue, I mean, just about the last point regarding the NETMundial Alliance. I think -- I mean, we should work and kind of input -- for the Cross Community Working Group to influence this idea. And also that we will work on -- we will ask in the open consultation about the High-Level Panel Report.

Again, also the same -- and other tracks to work on the -- maybe kind of think how to implement NETMundial's document, and the (inaudible) -- maybe that's a couple of your reports just to -- but I am not sure that everybody is aware of that.

Okay. Yes, Marilyn?

Marilyn Cade:

Thank you. It's Marilyn Cade. I just want to make a specific point of clarification, of asking for a specific kind of public kind of public comment, because recently ICANN has taken to just providing email addresses, and that is not a very -- it's not very easy for the community then to track the comments. They are not archived in the usual way where you can easily go in and read them progressively.

So I think we should specify the kind of public comment process that we want followed. And we also probably need to be clear about -- because we called, we asked for our recommendations to be put up for public comment. That happened, but it didn't actually generate perhaps the -- you know, sort of after the fact, and we did it as a -- I think we wanted to build the credibility, and say that we were open to public comment. But I am finding that the approach they took to the report, Business

people were not particularly interested in the -- you couldn't read the comments that were received.

And you then also couldn't respond to the comments that were received. It was really was a black box approach. So in the public comment process, I would prefer that they followed the process where the comments are archived and they are sequentially posted, blah-blah-blah. I guess we need to also talk about what we think should be done with the responses that are received via this public comment process.

Olivier Crépin-Leblond: Thank you, Rafik. It's Olivier Crepin Leblond speaking. So several points have been made here, there first with regards to -- from Stephanie Perrin, with regards to a risk assessment, and I'm actually not (ph) going from Marilyn Cade on this, and it's certainly something that I haven't seen yet. It also is certainly the case today that many of these issues appear to be taken up as a sort of a kick back. I mean it's shooting from the belt type thing. As in, oh, that has come up, let's just deal with it right away, and then we just suddenly all hurriedly drop what we are doing and run after the ball. And this is one thing which I think has got the high potential of generating even more volunteer exhaustion and burnout. So that's certainly a concern, especially in the multiplication of these things suddenly popping up on the agenda.

Now, with regards to the risk assessment, I want to just ask you , would you this would have to be an ICANN thing? Or is this for a working group to do, or?

Stephanie Perrin: And I defer to Marilyn and her view of this, but I would say that a working group could sequester some funds from ICANN and supervise a contract to get it done outside of ICANN. And someone who is really good at this, and to your analogy there, in terms of, you know, rushing over to the other side of the boat every time something happens, we are going to capsize. Or, if I many use another more relevant image for today. This is a chess game not a soccer game, and people keep getting bitten, it seems, in soccer, so I'd rather have the chess game.

Rafik Dammak: Do you wish to comment Marilyn?

Marilyn Cade: I'm usually better at cooking analogies. Marilyn Cade. I think that -- I like the idea -- so let me use a terminology that we are familiar with but on the policy side, and that is the concept of an issues report. And issues reports are generated with a kind of general terms of reference about what they are going to cover, and they do involve the allocation of ICANN staffing or funding resources. They are intended to present facts mutually and factually, and not to leave the witness, so to speak, in terms of determining policy action, if any, will be taken.

So, it seems to me that there's certainly the precedent of doing that, and it also needs to be relatively fast track, I think. And so we, in scoping it, we may want to think about this as the first cut, at assessing implications, I think, there's a lot of expertise in the Working Group itself, but it's very burdensome for us to both do the work and analyze it and comment on it.

So if we could kind of think about this, there is a few of us who've spent a lot of time on this, could brainstorm a kind of a general set of areas that would be covered, and then we propose a contract that could begin to put something together for us to respond to. I like that idea, and I think that's a reasonable expectation of support to the Working Group.

Olivier Crépin-Leblond: Thank you, Marilyn. And taking the floor back. It's Olivier speaking. So I wanted to address then the second part which was made to deal with the public comment period on the NETMundial outcomes. Our first public comment that we sent out yielded no response whatsoever; which helps us in a way, because we don't need to respond to any response, so that kind of -- has a strange thing to it.

