

ICANN

**Moderator: Gisella Gruber-White
January 15, 2015
8:00 am CT**

(Grace): Good morning, good afternoon, good evening everyone. Just a reminder if you're not speaking, please mute your audio line. If you're having trouble for some reason muting your line or you don't know how please contact Brenda or me in the private chat and we can help you mute your line on Adobe Connect and show you how to do that.

Today we have Robert on the audio line. I just want to confirm before we get going that the recording has started on the audio line.

Coordinator: Recordings have started.

(Grace): Great. Thank you very much. All right so just to confirm for roll call we do it in the Adobe Connect room. So anyone who's marked as present in the Adobe Connect room will be noted as an attendee. And we will also go through the audio line for anyone who is not in Adobe Connect. Right now I have Robert Guerra only. Is there anyone else? Okay. Thank you. Lise Fuhr it's off to you.

Lise Fuhr: Thank you, Grace. This is Lise Fuhr for the record and welcome to this 18th meeting of the CWG. As one of the coaches I will chair this meeting. And Jonathan Robinson will also join the call but he might be a little late. Well

we've made some very good progress during the last weekend. They were active and very constructive participation from the group. We discussed the surveys in order to find convergence. And Jonathan Robinson and I have sent out the chair's statements Monday describing the key developments.

Well the original intention of the meetings during the weekend was to produce a basis to prepare a draft to be reviewed and tied off by the chartering organization. And even though we all work flat out during the weekend we didn't really reach that goal.

This needs to be addressed and we need to find a way forward. At this call we'll get an update from the different groups. We'll have to - we'll discuss the relationship with the CCWG accountability. And we need to have an overview of what are the issues that we need to take account of on our way forward. And I see that Grace shared the statement with you.

We sent it out. So I think we - we're not going to go through this in details but here it is and I think we should hit on to the status updates from the sub groups. So I think I don't know Greg are you on the call, Greg sub group three? Greg? No. Doesn't seem like but I can see Alan from sub group 3B. You're on the call. Could you please give us a status update of what happened in 3B?

Alan Greenberg: Yes thank you Lise Fuhr and good morning. It's Alan (unintelligible) for the record. I trust everyone can hear me. Yes we had our first meeting of RFP 3B (unintelligible) yesterday at 4:00 in time. I was pleased with the turnout. I think we had over 20 participants. And we had a bit of technical difficulty at the outset. We finally got going.

(Unintelligible) the focus and the parameters of the group because I as chair thought it's important to get that nailed down. And unfortunately I'm - we didn't bring complete resolution to that point and we really need to because otherwise there's so much out there that we risk fragmenting.

So there was a suggestion that we perhaps go back and look at the functions we're trying to replicate or deal with. So I thought that was a useful suggestion. So at our next meeting we are going to do that and rejoin the discussion of the focus and the parameters. So short form will come. Thank you Lise Fuhr.

Lise Fuhr: Thank you Alan. And then we have sub group 4. Robert or Siva will you give an update on the RFP 4 group.

Robert Guerra: Sure. This is Robert and apologies for the background noise. I think for the update of RFP 4 we actually did not have a meeting this week. And so we're at the same level we were last week. We're just waiting for an update emerging from this weekend's meeting and have as agreed to a process and the type of documents Siva.

So that's kind of the general update. Siva has circulated a document in which we are still awaiting some feedback in regards to some stress tests or tests that we might apply to the RFP 3 proposal as it comes out. I suggest those that are interested to please let me or Shiva know so we can send that. So that's number one.

And number two during the conversations this weekend I stressed multiple times that as we try to tweak, revise or adapt RFP 3 that we should think about the RFP 4 implications particularly transition implications that might apply. And so I'll try to - my best to participate in the RFP 3 conversations and move

forward. So we're kind of on hold and awaiting further instructions from the rest of the group. Thank you.

Lise Fuhr: Thank you Robert. And I don't know if sub group 5, Cheryl's group, is having any news. Cheryl?

Cheryl Langdon-Orr: It's Cheryl for the record Lise Fuhr. Thanks. Now we also didn't meet since our last (unintelligible) as a whole meeting last week. And as with our last update we do however have our drafting weekly page open. So we are able to contribute some early work on text development there and I'd remind everybody that they're welcome to go to that page and I'll ask Grace just if she or one of staff could just copy the link to that wiki page into today's chat as well to act as a reminder for that. Thank you.

Lise Fuhr: Thank you Cheryl. That was the status update from our groups. And actually the next item is the relationship with the CCWG accountability and the thing is that Jonathan Robinson promised to do that presentation but since he's not here I will try and have a go at it. And I hope he will join in later the call. But regarding - there's been expressed a lot of concern about the linkage with the CCWG.

And we as the chairs and the coordinators recognize that there is - this is a critical area of our work. So we actually felt we needed to depict the linkage to the CCWG and that is why Jonathan Robinson earlier this week sent you a diagram of the linkage we see with the CCWG. He sent it out for the whole group. And I don't know Grace if you could bring the - put up the diagram on the screen.

(Grace): Hi Lise Fuhr. I'm happy to bring up the diagram. I also just received a note from Greg Shatan who said he's almost online and he's joined the Adobe as we speak...

Lise Fuhr: Okay. Okay.

(Grace): (Unintelligible).

Lise Fuhr: If Greg is on the call I might jump back then to have him do a short update on the RFP 3. Is he on audio too or can he hear?

Greg Shatan: I am on audio.

Lise Fuhr: Oh thank you. Can you jump in and make an update of the RFP 3 please?

Greg Shatan: Certainly. Greg Shatan for the record. Most of our RFP 3 was of course subsumed to our intensive work weekend but we are continuing to make progress. I'll leave the subject of RFP 3B to (Alan McGillivray) but briefly the status that as most of you already know. It's been set up to look at an alternative contract co and contract free framework as opposed to the what I'll call the Frankfurt framework which we're still working through and obviously it's also, you know, completely open to change. We did have continuing activity on the list and I think that we're going to get to legal later which is in a sense also part of RFP 3 but I think that's later in our subject as well.

So I would say that by and large, you know, since our last call most of the activity has been on a list since we haven't had a call of RFP 3 since our last call. And I think that we have also as part of the intensive work weekend we're undertaking a sort of a data mining project going back to some of the earlier exchanges, notes from earlier calls and webinars to look for any details

or issues that were explained in those and that haven't made it kind of into the continuing stream of work. And (Bernie Terkhodden) in his copious free time is spearheading that herculean challenge. Back to you Lise Fuhr.

Lise Fuhr: Thank you very much Greg. Well I guess we will - I don't know if we should switch and wait until Jonathan Robinson comes to do the relationship with the CCWG accountability. I don't know if he's on the call. Just one second. But maybe we could start with instead we'll take looking ahead and timeline before we go back and do the. I can do the flowchart but Jonathan Robinson was going to do the presentation of the whole item three. So I think I'll just go to item four instead looking ahead in the timeline. Okay?

