ICANN

Moderator: Maryam Bakoshi December16, 2015 10:00 am CT

Coordinator: The recordings have started. You may know proceed.

Maryam Bakoshi: Thank you very much (Martha). Good morning, good afternoon good evening.

This is the NCSG Webinar on the CCWG Accountability Report on

Wednesday, 16 December 2016.

On the call today we have Robin Gross, Joan Kerr, Amr Elsadr, Ed Morris, Rafik Dammak, Merrily Wolf, Vernatius Ezeama, Aarti Bhavana, Brett Schaefer, Klaus Stoll, Milton Mueller, GZ Kabir, and myself Maryam Bakoshi.

I'd like to remind all participants to please state your name before speaking for transcription purposes. Thank you very much, over to you Robin.

Robin Gross: Thank you very much. This is Robin Gross and I represent NCSG on the CCWG Accountability Group.

So let me go over the agenda very quickly. We should talk about what's happened since the call last week, talk about the timeline going forward, go

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over the responses particularly the ones that we haven't looked - we didn't

look at last week and then talk about our council meeting, the GNSO Council

meeting tomorrow and the NCSG response on that.

I thought that was on the agenda also but I don't see it up there on the screen.

Maybe it's on - there we go okay great.

So can we have individual slide control on this? There we go, perfect thank

you.

Okay so - and then of course any other business. Was there anything that

anyone wanted to add to that agenda, or any questions on that or suggestions

for changes?

Okay I don't hear anything. Oh I see Amr's got his hand up. Okay Amr please

go ahead.

Amr Elsadr: Thanks Robin, this is Amr. I was just going to ask if possible because as you

know we have a GNSO Council meeting tomorrow.

And just want to be on the agenda item and we're going to discuss the process

for different groups with the GNSO and others submitting comments during

the public comment period that is now open.

So if you could spend a few minutes perhaps you Ed as far as anyone else who

(unintelligible) that group could maybe give some of our counselors some

guidance on how to handle this during tomorrow's meeting that would be

great. Thanks. I'm hearing an echo...

Robin Gross:

Okay.

Amr Elsadr: ...I hope no one else is.

Robin Gross: Yes. I hear that echo too. But yes so I was sort of thinking that was item

number four on the agenda where we can really talk about the GNSO Council

meeting later this week and what our counselors need to be prepared to go into

that meeting with. Does that work for...

Amr Elsadr: Yes. Yes that's perfect. I didn't see agenda item four, apologies.

Robin Gross: No worries at all. Okay so let's get started. So since we had our

call last week we weren't really sure if the timeline was going to be changed

or what kind of response to expect from the co-chairs. And I'm not surprised

that they did not choose to respond to extend the timeline.

And so as of now as of today our public comment period is still supposed to

close on December 21. So that didn't change.

But since last week just a couple of days ago the ICANN Board issued their

comments on our draft and pretty harsh.

They want to eviscerate many of the accountability reforms that the group had

been working on for the last several months in particular the transparency

rights, the human rights obligations although they really weren't obligations

with respect for human rights in the bylaws, the limitation on ICANN's

mission that was something that they also had a hard time accepting.

So, you know, the boards kind of playing chicken like they did in LA where

the submitted comments where they say basically if you don't change these

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things we're going to vote against it based upon our view of the global public

interest.

And so that's kind of where we are now again. So the - there's a lot of

pressure of the members of the CCWG to give in to the board and say okay

we want this done yesterday.

We want - we don't want to delay the transition. And we know that we'll have

to go into this long negotiation cycle if the board wants to exercise its veto

right on anything.

And so people are in pretty much such a hurry to get this done I think the

board knows that the community will probably cave because that's what

happened last time.

So I hope not. I'm certainly not planning to cave on a lot of these important

issues. But we really need to see where the rest of the community is on

responding to the board's comments as well.

So that's kind of what's happened in the last week any questions or comments

on that on - or should we just go on to the timeline forward?

Anybody want to talk about any of that the boards response or - because we

can get into that also when we talk about our specific responses to those

specific recommendations?

Amr Elsadr:

Robin, I had my hand. I think what the board's comments call for is an equal

pushback from us seven votes in council we can stop the process going

forward with is support of all the chartering organizations.

I think we're at the point of needing to give the chairs some ammunition to come back to the board with that if we do what the board wants it's not going to come out of the GNSO at least that's is something we can think about posturing and putting itself in position to enunciate that sort of idea going forward.

Robin Gross:

Yes. I'm in the mindset too that, you know, I just don't - I think if the board is going to try to veto this proposal then it's going to - it should have to use the full process to do that and have a vote on some of these issues that they're not in the public interest for example transparency and human rights, let them have that interest

And have 2/3 of them vote that these things are not in the public interest. And, you know, I think that there just sort of threatening now hoping we'll back down so they don't actually have to have that vote. And I don't think we should give in to them.