Now, Marilia you mentioned that ICANN was going to -- was considering launching a public comment. I thought that perhaps it could be this Working Group that could launch a public comment on the outcomes.

Marilia Maciel: On the High-Level Panel report.

Olivier Crépin-Leblond: On the High-Level Panel report. Okay.

Marilyn Cade: Sorry. Again, could you clarify. I understood that we needed to call for it.

Marilia Maciel: No. I informally suggested that they do it. Fadi said it's a good idea, Nora agreed, but then I think that this should be reinforced by the Working Group, if the Group thinks it's a good idea.

Olivier Crépin-Leblond: Thank you, Marilia. It's Olivier speaking. The concern I have is if it's done by a High-Level Panel then we will have a central public comment as before, which is exactly what we heard earlier. The no transparency with regards to the comments submitted. If we launch it as a public comment ourselves, then it goes into the usual public comment space, and that's open for everyone to see. It generates dialogue within the community, and it certainly will enable us, that community, to get all of the input rather than anything that's filtered out in case it's not acceptable to any party, or whatever. I don't know how people feel around the table about this. Thank you.

Rafik Dammak: Olivier, you are (inaudible), do you think that we -- Did you initiate the process for the open consultation of the High-Level Panel Report?

Olivier Crépin-Leblond: Correct.

Rafik Dammak: And are we supposed to make a comment on that report or not?

Unidentified Participant: (Inaudible)

Rafik Dammak: Hmm?

Unidentified Participant: What happened?

Rafik Dammak: Why not? I'm just asking, I will check with the (inaudible) so. Yes, Marilyn?

Marilyn Cade: I'm going to propose that today, in this meeting, that we agree to call for the CCWG on Internet Governance, calls for a formal public comment on that report, and we make that proposal in writing to the Board and to the CEO, and we announce that our recommendation of that at the public forum tomorrow. It is a document that was announced yesterday to the GAC as being the roadmap that will be followed. And if you bridge (ph) the report highly -- oh, it's filled with recommendations for actions by ICANN, or assumptions that ICANN will -- there will be certain outcomes that influence ICANN. So it has significant -- it is not just about ICANN, it's also about the ecosystem, but there's a lot of implications for ICANN.

Rafik Dammak: So you actually just think that we make a statement tomorrow, meaning Olivier and me, and (inaudible)?

Marilyn Cade: I'm suggesting we reach agreement and make a recommendation that the document you put out for public comment about it, and we could even -- you know, we can say, for the relevant sections, for its relevancy to ICANN and ICANN activities -- ICANN -- it's quite clear we must take some role in Internet Governance ecosystem broadly, as well as do our day job with excellence. That was the whole purpose of this Group being set up, was to comment on some of those kinds of things. And this report is being presented as a major roadmap document.

Rafik Dammak: Thanks, Marilyn. Okay. We have Sam.

Sam LanFranco: I endorse this in the strongest term as possible, and I'll keep my language civil. On the Multistakeholder Engagement Panel, they were given extensive and evidence-based feedback on some of the so-called roadmap, blueprint, which weren't roadmap and weren't blueprint, parts, and they incorporated absolutely nothing. There was no real meaningful feedback other than counting the number of people who responded. So these things are -- they are like a guided missile.

Nobody has been able to have any impact on them, even when they are intellectually and empirically flawed. So the strongest positions you can take, take it.

Rafik Dammak: Bill, you want to comment? Okay. I guess we'll -- we missed the -- Yes, okay, just one sec. We are getting the list of actions. But yes, Pranesh?

Pranesh Prakash: This is Pranesh Prakash for the record. I see a value in pushing strongly (inaudible) ICANN as a body is in any case going to take a stand on Internet Governance issues and is providing feeding into things like NETMundial, et cetera. And a lot of that happened without any kind of community input, without the cross community work happening. Now what's exactly the value of CCWG on Internet Governance is, when it isn't feeding into a larger ICANN process? Where it isn't really directing what the Board is doing or not doing around these issues, I'm not really clear.

Who is this being addressed to? What is the kind of -- the outputs that are coming out, okay? The submission that went from the ccTLD (ph) to NETMundial, what value does that have? It's not something that I'm very clear about.

Rafik Dammak: Yes?