So as you see in the agenda we have three issues here. We have key dependency. We have legal advice. And we have the timeline. And well as we see the work we are doing are having key dependencies on that we need to be aware of when we're looking ahead and when we're revising any timeline. And we'd like to discuss those key dependency and hear the opinion from the group. And one is - the first one is actually linkage to the work with the CCWG. It's going to be described from Jonathan Robinson later on this meeting. And actually we would like to have some input for the meeting in Frankfurt next week.

The second one is the legal advice for any (unintelligible) -- oops there is echo -- legal advice for any proposal that we will bring forward. And this is going to be discussed under B. The next one is actually the fact that we need to bring the chartering organizations with us and we have them to sign off to find a proposal before this is sent to the ICG. And this has to do with do we have enough details in our proposal? Do we have enough support? And ask for by ICG we need consensus during - of any proposal that's going to be sent to the ICG.

And the last one and this has not been decided yet by the group but it might also be one of the key dependency and that is our group's ability to absorb and process a possible second round of public comments. So I would like to hear this group if you had other thoughts regarding dependencies and if you'd like to put them forward at this stage. Thank you. Whoops. I don't see any hands at the moment. Oh Chuck go ahead.

Chuck Gomes: Sure I'll fill in some white space okay. I asked a question in the chat of Greg and Alan regarding estimates of the time they might need for their sub groups 3 and 3B to finish their work. And I'm not surprised that Alan said it was too early to really give an estimate.

But those are two key dependencies as you know because we can't go very far until we get the out - their output is finalized. And if we exclude their needs for legal advice and I think they - both groups will need that, you know, hopefully in the next couple weeks those two groups can get a better idea of how much time they're going to need to finish their task because really we can't move very much further forward including getting a - some information for Frankfurt that the public can comment on there until it happens. So I think those are two huge dependencies.

As everyone knows that the sooner we can get some estimates of that will take and I fully comprehend the difficulty of making those estimates. But hopefully the two groups can be looking, you know, as they work further can be thinking about that particular question as to how much time they think they will really minimally need to get done what they've targeted. Thanks.

Lise Fuhr: Thank you, Chuck. Yes I think you make a very valid point there but it's yes. I don't know if it's possible at this stage but I think it's very important that we

kind of flesh out what are the key dependency and how can we try to quantify these and in a timeline. So Avri Doria you're next.

Avri Doria: Avri speaking. Yes just two points. I was one of the people that sat in on our RFP 3B yesterday and one of the things -- and these are similar to notes I just put in the chat -- but is that if the group would have to trade on the existing alternate proposals as opposed to what I felt yesterday was sort of a oh boy we have a chance to re-boil the ocean. And, you know, and going back almost from scratch and coming to a replacement for certain functions that yes would require changes to some of the other three or four pieces but not to rethink everything from scratch. It might be predictable.

And I wanted to just also touch on one of the statements that Chuck made that we can't include their needs in the legal requests and I wanted to say that there's at least one of their needs that we need an answer on from the legal and it's one of the subjects that bounced around a lot in RFP 3.

It's, you know, to what extent can either the bylaws or the articles be modified so that anything that does go in that is an internal solution dependent on accountability changes can be done in a binding manner and can be done in a way that a board that has the ability to change the bylaws whenever it wishes can't change those things.

And that's a piece where, you know, there have been many opinions, most of which said can't be done. Some of which said must be able to be done and I think that's the kind of thing that, you know, we would absolutely have to get legal advice on because I believe that would be one of the dating factors that either says there is some viability to an internal solution or no there is no way to do what you need to do. So I think at the very least even if they haven't

formed a solution that particular question is a known question that needs to be asked. Thank you.

Lise Fuhr: Thank you Avri. I don't think well Greg is going to talk about how we find we can get legal advice next - off of this discussion. So let's see what Greg comes up with up before we kind of discuss that part too much. For me it's more to recognize what all the key dependency and well the legal advice we'll discuss later. Alan Greenberg you're next.

Alan Greenberg: Thank you. Just in reference to what Avri was saying what we can and cannot do is an unknown in terms of the current ICANN structure. We do know however that we could transform ICANN into a membership organization assuming we can decide on who the members are. And at that point there are no - there really are no such restrictions. So the viability of a way going forward is not really in question. It's just the details of which way. Thank you.

Lise Fuhr: Thank you Alan. Staffan Jonson you're next.

Staffan Jonson: Thank you Lise Fuhr. Yes I tried to address this in email yesterday and I'm not sure if I made sense to it but also following Avri's comments. I would rather say that legal advice is a key dependency and I think that was my remark yesterday. So yes it is hard to separate legal advice from key dependencies maybe.

Lise Fuhr: Thank you (Stephan). Greg Shatan you're next.

Greg Shatan: Greg Shatan for the record. A couple of points. I'd certainly agree with everyone that legal is a key dependency and I'll talk a little bit later on the efforts that we've made toward getting that advice. We've cautioned that while

membership offers certain opportunities to in a sense have an entity or organization or group that in a sense sits above the board.

It's not a free for all. There are limitations to the powers of members and membership non-profit. It does offer the - aside from contract code the most straightforward path to putting something opposite the board that has certain powers to tell the board what to do in an ultimate manner. But that's a - it's not quite so straightforward though I wish it were.

You know, I think - I agree with Avri that attempting to re-boil the ocean will just - will stick us in nowhere's land for a long time. That doesn't mean that everything is graven in stone but to reargue all the old arguments that we did again most sequels aren't as good as the original movie, Superman 2 being an exception. And the - I think the sequel to all the work we've done in the last few months would not make sense. We need to build on what we've done and approach anything else with.

Hopefully we've all gotten, you know, smarter on this realizing that, you know, we need some outside smarts to advise us on the issues that we have in front of us in terms of legal. And as I said I'll get to some of the points on legal later. Thanks.

Lise Fuhr: Thank you Greg. I guess (Stephan) and Greg those are old hands. And I don't know if anymore key dependencies - if you have any more key dependencies. If not I think we should - oh Grace has raised her hand. Grace?

(Grace): Hi Lise Fuhr. This is just to know that - to let you know that Jonathan Robinson has joined the line.

Lise Fuhr: Yes. I know thank you. But I think I will go ahead with the legal advice and then we'll go back to accountability and then I will finish with the timeline. So going to jump a little bit back and forth but I hope you can manage. But I'll just - I don't see any more hands regarding any new key dependencies from what we have discussed.

So I will move on to Greg because during last weekend's call the co-chairs and the coordinators we have started to prepare for legal advice. And Greg will present this preparation, not that it has started. Thank you.

Greg Shatan: Greg Shatan again. Thank you ELise Fuhr. The - as many of you have seen on the list over the course of the last couple days we prepared a draft essentially scoping document for legal counsel. It's definitely under - it's still under construction. I had some valuable comments already on the list from Alan Greenberg, Paul Kane Kane, others that will further flesh out the potential questions. Important thing to note about that document is it is merely intended to be a scoping document and not a binding scoping document.