So I think we do have some leverage here as you say. And I think that we should really work with some of the other supporting organizations and especially the other SGs in the GNSO to figure out where our colleagues are and see where we can build some alliances on this stuff.

Okay so basically we've said we've got - so our timeline going forward. We still have public comments open until December 21.

And there was some talk that the - so there's a GNSO Council meeting this Friday. But I don't think the GNSO is actually going to have any kind of votes or really be expected to say exactly where it's going to come down.

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We - they want to hear what our issues are, what our red lines are, but I don't

think that really they're going to come out of the meeting this week of the

GNSO with a lot of clarification.

So I suspect there's going to be another GNSO Council meeting probably in

early January to discuss the report in detail.

And frankly I think there may be at this point there may be another draft. The

proposal could very well change because of the board comment, because of

some of the other comments coming in I think there's a very good chance that

we will need a board supplemental draft and that should go out for public

comment.

But again these decisions haven't been made yet. I see Ed's got his hand up

and Milton's got his hand up, so Ed why don't you go first.

Ed Morris:

Old hand Robin. Sorry.

Robin Gross:

Sorry okay. Milton you're up.

Milton Mueller:

Well I just wanted to note that I'm particularly concerned about the mission

statement limitations. I think in my blog post I made it clear and I'm just

following in some sense the analysis that David Post did.

I think one of the arguments we have to make is that the mission limitations

that are so important to us because they would provide a basis for, you know,

preventing mission creep.

And it's pretty clear that there are some interest groups particularly the GAC and the copyright people who want an expanded mission and want to add all kinds of things into registry contracts.

I think we can argue however that the CCWG third draft report did go through a painstaking process getting acceptable language.

And we just have to say to the board don't mess with that just leave it alone. You're not going to make things any better by coming out of - in from outer space and rewriting everything.

I think whoever is on the GNSO should be making this argument very strongly that we had a lot of sensitive issues regarding contracting rights, we have the GAC in there, you know, putting pressure about public interest commitments, we have ALAC siding with the GAC and we managed to arrive at language that people could live with.

ICANN will be arguing that, that language is ambiguous and that the ambiguity is dangerous. I think we can say it's not that ambiguous. It's pretty clear that people don't want to ICANN to be a regulator and particularly don't want them to regulate content and at the same time they do want it to be able to enforce contracts that are within its mission.

And the language we came up with seemed to make people on both sides of those concerns satisfied and we should not mess with it.

So that's the main point. I guess these kinds of arguments have to be made in front of the GNSO. And you need to sound out how much support you have from the registries and registrars in particular the contracted parties.

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Those are the ones who would be concerned about ambiguity in the contracts and might be willing to throw some of the mission limitations under the bus if

they can just get this over with.

So I really hope you can make a strong pitch to the contracting parties in

particular that we cannot accept the proposed changes that ICANN's Board

made in the mission statement.

Robin Gross:

Yes, thanks Milton. I'm glad you brought that up because, you know, they

sort of asked for what are our red lines on the proposal as it stands but I think

that, that would be a red line for us if the proposal actually got changed to

what the board is asking for.

So, you know, I didn't really - I didn't list it as one of the recommendations

that we have a problem with because as you say we've worked out those

concerns and we reached a compromise within the group.

And it is that compromise that the board is trying to undo. And if they do

undo it then we're, you know, we've got another recommendation to add to

the list of where we would have a big problem with I would say.

One thing that's interesting though is how these recommendations are actually

going to be voted on. It's my understanding that the recommendations initially

are - will sort of stand or fall on their own and people will say well we're okay

with this recommendation but this one there isn't support for.

And so that - the ones there aren't adequate support for would still need to go

back and need to be worked on further.

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It's my understanding because of the way the CCWG charter is drafted that

the recommendations will not necessarily be coming to a singular vote of all

of them up or down.

But there will be at least initially perhaps ultimately an opportunity to say yes

these go forward and these need more work.

But I would be really curious to hear what Ed and Amr as our counselors on

this call what their thoughts are about how the council is going to handle these

recommendations that they think that this is going to be put to them as a

singular vote or they're expecting like I'm expecting this to be a debate on

each recommendation on its own merits.

Do you guys have any thoughts on how you expect that discussion to go down

in the council meeting? Yes Amr.

Ed Morris:

Is Amr there? I'm sorry.

Amr Elsadr:

Yes. I have my hand up...

Robin Gross:

Yes.

Amr Elsadr:

...but Ed please you go ahead.

Ed Morris:

No, no go ahead Amr. I basically I would rather hear your perspective first

actually.

Amr Elsadr:

All right. What my perspective is a largely uninformed one only because this

is a unique sort of a working group and not typically what the GNSO Council

handles.