Bill Drake: I should probably say by the way of disclosure that I was an Advisor on this process of (inaudible) -- don't quite know the role in providing the report. What I would suggest is, there's a lot of ways we can take input on this document, and with the results from the last time, fidgeting over precise intellectual constructs and ways things were formulated, and I would suggest that at that point -- it's probably not that useful. There are a few distinct actionable points that are kind of buried in the text, that are of relevance to how we go forward, including this notion of an alliance.

And I would just suggest that if we are going to make statements, we try to formulate them constructively to sort of take up some of those ideas, and say what we think about them, to the (inaudible). I wouldn't, personally, want it -- and I don't think there's a need to do a whole lot of post-hoc analysis of this report. Do you know what I mean? Like there are lots of reports. We can go back and look at each of the strategy Panel reports and like have extend the data by how well we formulated, or how maybe you'll issue X or Y, or whatever.

I think the only thing that really matters at this point now, are, what are the (inaudible) that may be actionable items that Fadi and others might want to be taking forward, particularly through this new thing that he's talking about the past year. And try to -- I fight those, and provide some guidance to some of the -- the approach is informed by a community's sensibility, and I'm really choosing my words carefully, and that it has not been to date (inaudible). So that will be -- that will be my suggestion.

The way -- the way that the alliance is being envisioned for that is really -- the message needs to be conveyed very clearly, and there has to be community participation in this. And some engagement on how it's constructed and so on. You don't build an alliance the way you select and Expert Panel. You don't call up the 15 people you met in (inaudible), and we thought were just (inaudible) and say, we are going to go off to create a process that will path a future for Internet Governance.. That's just not what you do.

So we have to be very, you know -- so try and focus on the action items, and really focus on opening the up, and asking concretely for steps to the identifiable that are (inaudible).

Rafik Dammak: Thanks, Bill. Stephanie?

Stephanie Perrin: Thank you, and Bill has said some of the things that I wanted to say, but I wanted to respond to Pranesh. I do think the fastest way to move forward is to identify some work, some concrete contributions that need to be done in my view. And the beauty of hiring a contractor, is they can go through the reports and find the nuggets that are in there, as Bill says. There are some nuggets in there, that, we need to pull those as part of your risk scan, or your overall scan, and then you move forward and make a contribution.

And at the risk of sounding like I was totally brainwashed by Marilyn prior to NETMundial on the Bottom-Up Multistakeholder process, this is a bottom-up group, right. And we are making a contribution now, and that's part of the multistakeholder process. So I think a very positive attitude could surround a really good issues report that we would develop. So I'd say, we, as an observer because I'm only an observer on this Group.

Rafik Dammak: Okay. So, Bill, I'm just trying to clarify. So your request is really, we focus on the actions described in the report, and comment then. And also I think that development, NETMundial Alliance?

Bill Drake: I can -- just a second -- I don't think we need to spend a lot of time, say, instructing the analytical framework in this (inaudible), or anything like that. I think let's just take the -- let's take what's being suggested, next steps, and say the thought (inaudible), to ensure that those next steps are really farmed out in a way that is (inaudible) okay, sustainable.

Rafik Dammak: Yes, Marilyn?

Marilyn Cade: So let's see if I can make sure that I have a coherent understanding. We have a NETMundial output document, which has certain action -- actionable recommendations, such as the principles, and what role we might take an understanding what part of the principles apply to ICANN and should be thought about. We have ecosystem roadmap, and NETMundial also to think about, and what's actionable there. And then we have the -- I guess I'll do what the CEO did today, and start calling it the Thomas Hills (ph) Report, but it has some other longer name. So the shortcut name is Multistakeholder Panel, whatever.

And to focus on the actions called for, which I agree with, because I don't think there's any point in our analyzing the process which led up to creating NETMundial, or any of the other aspects of how it was run, et cetera, we are focusing just on the actionable implications, to examine them, and to comment on them for right now I'm seeing three documents, so to speak. The June NETMundial document, and the -- I'm treating the principles and the roadmap as two parts, whatever. Then also if we could -- if we reach agreement on that, then I'd like to come back to also fine-tuning, do we have agreement on a call for public comment on the (inaudible) report. And the implications and the actions called for relative to ICANN, we need to fine-tune that, Bill.