The real intention is to identify kind of what sort of legal expertise we need and what general types of questions they'll need to deal with. It's not that they will be presented with a set of written questions and provide us with written answers. They'll provide legal advice in a more interactive fashion. We'll need to put together a small group that could act, you know, in a sense as the client to outside legal. So they're not necessarily answering questions from 130 people simultaneously.

But that's not intended to shield them from the concerns of the group, just intended to make the best use of their time and the money that will be spent to secure that time.

So I encourage all of you to take a look if you haven't already at the draft legal and also at the thread on the list, which will be used to add additional questions that I felt that the contributions on the list were spot on and do need to be added.

The - we had discussions with Samantha Eisner from ICANN legal just too essentially kind of hone or refine the questions. Legal counsel will be instructed by us and their fees as I understand it would be paid by ICANN.

But under U.S. and I'm assuming for the moment U.S. counsel under ethical rules the duty of loyalty is to the client, which would be us and not to the person paying the bill.

So in any case we are regardless of that looking for, you know, quote on quote independent legal counsel not one that has, you know, seen as one that has advised ICANN throughout the years on positions that need a little bit of rethinking to say the least in terms of what can and can't be done.

Are there any - yes I see that Chuck is saying it is an iterative process, we do want to give enough instruction and background to counsel so that we're not wasting their time, not spending a couple of hours on the phone, which would translate to, you know, potentially a few thousand dollars just to give them basic background.

But do we want to have them enter at some sort of reasonably rational point and give them at least a (unintelligible) of issues that are on the table. And I think the issues are at least a level above the current solutions, the solutions assume or hope for certain legal conclusions.

We may also have them vet the solutions as well. I think that will probably come but that doesn't necessarily come first, you know, bigger issues such as how does one bind the board of a California non-profit or public benefit corporation, you know, who can do that under what circumstances.

Kind of our across several solutions and, you know, be looking at those questions obviously in the context of our task. But those questions will I think, you know, provide answers that will help us understand better our solutions.

In any case we can open the floor to questions if there are any. There appear to be none. Lise Fuhr I'll throw it back to you.

Lise Fuhr: Okay thank you Greg and thank you for the work you've been doing. I think this is a good step forward and I agree with Chuck it's going to be in its iterative process that we need to build on during the consultation.

Greg Shatan: Lise Fuhr one more thing I did want to mention that was...

Lise Fuhr: Yes, yes.

Greg Shatan: ...actually it was asked on the side but it was considered. Is whether this legal expert would or could be the same as the legal expert that is being sought for very similar reasons and issues by the CCWG.

And the answer is that it definitely could, that is very much on the table. That would be I would expect that that would be the case up to the point where the legal needs diverge so markedly that it doesn't even make sense to have a coordinating counsel answering both questions.

But by and large from what I can see from my participation in the accountability group and my work here, there is a high degree of overlap in the issues and skill sets that are being sought.

So and I think it would, you know, clearly be cost effective and time effective to have the same counsel engaged for both. So my cautiously optimistic answer would be yes it more likely than not would be the same counsel.

And just as a general matter for those who, you know, haven't worked or suffered much with lawyers. It's, you know, common for a counsel from one jurisdiction to coordinate getting answers from other jurisdictions.

Either from other offices of their own firm or from a counsel with which they have prior experience, which in any case would be vetted by us. And one last procedural aspect but not unimportant is that ICANN has a procurement process.

And if we hired counsel that had never previously been hired by ICANN that we would have to go through that process. That does not mean we would not do so, we're looking for the best counsel and not the most expedient counsel.

Nonetheless it should be noted that ICANN has worked with quite a number of firms, some marginally or less regularly than others. Certainly we'd all say that Jones Day is highly identified with sort of the advice that's been given to the corporation over the years.

So probably Jones Day would not be viewed as an independent counsel but it is entirely possible a counsel that has provided say some specific advice to ICANN in the past and it's therefore kind of inside the procurement circle.

Could be hired is we could be, you know, reasonably assured and without undue paranoia of their ability to be independent. And in any case their ethical duty would be to be independent but we need more than just ethical duty.

We also need the proper perception of independence. So, you know, that is something we'll need to work through but I'm confident that with the high caliber of lawyers out there that we'll come up with someone that fills the bill and will do so in a reasonable timeframe, thank you.

Lise Fuhr: Thank you, Greg. Still no questions regarding - I see Jonathan's hand is up, Jonathan.

Jonathan Robinson: Thanks Lise I think a comment to thank Greg that was comprehensive advice and obviously the preparation work that's going on here is very useful. I too recognize that this will be iterative.

I noticed that the notes pick up that the procurement process is likely if we use the firm that had not worked with ICANN previously. So that does highlight that there is a dependency in the timetable here, which we'll need to capture is probably dependency.

So this if you like legal A and legal B depending on whether the firm we use is on the supplier list. And in that respect I think there was possibly - I wasn't fully present while you dealt with the dependencies.

I wondered if you captured I mean there's clearly the relationship with CCWG on accountability as the legal advice, which we've just discussed now in more detail.

There's clearly the need to inform and engage and have the support of the chartering organizations throughout the process and any time and (unintelligible) and then finally there is the need, potential need, not the certain need but the potential need for one - for public comment.

Let's just say that for public comment and so that we need to be aware of that, thank you.

Lise Fuhr: Thank you Jonathan. And I agree that this is a very good document to share with the accountability group too. So and it's very nice to have it written down in order to actually get the thinking going and inspiration of where are the things we need advice on and what do we need them to look into, the accountability to.

But is there any more questions regarding legal advice or any comments? Because then I'll actually go back to item three, the relationship with the CCWG accountability and I will pass the word on to you Jonathan Robinson so you can walk us through the linkage with the accountability and also input for the Frankfurt meeting please.

Jonathan Robinson: Okay Lise thank you very much and thank you everyone. So first of all we have when looking at the interrelationship we now have a new document or document in front of us.

But the first new document we can look at is of course this (unintelligible) that's been shared with you and circulated amongst the group. This was drafted on the back of the discussions, the weekend meetings and what appeared to be the convergence of our thinking about the inter-dependence of these.

Very cognizant that this needs to be properly vetted by this group. So please do look at it carefully and make sure it reflects your (stroke) our understanding of the position.

I can say it pretty closely reflects mine, well actually as it happens I have a couple of minor comments on it to refine it but they are not material. But so looking up at the left then you've got the final proposal coming out of our group and being passed through the chartering organizations hopefully having been sufficiently socialized, completed and previously discussed.

Such that the chartering organizations are by then comfortable with it and likely to both to support it and then that part to the ICG. Now, as we've discussed on a couple of occasions we are likely to put some conditionality into that.

And in fact I put a note to the list because we had a so called SOACSG leadership call with Fadi and senior ICANN staff just prior to this and Fadi reflected and recognized that the conditionality that's likely to be built into this including a perspective overarching conditionality.

So not running the smaller points of conditionality but reflecting an overarching conditionality. Essentially saying that unless our proposal meets a sufficient accountability threshold test it is only valid if it meets that sufficient accountability threshold test.