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Typically the GNSO Council will look at process right because they don't

really look at individual recommendations coming out of GNSO working

groups.

They'll look at the process to make sure it was followed properly, they look at

the consensus levels of the working group participants and based on that the

counselors will usually make a decision.

However this draft report I mean recommendations are a bit of a well they're a

bit different I think then what the GNSO is normally used to.

I wouldn't be surprised if some counselors do bring up individual

recommendations and want to discuss some particularly. We have quite a

number of counselors who are active on the CCWG including Ed, Phil Corwin

and others.

However as always counselors votes apart from NCSG are largely directed.

So my instinct would be that if you want to get a feel for how each

constituency or stakeholder group is going to vote a better place to get that

feel would be on the CCWG and discussing this with the members who are

appointed by the different constituencies and stakeholder groups to that group.

That's just that's my instinct. Thank you.

Robin Gross:

Thanks very much Amr. Ed did you have any thoughts about all the council is

going to handle that?

Ed Morris:

Yes. I think what we have to realize as Amr said this is a fairly unique

situation for us to deal with. And we're also our leadership in council they're

just getting their feet wet. I don't think a decision has been made. I think we're going to talk about that tomorrow.

The structure of tomorrow's meeting is supposed to be talking about timeline

structure setting up the meeting in January where we talk about substance.

Having said that I do know there are some folks from the CSG who intend to

talk substance tomorrow. I don't know how it's going to play out.

I have emailed to (James) and (Heather), have not received a response. But

when I read the chart I did not realize we were going to be approving or

disapproving these things point by point Robin until you brought it up on the

list.

And as I read the charter I agree with you. I'm not sure there's going to be a

vote if we strictly follow the charter and up and down vote in the entire

package which I would actually prefer to have at some point.

Robin Gross:

Okay. Okay, thanks very much. Did anyone else have any thoughts on that or

should we just go through the recommendations the responses to the

recommendations?

Okay I do not see any other hands here so let's go through our

recommendations. And if folks have a link - has a link shall I post a link in

case you don't have it handy to the document where all of these responses -

there we go I just posted it. Oh it's also up there okay.

Okay so let's look at the first one establishing an empowered community for

enforcing community powers.

Okay and Milton was kind enough to come up with the draft for that response. Milton, you want to can you - since you weren't on the call last week could you just give us a very quick overview of what this - what the position this year that we're taking?

Milton Mueller:

Yes following instructions from Chairman Gross I have come out against Recommendation 1. It's a weird choice.

I mean we're saying we don't want to establish of an empowered community. Well no we're not relating saying we don't like the way the CCWG constituted the empowered community.

So I tried to make my response very simple and very clear. It says we oppose Recommendation 1, we favor the establishment of an empowered community but we don't like the way you constituted, we don't like the way the GAC has been included in this, and we think that ALAC is out weighted in it so that's basically the line I'm taking. I'm happy to hear whether people agree with that or disagree with it.

Robin Gross:

Thanks Milton. I - that is the response that - the approach that we took in our previous public comments and our previous position. So I don't think it'll come as much of a surprise to anyone but that's what this one says. But does anyone have any comments or questions on this?

Milton Mueller:

Well I just wondered whether we can look - whether any other stakeholder groups will also oppose this recommendation?

Robin Gross:

Yes, that's a good question. I've heard and, you know, it's just all rumors that the registries and the registrars are very unhappy with the changing role of the ACs and the empowerment of GAC.

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Whether or not they're actually going to say therefore we vote no on

Recommendation 1 I don't know.

I'm going to try to spend some time today reaching out to a lot of folks and

getting a better sense for where some of the other members of the CCWG are.

But, you know, it's just helpful to get our own ducks in a row before I contact

them today.

So, you know, I don't really know. I know there's a lot of grumbling. Whether

or not that grumbling is actually going to translate into a no vote on

Recommendation 1 I'm not sure. I hope to know more tomorrow or the next

day. Anyone else have any thoughts on this one?

I do not see any hands so I guess we're good for this one going forward. Okay

and let's look at number two empowering the community through consensus,

engage, escalate and enforce.

Okay so this - (Matt) was good enough to draft this one last week and go

through it for us last week. And there wasn't any objections or concern about

it so I don't think we - and (Matt)'s not on the call so we can't ask him to go

over it now.

But does anyone have any comments, questions or concerns about

Recommendation Number 2 or is that one we can skip for today?

Milton Mueller:

This is Milton.

Robin Gross:

Okay.

Milton Mueller:

I just wanted to say the comments look very fragmentary to me. Are they intended to be not finished or would you actually consider turning that in as it stands?

Robin Gross:

Yes. These are not finished. We're just trying to sort of agree on the position if you will. And then the responses do, you know, will need a final sort of editing to make sure everything hangs together and isn't so fragmentary.

But, you know, the hard work I think is trying to actually agree on the positions and so that's really where we are now.