Bill Drake: I know Marilia earlier -- This is Bill. I know Marilia would love to have a couple comments on the WHOIS Report. I really wonder how much comment you're going to give to be quite honest.

Unidentified Participant: (Inaudible)

Bill Drake: Do you think so? Do you think a lot of people just want to link into those things, yeah?

Unidentified Participant: Oh, (inaudible).

Bill Drake: All right. Well if that's the case then fine. So my only point was trying to -- because just in general, everything that's happened over the past half-year from (inaudible) report, whether it was the fact that we had to create the one month, of course that we had to create this Cross Community

Working Group, the question that we have had is the NETMundial Conference. Of course, then we have (inaudible) on these panels and reports, you know, all the stuff these a lot -- there's a lot of things to happen in the course of that so people can spend time not stepping on it, and I don't see that it's constructive to do that at this point.

We all know that some things could have been handled differently, and it matters a lot, I'm interested, simply, in saying, what are the bits -- what are common elements, an in particularly what you see alluded to in the Hills' (ph) Report, and stated a little bit more clearly in the NETMundial documents, that people might actually --you know, can certainly take forward as action points. And try to be useful in suggesting ways of doing that, because that's a helpful -- that's a helpful thought. You know, not spend your time looking around backwards, okay, I can put on my own professor hat, and deconstruct those analytical framework of the report and say, what I think of it, (inaudible), I'm just not interested in doing that, personally.

Rafik Dammak: Yes, Olivier.

Olivier Crépin-Leblond: Thank you very much, Rafik. It's Olivier speaking. So I think that if, one, if this Working Group decides to put that report up for public comment, it will, we believe depend on how the question will be framed. And that is exactly as Bill said, and perhaps when -- if we do, and if we decide to move forward, then the question that will have to be framed will always be oriented towards the future and asking more towards looking forward rather than looking back.

Rafik Dammak: So, okay, let me check -- Okay, I have -- Pranesh Prakash, and then -- okay. I see we are reaching some consensus regarding the public comment, but for -- Yes, Marilia?

Marilia Maciel: Just an observation, that from what I understand from the high-level report, it says basically that what it does is to look to NETMundial's document, particularly the whole roadmap, and try to suggest ways in which the distributed model that was supported by NETMundial, but then it could be put in place. So in a way, I see this as a more concrete document, even though it's still vague, it's generalized, but it's more concrete in terms of roadmap, in that particular part of the distributed model of the NETMundial document. And just to make these observations.

And I think that the way that the question is framed, I totally agree that you should look forward and not try to talk about the process and the creation and so, but we should be careful not to pre-judge that people will think that the recommendations of the Panel should be implemented in the future. I think we should have said, their validity is there, really is something that we would be willing to look into further, so.

Rafik Dammak: Okay. Pranesh?

Pranesh Prakash: (Inaudible) -- a question about the role of the public comment on this Working Group, which is, when we are asking for -- when we are looking for these nuggets of actionable items, or when we are, you know, (inaudible) on going forward is it -- are we asking the question of how, you know, these different reports, of whether the -- of the Multistakeholder Panel Report, or the NETMundial outcome document, et cetera, how they will affect the work happening within ICANN both in terms of substantive policy development processes, and the issues being addressed at ICANN and the processes within ICANN. And if so, how will this Working Group affect other PDP and Expert Working Group reports, and what's happening there.

So I'm a little bit unclear about what kind -- like how this will (inaudible), or just what we are trying to get out of this. What an ICANN position is on some of these issues for representation as ICANN in other bodies. Because both of these could be possible invocations. Much of what I've understood, (inaudible) inside the first, but I'm not quite sure. So what is the consensus around the room about that?

Olivier Crépin-Leblond: This is Olivier. I'm sorry. Matthew, I'm just jumping -- I was going to respond directly to your enquiry here. My concern is at the moment, are we looking at an ICANN position or an ICANN Community position? I'm concerned that the ICANN position seems to be flying forward, the ICANN Community position is unknown.

Rafik Dammak: Thanks, Olivier. Matthew?