So it seems to me that we recognize what we're trying to do, others recognize what we're trying to do and it's now up to us to set the specificity of those conditions and that's the real challenge next.

And critically in this flow chart it envisages the work from work stream one from the CCWG ultimately coming back to us to be checked that it satisfactorily meets those conditional criteria.

And so for my - to my mind either closely or almost fully represents the way I see the flow going but any critical input will be most welcome. So that's the pictographic representation of how it will work.

Now onto the very short-term practicalities of all of this. Alan Greenberg as he had promised to do did set up the prepared document, which was circulated to the group.

I don't think when I looked at it not only had I missed it in my first past to the main list but I didn't notice that there were other responses to it. But in essence the way I saw it slightly differently to Alan but only structurally not in terms of the content.

And that I was looking to see if there would be perhaps some general or overarching conditions and then in addition to that specific conditions relating to the work of RFP 3A, which I think largely are likely to be less demanding than the superset of conditions relating to RFP 3B.

In other words because RFP 3B deals with a so called internal, integrated solution necessarily it is more demanding of the accountability conditions or at least that's how we were talking about it on the weekend.

In any case the key output we need to try and produce is as specific as possible guidance as to overarching conditions and conditions specific to 3A and 3B of our proposals that we can guide the work of the CCWG.

Now there is an urgency here in that they are, the CCWG is meeting in person in Frankfurt on Monday and Tuesday. So yes I note your point in the chat Avri that you haven't had a chance to either review or be involved in the composition of the document so far.

I think that's unfortunate but nevertheless we should still not lose the opportunity to take the next - well I guess we've got probably around 48 hours or so to prepare something to send across to do the best we can to inform any work of the CCWG on accountability in work stream one.

Avri I note your comment that several will be in Frankfurt and that's of course very helpful in terms of interlinking the thinking and the communications and so on but ideally we would have some kind of mandate or, you know, we would have captured a sense from this group of what those conditional requirements might be.

So as much as we can do that preliminary work and then rely on others who are in both groups to carry that forward would be very useful. So could I have any comments or questions either about the flow chart at this stage and the linkage that it represents?

And specifically about the content of the document and the associated conditionality that we at least are likely to give a heads up to the CCWG of the direction of travel of this group. Milton go ahead.

Milton Mueller: Yes I'm struggling with the concept of conditional accountability requirements. Let's suppose that we just for the sake of argument that we had all agreed that the original Frankfurt proposal was what we when we were ready to send it what are we talking about in terms of identifying conditional accountability requirements?

Are we saying before you implement this proposal the CCWG has to do XY and Z? The problem I had with that is that first of all we have no idea what the CCWG is - what recommendations they make are going to be accepted by the ICANN board because anything CCWG does is of course subject to the approval of the ICANN board.

And secondly it's possible to say that you need to do this but the form of implementation that it takes may not actually deliver the requirements that we think are required because again the CCWG will be working these things out on a different timescale and through different mechanisms.

So maybe Jonathan Robinson or somebody else can explain to me better what we mean by identifying conditional accountability requirements.

Jonathan Robinson: I'll have a first go at that. So in the - because your point breaks down into two components. In the first part of it the - there is a concern, which you expressed and others have that the board is not obligated as such to implement or to accept the recommendations of the CCWG on accountability.

Therein lies the strength of this construct notwithstanding your second point on implementation, which I agree could be - could create some challenges. But we put across a proposal or submit to the ICG a proposal.

And we say here's our proposal but it presupposes or have the preconditions associated with it that ABC critical accountability criteria will be in place. For example that a board decision relating to the IANA function is subject to an independent (unintelligible) process.

To the extent that the CCWG doesn't deal with that to our latest satisfaction our proposal in effect becomes at least subject to further review and development and at worse essentially null and void but clearly we don't want to end up in that cul de sac.

But essentially we would have the opportunity to sign off and say yes the way in which it is both proposed and arguably proposed to be implemented by the CCWG unless that is an accepted how they work our proposal is no longer valid.

So that's the...

((Crosstalk))

Jonathan Robinson: That's the intentional that sort of feedback loop if you like. Now it may need strengthening in terms of how effective it is but that's the principle at least.

Milton Mueller: Okay so thank you that clears up the meaning of conditional accountability requirements. I guess the next question as an ICG member I would have is, what does the ICG in finalizing that process if for example (ICG) basically has to wait for both the - you and the CCWG to finalize it and to come to an agreement as to whether those conditions have been met.

And then the proposal is not really submitted to the ICG until that meeting of the minds and if the proposal is taking place is that correct?

Jonathan Robinson: I'm tempted to say yes and no. I mean the - clearly one of the logistical puzzles and challenges we've got is the lack of synchronicity between the

timing of the work of the CWG and the CCWG and the ICG's requirement to get on with its work.

So we know that while they are interrelated and interdependent these two streams of work they are - they need to be decoupled. So there is a finesse that needs to be undertaken here but whereby we submit something of sufficient quality substance and in all likelihood completeness to the ICG but without putting it on total trust that the accountability requirements will be met.

And the other part of the feedback loop is of course effective working between us as a group through the overlap of members and us as a group - well the CWG and the CCWG through an overlap of members and through interrelationship between the chairs such that there are no surprises in all this.

And I would - but in all of this I would shy away from saying we are telling the CCWG what to do. I don't think we're giving them instructions but we are saying that our proposal has certain critical requirements and should their work not encompass those our proposal would either no longer stand or need revision.

So there is that and that's what we mean by conditionality. Now as I was going to say I'd hope that we would have effective and satisfactory communication amongst ourselves such that we didn't end up with a car crash but you may say that's wishful thinking.

But that's certainly the intention that we wouldn't end up with some kind of collision but rather a form of iterative thoughts. Okay go ahead Greg.

Greg Shatan: Thank you Jonathan, I think you said much of what I wanted to say but I think, you know, just that the intent is to drive forward with our proposal and not to wait until we have, you know, seen completed work from the CCWG.

Clearly, you know, if we're leaving somewhat of a placeholder for the work we hope that they will do based on the guidance we given them among other things with regard to especially the work stream one and if that work doesn't kind of meet the needs we believe we have we would need to revise.

I don't think - I would be a little bit more optimistic in one sense and say that I don't think that our proposal would be null and void or completely need to be completely redone.

I expect that by, you know, by and large it should be able to stand on its own but of course a lot of that depends on what our proposal is but nonetheless, you know, I think our proposal cannot leave too much to the CCWG.

In part just because of our - the splitting in terms of the two charters is what our scope in terms of our accountability responsibilities are versus theirs. You know, in an ideal world the answer to that might be different if they had completed all of their work before ours and there were a bunch of robust accountability structures that could be applied to our specific situation as well as others.

That that would be wonderful but if my grandmother had wheels she'd be a bus. Thank you.

Lise Fuhr: Thank you, well Jonathan Robinson, and what if - well moving on. What is the content of our documents for the CCWG?