Brett, do you have your hand up? Please go ahead.

Brett Schaefer:

Yes, two points. One is I strongly agree with the statement here that say's that the time frames for individual steps are extremely short especially since a lot of the people are doing this in their spare time or over the weekends or what have you.

And if it happens in the wrong time of the year we may be faced with a situation where people actually are on vacation or unavailable otherwise to sort of rally themselves to respond to these things.

Second the engage step in the engage, escalate and force procedures is extremely vague. It says that the board should get engaged in the way that it has previously but it doesn't anywhere in the doc in the third draft or in the annexes to that draft layout explicitly what that - what those steps of engagement are and what obligations the board has to engage with the community at various steps in the procedure. And I think that needs to be spelled out. Thanks.

Robin Gross:

Thank you (Max). Can I - I'm sorry Brett, can I volunteer you to get that text into this recommendation?

I mean the way you've phrased it there some just perfect. So if we could add that in I think and I agree with you I think just about everyone on this call would agree with you. Do you think you would be able to add some of that into the response?

Brett Schaefer:

Well if nobody has any objection we can just lift it from our public comments that we've made and submitted this morning which is there and makes both of those two points.

Robin Gross:

Great. Thank you very much. Okay so if there are any objections please speak up?

Okay I should out also that these drafts that are in the Google drive here are editable. So, you know, please if anyone has ideas to add or think - can suggest some language for improving please do.

Just you can go right ahead and add it right into the document and we need editors we need drafters. Thank you.

Okay. Okay so I think that's it for number two unless anyone else had anything they wanted to add on Recommendation 2?

All right let's go to number three, Redefining ICANN Bylaws as Standard Bylaws and Fundamental Bylaws.

Okay Tatiana, drafted this and went through it for us last week. And again I don't think there was any controversy or opposition to this.

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So I don't know that we necessarily need to go over it - this recommendation again today unless there is some - somebody had any specific comments or questions on this one? And unfortunately Tatiana couldn't be on the call today

either.

Man:

I just see a blank page. Is there anything there?

Robin Gross:

Well she had it. What happened to it? Maybe it didn't make it into the draft or excuse me it didn't make it into this page. What happened? Okay well let me get in touch with her and see what happened to that text there.

Okay in the meantime let's move on to the next one ensuring community involvement. And this is Recommendation 4, Ensuring Community Involvement in ICANN Decision Making Seven New Community Powers.

Okay (James) was kind enough to do the initial draft on this response to Recommendation 4. So we basically support the recommendation.

So let's - I thought there was a couple points. Let me see okay. So this is - yes this generally is a support of the recommendation and shoring up the need to be able to remove individual directors from the SO and AC that appointed them.

Okay did anyone have any comments or questions on this response? Brett, okay your hand is up. Please go ahead.

Brett Schaefer:

Sorry it's an old hand but I do have a comment on this. One is the - if you take a look at the draft they list the request or the challenge for a DIDP decision would be listed among the IRP process.

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And the way they listed it out here the IRP process appears to be a power of

the empowered community.

And I think that we need to clarify that DIDP appeals goes to the IRP or

whether it's through some other process should be available to individuals,

civil society, businesses, individual SOs or ACs should not be restricted to a

request by the empowered community especially one as outlined in the

board's comments where it would require the support of three SOs and ACs in

order to exercise it. And I think that, that is an important point to make here.

Robin Gross:

Oh thanks. Yes I missed that. I didn't realize that there was the attempt to

limit the DIDP availability to only, you know, parts of the empowered

community I thought anyone would still have access to that. I didn't realize

that.

Brett Schaefer:

That question was raised in the questions and answered in part by the Sidley

and lawyers in response I guess that (Matthew) sent around late last week or

earlier this week. And they said that it wouldn't be.

But my read on the document is that that is far from clear and conclusive...

Robin Gross:

Yes.

Brett Schaefer:

...in terms of the interpretation of that. And I think it needs to be clarified and

made clear that anybody can avail themselves of this process.

Robin Gross:

Right.

Brett Schaefer:

And especially it shouldn't require maybe some sort of threshold of support from the SOs and ACs in the empowered community.

Robin Gross:

Right. Okay that's a great point. I also think it's worth mentioning that the DIDP is something that we're specifically supposed to look at in WorkStream 2.

But it's certainly, you know, isn't would be very helpful to clarify in this response that we expect that availability to be open to anyone.

Brett Schaefer:

Yes. It's - the document and the Annex both say the DIDP review would be part of WorkStream 2. But I'll take this moment to highlight something I was going to suggest for the last appendix where they're talking about this.

But there is no reference whatsoever to requiring ICANN to publicly release its meetings and other efforts to try and sway government opinion on policies which was if you remember the Rick Lane and other folks were raising as a problem with ICANN lobbying of Congress and other governments that was less then completely transparent.