Matthew Shears: Yes. Thanks. Matthew Shears, Center for Democracy & Technology. I guess I'm an observer. Just to comment on this. I actually think there are two questions, and I'm not sure it's an issue just for the ICANN Community, I think this is an issue -- these recommendations are presented for the entirety of the global Multistakeholder community.

And the two questions I would ask are, these recommended steps are, one, are these are the right recommendations? And two, what should -- if they are, how should they be implemented? I think that's a genuinely constructive approach. We may not agree with the principle -- we may not agree with the recommendations, we may, and if we do, how should we go about doing them, because the way they are written right now, it leaves them open to any kind of initiative amongst the group of friends to start something up that would take these forward. So I think that's what I'd recommend, thanks.

Rafik Dammak: Thank you, Matthew. Marilyn?

Marilyn Cade: Let me agree -- Marilyn Cade speaking. Let me agree both with what you've said, Olivier, and also what you said, Matthew. But I would probably think that we would ask one other tuning question, and that is -- and this is probably related to your comment, Pranesh, and that is, are these the -- I want to go back to why we created this Working Group. We created this Working Group because what we saw was a lot of -- as a community, what we saw a lot of thrashing about in a space (inaudible), where many of us work in addition to working at ICANN.

And we were never quite -- it's often felt that ICANN initiatives from staff were disconnected from the initiatives of community stakeholders who were heavily engaged in ICANN and very often even engaging in explaining ICANN, defending ICANN, encouraging engagement in ICANN, so we were trying to bring together, I think, a space -- a cross-community space -- to think about the challenges ICANN faces, how the external ecosystem is affecting ICANN. How ICANN should affect the external ecosystems? I keep trying to makes sure there's and S at the end of that. So I think it's, are these the right recommendations, but also who should be implementing - - if they are the right recommendations, who should be engaged in buying into them and into implementing them? And how should they be implemented?

It's just, if we could just add a little more complexity, and we need to do it today, because it could be that the community that responds to this is saying, well, look there's a whole lot going on here, and creating new -- we are selecting in the NETMundial documents, saw a call for strengthening existing mechanism, and I think we would need to look at the interplay between the recommendations from NETMundial and this document as part of our assessment as well.

Rafik Dammak: Yes, (inaudible).

Unidentified Participant: This meeting is scheduled to go until 1:15, right?

Unidentified Participant: (Inaudible)

Unidentified Participant: So I want to switch gears, because as important as this topic, but we do have to do something about the Charter. I'm getting a --

Unidentified Participant: (Inaudible)

Unidentified Participant: Well, that's getting people who want to buy into the Charter and it seems one of the issues that is happening with the lack of buying in, is that we've had no Charters running now. And I'm giving -- I've got people in my chat window (inaudible)--

Rafik Dammak: We prepared already the Charter -- the Charter to the SOs and ACs.

Unidentified Participant: Right. And they are not responding?

Rafik Dammak: Yeah. They are just busy, that's their response.

Marilyn Cade: You know -- I'm sorry. Can I ask a clarifying question, that (inaudible) experienced and response for himself, but the reason there wasn't a response from -- my understanding, and the folks I've talked to; is they are under water, and responding, but we could ask Patrick, and--

Unidentified Participant: No. I read those responses and more. I've also read that other people are pushing back on this, and that's something (inaudible) --

Rafik Dammak: I think I can -- GNSO needed -- said they didn't have any discussions, you know, about the Charter for example. I didn't know about the GNSO. I think that's like any (inaudible) --

Unidentified Participant: Well, (inaudible) --

Rafik Dammak: It's on the Wiki, on the Wiki space for the Working Group, and the Charter. Patrick, Patrick Fältström?

Patrick Fältström: Yeah, that's the -- from our top side we don't see any problem with this Charter, we do understand the bit of clash that you have regarding routine production, and removing that. The reason why we haven't responded faster, has absolutely to do with being under water like everyone else. That said, we are -- I am, and we are, in essence supporting trying to close the Charter now before we have to use it. Okay. So there's always a problem with chartering, that you want to charter, when you are sort of doing other things. Is the approach to it, you just do it, close it down.

Rafik Dammak: Thanks.

Jordan Carter: Just briefly, the ccNSO -- it's Jordan Carter here. The ccNSO Council has got its own agenda for this afternoon, and no one is raising any concerns to me about the content of it, so I think that will be saying, yes.