Jonathan Robinson: Thanks Lise. Maybe I should let Alan take a first part of that - although, I've circulated a related document too. But my document really has a set of question marks.

So let me let Alan if he's willing. And is Alan on the call?

Alan Greenberg: Alan is on the call.

Jonathan Robinson: (Unintelligible) or not. Okay, great. Sorry, Alan. I couldn't see you then. Go ahead Alan if you would like to say something about what you've written.

And we'll try and correlate our thinking and get as much as we can done on this call.

Alan Greenberg: Okay, thank you. What I've really done is I don't think I invented a lot. I tried to combine together the various things that have been presented until now on what kind of accountability measures or processes we need.

The base came from the three that you and Lise Fuhr identified sometime way back in the beginning of December if I remember correctly.

I added to that what Chuck had mentioned in the meeting this last weekend. And I note that Chuck made reference to some other items that were in a chat - which since been lost.

So I had no way of going back. I looked to try to find those. And that formed the core of what was required in either of the scenarios.

Now as I was trying to write these up, I realized that there was significant overlap and possibly conflicts between them. And I noted that in my document.

So I think we need to address - if not the overlap which we can live with - but the potential conflicts before we send this to the CCWG.

I added into that for the RT3B option essentially the two kinds of accountability that had been referenced most often in the various discussion and in specifically in the proposals that were made.

And that is the ability to override or direct the ICANN Board or at the very least go out for a binding arbitration on the decision and the ability to remove directors.

So, you know, I was looking - as many of you know, the CCWG is taking a position that because of the leverage afforded by the ICANN's desire to affect the IANA transfer, we have an opportunity to get a lot more accountability that the community wants into this process.

But I was looking strictly at what is necessary to make the CWG proposal's work - not what the community would like to see at the same time. And those are the ones I came down with.

And as I noted, the first one, for instance, of the ones that you and Lise Fuhr put together, was a requirement that in certain cases unspecified the independent reviewer board actions be made binding, as opposed to discretionary on the board.

I couldn't find any reference where we actually linked that to what something that we need to make the proposal work. Since you presented it, I let it stand there.

But I have some difficulty understanding how that is linked to the specific proposals we're looking at. So I'm asking for guidance on that.

On the other ones, they're relatively clean. The independent review panel, the appeals panel that's something we've talked about. And I can't even recall right now what the third one is.

The question of re-delegation and either external verification - - independent external verification - - of the re-delegation rules or something in its place because we've never really come to closure on how we're going to replace the NTIA back stop in that particular case.

That's really all I did is I tried to pull things together and know where they overlap or where they conflicted with each other.

Certainly the conflict I found was there were two different ways to look at delegation that we're proposing.

And both of them are binding. And it's not clear how you can have two competing things where both of them are binding. So not being the originator of them, I simply noted that potential problem and left it at that.

((Crosstalk))

Jonathan Robinson: Yes thanks Alan and just that point on fax dot NTI being a fax dot. I think that's what we - I think that relates to the authorization function. Is that what you're meaning there?

Alan Greenberg: Well the fact that right now that everything has to get NTIA approval. Means in theory, they could look at something and say, "Uh huh, you know, some procedures weren't followed. Some polies weren't followed, some whatever."

Without that, is there a need? And we've heard different answers in this group as to whether in fact we need that or not. Both GTLD's and CCLD's at various points have said someone needs to be verified back.

Jonathan Robinson: Okay, so that's what. I meant the same thing...

Alan Greenberg: Yes.

Jonathan Robinson: ...with relation to what we've called authorization function and whether or not that remains required. You had a question for Chuck. So I'm just going to appeal to Chuck to potentially come in and respond to that.

But ahead him we've got (Greg) in the queue next and then (Paul Kane) - so (Greg) go ahead.

Man: That's actually an old name.

Jonathan Robinson: Then we'll go to (Paul Kane). (Paul Kane) we're not hearing you. Perhaps you're on mute or it's a technical issue?

(Paul Kane): Thanks are you hearing me now? Can you hear me?

Jonathan Robinson: Yes, (Paul Kane) we can hear you.

(Paul Kane): `Okay so just on the subject of delegation and re-delegation, role of MTIA is not really a backstop, per se. In the past, in the early days, like (unintelligible) particularly, there was some confusion over its role with respect to delegation and re-delegation.

There are many cc's that do not recognize that ICANN has a role in authorizing or otherwise a particular reassignment of GLD. And as a result, ICANN sorts to work with parties.

That it felt it could work with and effectively abuse its position. So NTIA stepped in to make sure that the proper processes were not circumvented. So it's not right to say that NTIA was a backstop, per say.

NTIA's role was to check the correct processes had been followed predominantly in country. And that - what's it called? Somebody go online - to make sure that the correct processes had been followed.

So this whole area is obviously very contiguous of the CCTLD community because there is an incline dynamic. ICANN has asserted - in some instances - where it doesn't have a relationship with the CC registry manager.

But it has authority. Governments have asserted that they have authority. Courts have asserted that they have made a determination that doesn't align with none of the government's wishes.

In recent instances, they ringed the incumbent operator - so one needs to be very careful when stepping into this area. But that was really just to give you some background with respect to the role NTIA fulfils.

But the CC part is somewhat complicated. And one needs to be careful with the particular proposal or proposals and go forward.

Jonathan Robinson: (Paul Kane) that's very helpful, thank you. And I think we may even need some more help here. Because if you bear - and not necessarily right now.

But if you bear in mind that what we're trying to achieve here is conditionally accountability and certain critical accountability mechanisms being in place - such that, the various parties who are supporting this transitional proposal - buy into it.

Now off the top of my head, it's possible that there may be a different accountability mechanism relating to delegation of CG's.

So we could have a subtext to our proposal which says, "The recourse, the accountability mechanism for the recourse that is required under certain circumstances is A or B - depending on the party impacted by the erroneous action."

So it's something to think about and maybe something you can actually assist with going forward. But we are going to Chuck and see if - at his point. And if you or others want to come in on that call, please do.

Chuck Gomes: Thanks Jonathan Robinson. This is Chuck. And I'm responding to your request to follow up on Alan's work with regard to what we need from the accountability CCWG.

Now for everybody's information, I responded to Alan and Alan's list of I think six items on the list - just a little bit ago. So you can see what - in writing - what I'm going to say now if you look at our list - - the CWG list.

So, first of all the missing item that Alan referenced that was in, I think, our last meeting over the weekend.

I suggested that what we need from the accountability CCWG is some form accountability mechanisms whereby registries G's and C's.

Although it may be different for each - could appeal a delegation or re-delegation decision that they felt violated policy or possible in the case of CC and TLD's also local law.

And actually, that may be what you have listed as your item number four which is detailed delegation or re-delegation appeal.

Although, I don't necessarily think it would be appealing an IANA decision. But that varies a little bit by G's and C's which I described in my email response to Alan.

With regard to the second item in Alan's list, the independent certification for delegation and re-delegation request, I understand why we need anything from the CCWG in that regard.