So that seems to have fallen off completely in this strategy.

Robin Gross:

Yes.

Brett Schaefer:

...that they returned as well.

Robin Gross:

Good point. Okay I'm just taking notes here. Okay so was there anything else on Recommendation 4? It looks like we're going to support it generally?

Okay I don't see any other hands. Recommendation 5 changing aspects of

ICANN's mission, okay this was - this is the one that we're supportive of as

it's currently the recommendation as it currently stands by where the board

has said it wants significant changes in particular the removal of the

prohibition to limit ICANN's mission.

So I think we're going to want to add some comments in here. (David) went

over this last week for us in detail but I think since the board has submitted

it's comments on this issue in particular I think we want to highlight our

position on this vis-à-vis the board which is the importance of the limitations

the mission limitations.

And that for us that would be a very significant change that we wouldn't be

able to support this recommendation if the change as requested by the board

was made. Does anyone else have any comments on this one?

I know we talked about this one in some length last week and unfortunately I

don't think (David) is on this call but does anyone else have any other

thoughts on this recommendation or this direct response?

Okay I do not see any hands. Okay the next one is on human rights

Recommendation Number 6 reaffirming ICANN's commitment to respect

internationally recognized human rights as it carries out its mission?

Okay and (Niels) was kind enough to draft this and go over this with us last

week. And I think most folks were thoroughly comfortable with where this

recommendation stood or I should say this response stood.

Is - are there any other thoughts or any other comments on this

recommendation and this response perhaps in light of the boards comment?

Okay I don't see anything further. Oh I do see a hand. Okay Brett is your hand

and old hand or is that a new hand? That's an old hand.

Brett Schaefer: This is an ancient hand. Yes this like withering in front of my face it's so old.

So I just wanted to point out that I went into (Niels) statement and did some

editing.

And also there's just some little typos and obvious mistakes. But also he has a

paragraph he wrote this as if he was writing a standalone comment.

So he has an introductory paragraph that says how much we appreciate the

opportunity to submit comments.

And I suggested that, that should go somewhere else at the beginning of all of

our comments and not just here.

Robin Gross: Yes.

Brett Schaefer: (Unintelligible) a note about that.

Robin Gross: Yes that's a good idea. And actually when we go to submit these I think we

should submit them basically two different ways.

There's the - we should submit it all as one document with each

recommendation and then each comment.

And you're right I think that kind that language there belongs at the very

beginning of that comprehensive comment.

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Then the - there's the SurveyMonkey on line tool where each question you

just sort of answer in a little box what your response is on that particular

recommendation.

And so that's where we would take these individual, you know, one pagers.

And there's a piece of the overall the comprehensive report response. And,

you know, just cut and paste that particular response into that page of the

SurveyMonkey so they're done individually that way.

So that way I think, you know, we could have a comment that stands together,

there's a single document, and you can see where we are on all the issues.

And then also they'll get entered into the SurveyMonkey online tool, you

know, with - in bits and pieces that are relevant to that particular

recommendation. Does that make sense?

Okay so were there any other thoughts on Recommendations 6 reaffirming

human rights? We did spend some time on that one last week too.

Okay. Let's go on to Recommendation Number 7 strengthening ICANN's

independent review process. And Ed was kind enough to draft this initial

response.

And again we talked about this last week. I don't know Ed was there anything

you wanted to add or that you want to go over this again for the folks on the

call this week this response?

Ed Morris:

Unless there's a need to I don't think we need to go over it again. Although

Brett did have some comments that maybe you want to discuss.

Brett Schaefer: I'm sorry. I was working on something else. What - I just heard my name.

What was this?

Robin Gross: You're being...

Ed Morris: Recommendation...

Robin Gross: No. Okay there were comments you said.

Brett Schaefer: In specific reference...

Robin Gross: Okay a resolution of claims that ICANN is...

Ed Morris: It's what Brett talked about earlier. I guess we should probably sort out where

exactly we should place it.

Robin Gross: The DIDP issue yes. Okay because there was some thought that it would go

into this recommendation on strengthening the independent review process.

Well, you know, I think it wouldn't hurt to add it in both places to just say we

expect this - the DIDP to be part of the Independent Review Process and then,

you know, then we've covered it here.

And then when we talk about the WorkStream 2 and the DIDP review in more

detail we can also mention it there as...

Ed Morris: I'm happy to - that's not a problem.

Brett Schaefer: I apologize yes I put I actually put it in both recommendations and leave it up

to you to figure out where it fits best...

Robin Gross: Okay.

Brett Schaefer: ...or if it fits best in both places. It doesn't matter to me.

Robin Gross: Okay. I see no reason not to mention it twice. Okay any other thoughts on this

recommendation? We did spend some time on it last week.