Rafik Dammak: Okay. (Inaudible)?

Marilyn Cade: Can we get quickly -- It's Marilyn -- what are -- just quickly, what are some of the concerns about the Charter.

Bill Drake: (Inaudible) the technology.

Rafik Dammak: It's about the voting, and normally they should (inaudible) voted.

Bill Drake: (Inaudible) and also people very concerned about the notion of, we are actually down to six numbers, from each process group and SO/AC.

Marilyn Cade: Sorry, Bill. I didn't understand the last point.

Bill Drake: So that there should be minimum of two members, and make sure SO/AC can be a maximum of six members from each participating SO/AC.

Marilyn Cade: And that's reduction -- that's a significant reduction to what--

- Olivier Crépin-Leblond: Some people think that in the case of the GNSO, that is a small number that will not lead to a representative sampling of that role in the community.
- Marilyn Cade: So it's Marilyn, again, Rafik. Can I -- we started this Group with up to four members per constituency, I guess I missed the lowering of the numbers. Although I did read the Charter carefully.
- Olivier Crépin-Leblond: Shall I answer? It's Olivier speaking. So there were several calls and it did go down to this level and six should be fairly enough for the GNSO. Well, we have now sent over to the SOs and ACs, and I think it probably will be for the GNSO to come back to us with a number that will be acceptable. So I think wearing my coordinator hat, so that's trying to raise (inaudible). But I don't know that all parts of the GNSO are aware of the formulation of the Charter, or will support (inaudible).
- Rafik Dammak: That has been discussed here.
- Olivier Crépin-Leblond: And so we should advance the process to get this together as soon as possible.
- Rafik Dammak: Okay. We have to leave -- we started five minutes late because they were in the room, so sum up quickly. So what action we have maybe for -- just a quick summary.
- Olivier Crépin-Leblond: Okay, well, I'm not sure -- you didn't actually for a consensus call, to have the Halls' Report sent for public comment, and that this -- that's the next work of this Working Group is to basically take that and frame it, in a way that we would like to see it framed, I think. And then pressing forward with the public comment, that's an action item for us. And I was going to ask for a consensus call, the people who are in the room, and since we've got no sheet to go around hopefully we've got the names of everyone. Is anybody objecting to this? Pay attention, Marilyn.
- Marilyn Cade: I was negotiating when you (inaudible).
- Olivier Crépin-Leblond: My name is Olivier Crépin-Leblond.
- Marilyn Cade: My name is Marilyn Cade, I heard the last part of your statement and not the first part.
- Olivier Crépin-Leblond: Okay. Sorry, Marilyn. To have the (inaudible) for it, or whatever it's called, The Thomas Crown Affair Report, sent for public comment, and for the Working Group to frame it, it will be a public comment from this Working Group, and not a public comment from ICANN Staff, or another part of ICANN. Especially seeing the level of communication between the ICANN Staff process and the Community Working Group. That was the first one.
- The second one is the action item to take note of the concerns expressed by the GNSO members of this Working Group, as in the past notice, that there might be some more work on the Charter.
- Marilyn Cade: And isn't there (inaudible) -- please, it's Marilyn -- isn't there, and that is the recommendation that -- and it maybe you said this, and I missed it, the recommendation that in the future, public events related to Internet Governance out. ICANN should -- The Staff should engage with this CCWG/IG to involve us in the--
- Unidentified Participant: The planning?
- Marilyn Cade: In the planning, that's an open, vague enough statement?
- Olivier Crépin-Leblond: Yeah.
- Marilyn Cade: Good.

Rafik Dammak: Okay. So we need to end this meeting. Thanks everybody.

Marilia Maciel: Maybe we should ask for clarification about the alliance. This was something that we discussed.

Rafik Dammak: Yeah. So in order to --

Marilia Maciel: The Board and the CEO to--?

Rafik Dammak: Okay. Yeah. We would need to send that. Okay.

Unidentified Participant: Enough questions from (inaudible). For the record, you know, don't point at me, I've got enough questions to ask.

Olivier Crépin-Leblond: All right. Thanks very much, everyone. This meeting is adjourned.