That's a decision we have to make whether there should be a certification process or not. Now if there is a certification process there may need to be an appeal - ability to appeal that in some way.

And if that - and maybe that's what you're getting out there Alan. And we can talk further about that. With regard to item six in Alan's list - that I'm understanding that to be a list of things we need from the accountability - - CCWG - - before this weekend.

I don't know why we need the ability to remove directors, specifically. We need accountability mechanisms. And that could be one of them. And that might be fine.

But I don't think that the CWG necessarily needs the ability to remove directors. What we need are some accountability mechanisms that we could apply with regard to IANA or work leading up to IANA that effects delegation and re-delegations. And I'll stop there.

Jonathan Robinson: Thanks Chuck. And you would've seen it. I made perhaps some similar point questioning the issue around the directors or at least trying to understand the motivation behind that.

And then separately, I do see this accountability on delegations is breaking down into - perhaps two key components. Has IANA made a rogue decision that didn't comply with the instructions given?

And then separate to that an ability to appeal - not to IANA but to appeal to the basis as you described of the policy and/or national law behind the delegation instruction. We defer now to Alan.

Alan Greenberg: Thank you very much. The conflict I was referring to, first of all yes, four is what Chuck, is what you mentioned in the fourth meeting of the weekend sessions.

And when I read it, I just got the sense you were talking with GTLD's. So that's what I put - if I got that wrong, my apologies. And you did point out that the decision is within ICANN, prior to going to IANA.

Because it's essentially for GTLE's based on interpretation of the contract terms. And that is what I put there. That is it's an appeal within ICANN, prior to going to IANA.

The conflict that I saw was with number two - which said that someone might review the, you know, where their process was followed and making binding decisions.

And you're the one that said it would be going for a binding appeal. And I saw those two as potentially conflicting. You know, maybe you can appeal a binding decision.

But that's what I highlighted as a possible conflict. Number two is there because it was mentioned in the original list that Lise Fuhr and Jonathan Robinson forwarded to the accountability group.

And I simply echoed it, perhaps changing the words very slightly. But I left it there without, you know, without removing it.

Because I understood that that had to be something that had been discussed with the CWG and agreed to. So that was left. Regarding removal of directors, again, I was echoing what people have said.

Both the ALAC proposal - certainly the first ALAC proposal - and the outer proposal, both suggested that the removal of directors was one of the

mechanisms that might be used by accountability to affect control over the Board.

And given that they were - it was mentioned by two of the internal of ICANN proposals - and possibly a third. I didn't bother checking. I left it in there as one of the things that might be needed, thank you.

Jonathan Robinson: Thanks Alan. Let's move on to Milton. And Milton, go ahead.

Milton Mueller: Yes I think Chuck's reaction and Alan's response indicates some of the complexities or confusion around this topic.

So in effect, Chuck is asking how the accountability requirements are related to IANA. And other people in there were asking the same questions.

And I think with the internal ICANN model requirements what we have to understand is that the transition is more like a bargain. In which, we are saying, "Okay, ICANN you get the monopoly on IANA forever.

There's no set mobility. And in exchange for that we have to be convinced - not just that your IANA is accountable but the whole corporation is accountable not just for IANA for policy making and everything else.

This is the real problem with the (unintelligible) and with the internal model that it puts so much of your eggs in one basket regarding accountability. So, yes, Chuck is right.

We don't know. If we have an internal model is control over ICANN board decisions or ability to remove directors. Is that the exactly - the right

accountability mechanism we need before we can affect the transfer - the transition.

Or do we need other things - all of these other things. And it's very hard to know what you actually will need once you don't have separate ability, once you are committing yourself to a perpetual monopoly control of IANA by ICANN the corporation.

So it's real conundrum there. And in effect you're saying, "Make me the accountability concessions and we will give you IANA forever." And, again, you can put that on paper.

And you can say, let's say, we're going to have the ability to remove directors. But how did that get implemented? What if it gets implemented in a way that's extremely difficult to actually be useful?

This is the problem with this whole internal modeling ranking.

Jonathan Robinson: Okay, thanks Milton. I put a couple of thoughts there that I won't come in yet. I'll defer to Chuck.

Chuck Gomes: So, yes Chuck again. And responding further to Alan's six items, let me make clear. I'm not saying that those items weren't brought up at some point in time.

What I'm saying is that there's a couple of them. But I don't necessarily think that we need something from the CCWG to do our work. Number two, which was independent certification of delegation with delegation.

That's seems to be clearly in our court. Now if there's an appeal mechanism then it ties into what the accountability - CCWG is doing. And, you know, that we said it pretty will, I think.

But with regard to - I'm not opposed nor am I advocating for removal of board members. That's just one accountability mechanism. I don't think we have any specific need for the CCWG to do something with that.

If they come back with something along that line that operates in a way that would meet our needs that would be fine. But I don't think it's a specific need we have from the CCWG.

And my understanding - and correct me if I'm wrong. Is what we're trying to do is come up with a specific list of needs that we have from the CCWG before we can finish our work.

So I hope that helps that helps a little bit. I agree that these things have come up. But I don't necessarily agree - especially on number two and number six. That we have a need of the CCWG in those regards thanks.

Jonathan Robinson: So a remark from the chair and then I guess a couple of remarks that I've thought of personally in response to some of the points that have been made.

But certainly it feels to me like we need to - a couple of people need to help (Alan) in refining this document so that the group can be behind this document as and when it goes across to the CCWG to help inform their work.

Alan's gone out in front and put something that he - as he said, he really just reflects what's been discussed before. Well sounds to me like the sufficient feedback that it certainly needs revision and work, right, going across.

And unfortunately, we're just on a very short deadline here. All right, I caught two points then, in addition. One is that I see us as having, I guess, the transition creates a couple of issues for (unintelligible) ability - in my mind.

One is, that very much in scope of this group is insuring that the IANA function remains operationally accountable.

In other words, it continues to perform - if not, continues to improve to perform its technical and operational function adequately - for me feels very firmly in scope.

However, in addition to that very firm in scope work, when the transition takes place we lose the oversight that we've traditionally had from the NTIA.

And to that extent it's incumbent on the community - or in my view - primarily through the CCWG to improve and perhaps add in some new over option accountability mechanisms.

And I feel it's our job to assist them, specifically, in so far as they relate to anything to do with the operation of the IANA function. But potentially, we could give guidance in other areas, as well.

And that's where - what appears to me like we're trying to do and finally just a quick response to Milton's point on the fact that the internal solution doesn't (unintelligible) ability.

I don't think that's off the table within 3B. I don't think 3B has given up on separate-ability. It just doesn't include separation at the offset.

So I think the use - just caution on the use of the word separate-ability because in my mind it's not off the table for 3B - Alan.

Alan Greenburg: Thank you very much. Your last point was one of the ones I was going to make. I believe all of the internal ICANN proposals have a separate-ability option.

It's not the one that Milton envisions as being optimal, perhaps that they're all there. So I really have a problem with continually saying that the internal to ICANN options imply for ever and ever amen.