Okay. And then we can go on to Recommendation Number 8 fortifying

ICANN's request for reconsideration process.

Again this one needs to be and this is my fault maybe moved from bullet point

to a text to the actual response.

But it isn't very controversial at all. I mean we basically support the

recommendation and support the reforms.

And there's a couple of them in the reports that we want to highlight because,

you know, we want to make sure that they actually stay in there things like

that transparency and the need for neutrality instead of ICANN's legal

department to be the ones to provide guidance to the board on responding to

these issues.

So there again this one is not very controversial. We're basically supporting

what's in the recommendation. Did anyone have any thoughts or any

comments on this one a reconsideration request process?

Okay, I do not see any hands. This one is pretty straightforward. I think we

can go on to number nine incorporation of the affirmation of commitment.

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Okay there we go. And we had a draft of this from Avri last week. And then

we've gotten some comments since then suggesting that we shouldn't take a

strong position of supporting this recommendation so much considering things

like, you know, the existing Whois can't be changed and of course that's not

something that we want.

So I think this one definitely needs more work and more discussion. I know

Milton you had some comments on this. Did you want to weigh in on this on

what you think a position we should take on this recommendation?

Milton Mueller:

Yes. I've never understood why so many people on the reform process have

been so positive about the AOC and trying to get it into the bylaws.

At this point and it's probably a lost cause but basically the affirmation of

commitment was something negotiated between the US Government and

ICANN without any participation to the policy process.

And it was because the first step in the NTIA loosening up control of ICANN

and saying okay here's some things that we expect from you.

And of course the sort of copyright and trademark interest and the law

enforcement interest with people that we are almost always on the opposite

side of on policy issues succeeded in getting into the AOC their little favorite

laundry list of things that they wanted to become institutionalized permanent

parts of ICANN policy.

And among those was, you know, a commitment not to ever change Whois

which is clearly in complete contradiction to the idea that, you know, ICANN

is a bottom up policymaking organization.

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So here's the US government sort of making permanent its influence over

ICANN through this affirmation of commitment.

Now the AFC did some good things which was to institute the accountability

reviews. But once you've institutionalize accountability through these moral

sweeping reforms that we're doing now I don't understand why you need the

AOC at all going forward particularly when it contains this bad stuff.

So again this is not a point of view that got into the process early enough to

make a big difference but there's no reason for us to endorse this stuff now I

think

Robin Gross: Thanks Milton. I think you're right. So I'm wondering if I could ask you to do

a little bit of work on this text on this Recommendation 9 and see if you could

find a way to say something along those lines maybe trying to find some kind

of a I don't know if middle ground is the right word but try to listen to the

concerns that the drafter of this response was saying.

Trying to incorporate that somehow while also incorporating your concerns

you know what I mean so we can have both views?

Do you think you could add some text into this recommendation to - along the

lines that you're just talking about?

Milton Mueller: Yes definitely. I could do that.

Robin Gross:

Great. I think that would be really helpful. Did anyone else have any thoughts

on this recommendation or any suggestions for a response or a way forward

on this one because we seem to be a little bit divided on this one?

And I'd like to try to find a way to accommodate as many views as possible.

Brett Schaefer: Well who is the big supporter of the (AOC)?

Robin Gross: Avri, this is her - yes.

Brett Schaefer: What a surprise.

Robin Gross: Okay I do not see any other hands on this one. Okay so I think we're going to

need - this one needs more work and I would like to hear others weigh in on

this if at all possible.

Okay well I don't see any more hand so let's go onto the next recommendation. And recommendation number 10, enhancing the accountability of supporting organizations and advisory committees.

Okay (Farsi) was good enough to do this draft and spend some time last week going over it with us and we all seem to be in wild agreement with (Farsi's) analysis here.

(Farsi) was there anything else you wanted to add on this or anything you wanted to raise on this one? I see in the chat you can't talk but we should reject it. Yes okay I think you're right. I think you're on the right path here.

Anyone else have any comments on this particular recommendation on enhancing the accountability of supporting organizations and advisory committees which to me really just seem to be somewhat of the board and staff clawing back here and trying to get a little bit more control over the how the supporting organizations are managed, how they are run.

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And they're going to be losing - well supposedly these organizations are going

to be holding ICANN board accountable. Okay, not hearing any more

responses or seeing any hands on this recommendation number 10.

Let's look at number 11, board obligations with regard to government

advisory committee advice. The infamous stress test 18 and Brett was kind

enough to dot his initial draft and spent some time on it last week.

But being one of the most contentious issues throughout the entire process we

still have it looks like some more comments have been made on this draft and

we should have some more discussion on this.

Brett did you want to give us maybe another quick overview of the view you

would have us take on this recommendation?

Brett Schaefer: I'm not sure anybody wants to explain but I'm happy to do it if they do.

Especially the struck through text here is just eliminating some of the editorial

comments on how the discussions proceeded and focusing more specifically

on the concerns and then the recommendation for what the group would like

to see.

I don't know if anybody had any questions on the previous draft which I'm

happy to address. I know (David) did in terms of the possibility that GAC

advice that was outside or contrary to the scope of mission of ICANN could

get slipped through the cracks here through this process.

And in response to that I added the final sentence to the admitted bylaw

language that we are proposing here which is such decisions shall be subject

to IRP challenge if they are outside the scope and mission of ICANN and that

is really the main change.

In our own comments (Paul) and I took issue with the 2/3 requirement for board rejection of GAC consensus advice. In our comments that we posted this morning we noted that Fadi testified to Congress and assured the U.S. Senate that that option was off the table back in last February.

And here it is today and we are concerned that the presence of the 2/3 requirement could raise justified objection in Congress because of the failure of ICANN to honor its CEO's testimony before Congress on the matter.

And we urged them to reverse that back to a majority but I'm not sure if the NCSG would support that or not so we made our separate comments. Also so if anybody has any questions or any specific issues they want to raise I'm happy to entertain them or happy to discuss why we did or why I made certain comments in this section.

Robin Gross:

Thanks very much Brett. Well I am in agreement that the 2/3 vote goes too far in empowering the GAC. So I think we don't want to support that recommendation and, you know, making - suggesting that it revert to a majority I think is absolutely a position that we would want to take.

I mean if anyone disagrees with me please tell me I'm wrong. I see Milton has his hand up. Milton.

Milton Mueller:

Well of course I think we all agree that the 2/3 shouldn't be in there and I think what was (concerning) with the recommendation is whether this is acceptable.

In other words if we reject the 2/3 we'll reject the whole plan and will the ALAC join them and therefore will we get nothing. That's the concern. There

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was a general feeling that the 2/3 again not just (unintelligible) but it was just

like how much difference does it really make when most of the time the board

acts unanimously on issues of major things.

Now of course it is conceivable that there would be some kind of an issue that

would divide the board like the triple X issue did and what you are the 7 to 4

vote or something and this difference of 2/3 might actually make a difference.

But it's mostly likely that in cases in which the board decides to reject GAC

advice after long negotiations that the board would have to be pretty unified.

Anyway so I guess the question is what is our attitude towards the

recommendation evaluations?

Are we just saying no here's what we like or are we trying to say here is what

we would consider to be something we could live with as a final solution. It

may be perfectly fine this time to just be hard core and say exactly what we

want and not worry about what anybody else wants.

Robin Gross: Well I don't know I mean for me this does seem like one of those hard core

issues of, you know, the slippery slope of always constantly empowering

GAC a little bit more, a little bit more.

This is I think a significant step and they are part of the community

mechanism in recommendation 1 as well. When, you know, you say there are

things to compromise on I just don't see this as being one of them.

And if the cost of the transition and the accountability reforms are we hand it

all over to the GAC well then, you know, I don't see why I would be in favor

of that.

I think, you know, maybe the status quo is better than an ICANN in which what the GAC says goes unless the board can muster a spine of 2/3 vote which, you know, good luck with that.

So I don't know for me this is a really important issue but - I see (Ed's) got his hand up and then Stephanie. Okay please Ed go ahead.

Ed Morris:

Thanks Robin. Yes I'm with you and Brett in this one and I think a point Brett did make is quite important. When this gets to Capitol Hill going from majority to 2/3 I guess what Fadi promised us is going to be an issue.

It's something that is easily conceptualized by your typical representative. It's something that can be a bumper sticker slogan, look what they're doing they're empowering the government and who is the most active member of GAC in the group? The representative of the Islamic Republic of (Iraq).

So I think from a practical perspective of getting the transition passed through Congress we want to oppose this. Now whether the GAC will allow us to get to that point I don't know but I'm concerned that if we go for the 2/3 we could kill ourselves down the road.

Robin Gross:

Thanks Ed. Stephanie please go ahead.

Stephanie Perrin: I thought that there was sufficient feeling that this final report and the boards comments on the report which one thinks might be absorbed - for God's sakes, sorry.

> That they were sufficiently poisoned you might want to insert a poison pill. If so surely I would agree a 2/3 vote is enough to put off Congress not to

mention American business and that would kill this version of the report. Am I being too conspiratorial here?

Robin Gross:

I don't know I mean, you know, to be a member of this group I feel like a lot of people are putting their ideas in because that's really what they think it ought to be and not necessarily because they're trying to, you know, to kill the report by putting in a poison pill of government.

I think that it was largely government and ALAC who, you know, were fighting really hard for governments to be empowered and I don't think it was because they wanted to kill the transition I think it's because they want to be empowered and they see this as a way to do that. I could be wrong.

Ed your hand is up is that an old hand or are you next in the queue?