I think that distorts the words that were actually written. In terms of removable directors, I believed that the outer proposal did mention that - at least in an earlier version.

It doesn't appear that the final one does. And I apologize for that error. Regarding refinement, I get on an airplane on Saturday.

And my schedule is pretty well blocked between now and then - so although, I'll certainly make comments on any further drafts. I don't have the time to be dependable there on them.

I tried to pull together without adding my own editorial comments - what I thought had been presented by the group.

And at this point, someone else is going to have to take it over and try to clean it up. So I apologize for that. But I just don't have the time between now and getting on a plane to do it.

Jonathan Robinson: Thanks Alan. I put my hand down and Avri.

Avri Doria: Thank you, this is Avri speaking. I think part of the issue here is that some of the issues that are on it may be primary issues and some of them may be dependent issues.

So for example the ability to have clauses in the bylaw that he amended by the Board is kind of like a primary issue then all of the bylaw changes that you would wish to make and whether indeed they could have this status of not being changeable by the Board become the secondary question.

And I think it's worth asking both of them but I think we need to understand that there's some dependency even within the sets of questions. So, you know, that's one reason why I think it's probably reasonable that this remain within the list.

But I think it needs to also remain there in a way that, you know, indicates its dependency on some of the others. So the list may actually be more complex than just a flat list of unrelated list items. And I don't know how far we can get in that but, you know, that kind of question and kind of different level of dependency between the questions I think is worth trying to reflect if we can, thanks.

Jonathan Robinson: Thanks Avri, Chuck.

Chuck Gomes: Yes and I think Avri makes a good point there. I want to come back and illustrate why I think the suggestion I made over the weekend is something that we definitely need the CCWG to do.

And it's this kind of test that I think we ought to use on each of the items to see if there's a definite need. If the CCWG does not provide for a mechanisms

for registries, C's or G's to appeal a delegation or re-delegation decision then that's something that we're going to have to do ourselves. So we're - can you still hear me?

Jonathan Robinson: Yes Chuck we can, it's interference on another line.

Chuck Gomes: Oh okay so I'll try and talk - okay thanks I'll try and talk over that. So that's what I think - those are the kinds of things that are really critical in addition to the kind of things that Avri's talking about that were really - we really need from them.

And if they don't provide them we're going to have to do more work after they're done. And if you'll recall in the fourth call for those that were on it or listened to the recording Steve Crocker and I had a what I thought was a very constructive discussion. And I wasn't in the case of gTLDs talking about anything done by the IANA functions operator with regard to delegation. Because for G's the IANA function operator as Steve pointed out doesn't make any decision as to whether the delegation should occur or not.

That's already been made in the policy, process and the implementation of policy for gTLDs before it even gets to IANA. But even though it's not something that the IANA function operator is directly involved in it directly impacts a registry with regard to the ultimate delegation and re-delegation of a TLD. So I, you know, without that if it doesn't happen from the CCWG then I firmly believe that we're going to need to do more work.

And so that's a number one criteria for me as something we need from the IANA CW - CCWG and we need to make it clear to them before this weekend that that's a definite need of our - unless of course there's disagreement in what I'm saying which is a possibility too, thanks.

Jonathan Robinson: Thanks Chuck, so I'm going to go to (Paul Kane) next and then we're going to wrap this up.

But clearly what we've got to do in short order is produce the best first effort to guide Work Stream 1 of the CCWG in Frankfurt. And that's going to require a dedicated team coming together and doing a short burst of work. So Avri's volunteered to help Alan. If anyone else is willing to help constructively build that output on the back of what's being discussed here in meeting four previously it would be very helpfully.

Thanks Chuck I know that you offered to help (Paul Kane), did you want to have a last word too?

(Paul Kane): I would just like to endorse what Chuck has just said, specifically for the gTLD market where contracts define how a TLD comes into place, how it's delegated, how it is reassigned.

It is essential any decision of the ICANN Board which is a contracted party has an opportunity for an appeals process and I think that should be part of the CWG work. The ccTLDs they break into two primary accounts, there are those cc's that have a contractual or an agreement with ICANN and defer to ICANN for decisions relating to assignment/reassignment/reallocation for the ccTLD or in the case of a new country and a new country code being added to the list.

In the case of adding a new country code to the roots of the system that is frequently done by a contractor or an agreement. For those cc's that don't recognize ICANN's authority in this area I also endorse your view Mr. Chairman with respect to there could be a different part for those cc's that do

not have a relationship with ICANN to ensure that nothing is done to undermine the stability of their operation.

So basically I'm endorsing both what you Mr. Chairman referred to earlier and what Chuck has just referred to now.

Jonathan Robinson: Thank you (Paul Kane), I think that feels quite clear. There's an area in and around accountability on delegation that needs some proper work on it.

But it seems to break down into one gTLDs, two ccTLDs with 2A being those ccTLDs with a contractual for agreement based relationship with ICANN and 2B being those that don't. It may well be that we can craft something which provides the relevant accountability for all of those categories of activity. So good, thank you and I note, you know, Milton saying in the chat how challenging this will be. But, you know, I think that's the work of RFP3B and their - and the consequence of that work on the accountability track.

So there's work for sure and it's not easy but somewhere in all of this we've got to try and get a convergence of thinking such that satisfactory at minimum to the various parties at least. We're going to call that item to a close now, so good work. Please help Avri in developing the document to the extent that Alan is unable to for those of you who are willing and able to assist. And that is a suggestion that's done through some kind of online Google Drive doc.

Which personally I can say I found quite satisfactory for collaborative editing and recent work. Okay I think I'll had the chair back to you Lise for the next item.

Lise Fuhr: Thank you Jonathan and thank you very much for well walking us through the relationship with the CCWG accountability. We are back to Item 4C then looking ahead in timeline.

And well regarding the timeline Jonathan and I had a dialog yesterday with the ICT - ICG Chair. And during this call we told them that this group needs more time in order to have a better proposal to put forward. And we need to do a proper and thorough job of getting a proposal that will have the chartering organization final. And they understand that but at the same time the ICG wants us to regard for the new timeline and we as chairs are very committed to this.

And this doesn't mean that this group can lean back and just wait for legal advice to be completed or that the - we will have to wait for the CCWG to finish there card of Work Stream 1. It is our opportunity to get into more details and at the same time we may use this to communicate with our communities. And on charter organizations and find out where the convergence is with different parts of the proposal.

I think we need to work on a revised timeline you talk it and we need to have some kind of indication of this by the end of our meeting next week. Well we have (Spot) helping us with the project planning and we will try to get the key dependencies in the timeline. And our plan is to produce a revised plan depending on some of the key issues to present this for the CWG next Thursday. So is there any questions or remarks or Jonathan Robinson if you want to add to this feel free.

I see Chuck - (Paul Kane) can - you have your hand up, is that an old hand or because - yes it is and old hand, Chuck go ahead.

Chuck Gomes: Thanks Lise and so if I can translate what you just said as a target for our next meeting, we then need to do our best by our next meeting to come up with some estimates, maybe a range of time periods, best case, worse cast and so on for the key dependencies.

For example we need to try and get an estimate of how long it's going to take us to get legal advice. And we're going to need to come up with an estimate and - for Subgroup 3 and 3B in terms of when they think they can get their work done, etc. So I'm just trying to add to what you're saying and saying we should work towards those objectives for each of the dependencies otherwise it will be very difficult to develop a timeline. And I fully support a timeline so let me be clear on that.

Lise Fuhr: Thank you Chuck, I agree it's very important that we keep up momentum and not slow down even though we now recognize that we - the first timeline that was set by the ICG and I think it's utmost important that we try and of course estimate a new talk it and timeline.

And at the same time we'll keep up the speed and well even though we have dependencies we need to do a lot more drafting. And I see a lot of people saying we should set a side time for the face-to-face in Singapore. And I agree it would be - it would be constructive to use the Singapore meeting. I see Jonathan Robinson you have your hand is up - Jonathan Robinson go ahead.

Jonathan Robinson: Yes just a couple of - and I hope it's not repetitive thoughts and points on the timeline.

I think ICG was - certainly understands that we have a diverse community and a relatively complex piece of to try and synthesize the views of that group and produce something which has convergence of thinking and ultimately

consensus. That is not an easy job, between you and I Lise Fuhr made that very clear to the chairs and they understand that. So I think for me the particular point here is that we have not in any sense failed in our task in trying to meet the ICG's original timeline.

On the contrary we've worked as hard as we possibly can. I've seen amazing contributions from this group to try and get somewhere in a very short space of time. So we've done well so far and they recognize that and are very sympathetic to us then coming back with a revised timeline or timelines based on recognizing those critical dependencies that you flagged earlier. So I think we have to do that, it's incumbent on us to do that as soon as possible to revert to them with a revised timeline.

And providing that timeline is reasonable in relation to what they hope to achieve. I'm sure that they'll be receptive to it. Now clearly there's a challenge in meeting those and we need to work on doing that. But I think a revised project plan from us that reflects the realities of what we're dealing with and the critical dependencies is vital and we've got to do that in short order. So I hope we'll be looking at that at our next meeting a week from now as some have said.

And we may need to put matters around certain of the key dependencies literally, depending on how long it will take. But it should give us a time window for completion. And I think the other point we impressed on the ICG chair and vice chairs was that we need to make a credible timeline. We can't simply - and we need to take advantage of Singapore certainly which is what has been some of the comments in the chat and we will do that.

As far as that timeline's concerned one thing to think about is it seems that something that could be very useful is if we could get a revision of our draft.

It's not necessarily a new draft but an update to the draft that reflects the work that's been done since the first draft was proposed. And if we can do - have something like that, a document to work with that may be a very useful instrument to help us with our discussions in Singapore.

But let's do some - we're on a timeline in the meantime and discuss it as a group and then - and to bring that together at next week's meeting - thanks.

Lise Fuhr: Thank you Jonathan Robinson that was very helpful. Other comments or questions - I see there's people asking for a face-to-face meeting in Singapore.

It might be difficult to arrange but we'll see what is manageable and we'll get back to you regarding this next Thursday. Any other questions or comments? Jonathan Robinson is that an old hand or you still want to add something? No, okay I don't see anymore questions or I don't see anymore wishes to express any comments. So I think we should move on to review of action items. I don't know if Grace or Marika will go through those - Grace go ahead.

Grace Abuhamad: Thanks Lise this is Grace Abuhamad for the record. So just we only have two action items today.

We have Avri volunteering to help edit Alan's document and I will help assisting Avri and other editors who volunteer to capture the comments that were made on today's call with, you know, the transcript and other things circulated as soon as possible. And that's all I have for actions today. I know that we had listed that we would have a revised timeline for next week which I can put in an action as well for the chairs.

Lise Fuhr: Thank you Grace, I think we should do that. And I also think we should add - people should have a look at the document regarding the legal advice and

please comment on this as soon as possible because it needs to have some feedback very soon. And I see Greg your hand is up - Greg.

Greg Shatan: Thank you Lise it's Greg Shatan for the record, that was exactly the point that I wanted to comment on which is that that's another action item.

I can put that document up in Google Drive for people to suggest changes to. I will endeavor to add changes based on the emails on the list prior to this call. But would suggest that rather than continuing that list after this call that comments be made on the Google docs that I'll circulate shortly and not in the email. As I said I'll capture what's in the email prior to this call but let's close that thread and move the comment to the document, thank you.

Lise Fuhr: Thank you Greg, Chuck your hand is up.

Chuck Gomes: Thanks Lise, just - and I know we've talked about this in our prep meeting yesterday.

But for everybody in the working group I think it would be really good if everyone be thinking about questions that we would like to ask the community in Singapore and take advantage of the time we have there to get feedback on. An in particular I think Subgroup 3 and Subgroup 3B they may have some specific questions that they would like to ask the community to respond to in Singapore.

And I think in the next - between now and our two meetings ahead if we're all thinking about items for which we'd like to have feedback, some of those might relate to what were going to be called the Frankfurt solutions. Some of them may relate to the internal solution. But I think one of the most direct ways to get useful feedback in Singapore would be to have a list of questions

that we would like feedback on and we can talk about there while we're in Singapore.

And the various different groups can do it within their sessions; it doesn't have to be in a CWG session. Each of us in our own groups if we have a list of questions can solicit feedback within our groups and then report that feedback back up into the CWG. That's Jonathan's idea of a revised draft, I think it might be revised drafts depending on which solution we're talking about. But that's helpful too but I think even more importantly if we can have some directed question to ask the community and the various groups that will be meeting separately in Singapore in person that would be very useful.

Lise Fuhr: Thank you Chuck and I agree the more we can present and the more we can discuss with the communities during Singapore the better. So I agree it would be nice to have a set of questions that we could try and get some comments on. Greg is that an old hand or do you still have a comment or question?

Greg Shatan: Old hand, sorry.

Lise Fuhr: Old hand and Greg your hand is up - not Greg, Grace sorry - your hand is up.

Grace Abuhamad: Old hand as well, sorry about that.

Lise Fuhr: Old hand as well, okay. So this is as far as I see the review of the action items unless other comments - no. Okay do we have any other business; anyone has got any other business they want to put forward? It doesn't look like it - oh Grace.

Grace Abuhamad: This is Grace Abuhamad for the record, so I have a reminder about your SOIs recently but I'm letting you know now that you can expect to see one by the end of this week.

For those of you who haven't created SOIs yet those are statements of interest and they were required for your participation in the group. I sent three reminders to date to those who haven't completed their statements of interest yet but I gave you a little break over the holidays and I expect to start resuming my constant pestering soon - so just a little warning.

Lise Fuhr: Oh okay thank you, Grace. That's very important that those are updated. Okay if there's no more subjects to discuss today I would thank you all for participating.

END