Ed Morris:

Sorry old hand.

Robin Gross:

Okay, no worries. Brett.

Brett Schaefer:

One issue I wanted to raise. We made this an issue again in our comments and Milton has made this point before and that is the distinction between what is and is not GAC advice.

In our comment we made very clear that for board purposes it should be clear that advice is only consensus advice and it's defined as in the text as its proposed in the third draft meaning without overt objection or vocal objection or a stated objection of any GAC member.

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We - and so we changed actually the first word in there to views, the views of

the government advisory committee on public policy matters should be taken

duly into account.

To differentiate it from a consensus advice away from non-consensus advice

or communique's or other statements and decisions of the GAC that do not

enjoy consensus support.

So that is something that I think needs to be clarified. There's also a further

point which is that that non-consensus advice should not in any way trigger

any kind of response whatsoever by the board and that it can be taken into

account, it can be acknowledged received but it doesn't need to trigger a vote,

doesn't need to consider trigger or require consideration of any in terms of

weight in terms of their policy decisions.

Only consensus advice should be triggering that sort of action or obligation on

the part of the board.

Robin Gross:

Yes I think that's right and I think we also need to require that consensus

advice to be presented with a rationale. I think, you know, that's something

that we need to add in there as well that it needs to be truly consensus and it

needs to be provided with the rationale so we know just what the reasons were

and we don't have any more of this, you know, created ambiguity like they

used with the dot Africa decision.

That would be my thoughts on that. Anyone else want to get in the queue on

this?

Milton Mueller:

This is Milton again. I just wanted to say, you know, I read (Brett's) comment,

the written comments and yes the re-wording of the stress test 18 language is

very good.

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I think it gets it right. We do want to make sure that there is a clear line

between advice and that it triggers bylaws and that that advice has to have full

consensus.

And we have to make it clear that non-consensus advice does not trigger

anything and that, you know, we want to make it clear that the GAC cannot

(unintelligible), you know, the GAC is subject to the same or following GAC

advice is subject to the same mission constraints as everything else.

Even though that's clearly implicit in the existing language I think it doesn't

hurt to put that into the GAC language and the fact that GAC doesn't want it

in there and the dialogue we've been having over picks makes it clear that

they do need to be reminded of this.

I guess the only question I have is again what chance does this have of getting

into the final language but I'm totally behind the comments as they're

currently written.

Robin Gross:

Yes I mean I don't know in terms of where the other stakeholders are going to

come down particularly in the GNSO or the ccNSO on this. They weren't very

strong willed during the course of the working group.

However I think many of them have now had to go face their members who

are saying you did what, you're giving the GAC what. And so, you know, it's

the morning after, second thoughts.

So I think there is some concern about this and there is some chance of

eliminating perhaps one, at least maybe one of the two new powers for GAC.

One being the community mechanism the other being the stress test 18.

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I think, you know, both as they currently stand people are realizing it's too

much. Where that exact fix can be made I'm not sure yet and we don't have - I

realize we don't have a lot of time to figure it out.

You know, to my other colleagues particularly ones on council, you know, if

you could also talk some of this through with your fellow councilors and try to

get a sense where they are.

I'm going to reach out to a lot of people today and tomorrow as well. But at

this point I'm just not really sure.

Brett Schaefer: Robin would you like me to paste in the text that we used in our submission

this morning into this document?

Robin Gross: That would be great. Thank you very much, yes.

Brett Schaefer: Okay, some of it did not - let me address this just a little bit.

Robin Gross: Okay was there anything else on this one? I don't see any more hands. Okay

and so the last recommendation committing to further accountability work in

work stream two.

Okay, (Aaron) was volunteered for this. I don't have any specific text yet but

I'm still working to get that. We've got some bullet points in here on what we

need to add.

I think generally we support this recommendation, work stream two. We want

to see that there is more transparency issues should be addressed including

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transparency over board deliberations because we are depending so heavily

now on only board removal.

We need to know what the board is up to and so we need more transparency

over their process. They need to maintain independent legal counsel in work

stream two.

As Brett mentioned earlier that the DIDP availability and also the

transparency issues with respect to government. I think we need to have

transparency much more broadly.

The way it is currently drafted work stream two issues they say well we're

going to work on transparency in particular the DIDP and the whistle blower

policy.

But I think that's just the beginning that we need to go back to our earlier

language of the culture of transparency and look at all the things that ICANN

is doing and the ways in which we need to improve with transparency.

It's such a key fundamental block to accountability that I frankly don't know

how it didn't get in work stream one. It's kind of really it's a terrible failure of

our group that we are not working on transparency right now I think.

But so let's really try to focus that on making sure that gets in work stream

two. I think it's worth pointing out the boards comments were very much

against the work stream two and want all future improvements to go through

their review cycles which their review processes which are very top down.

Again they still are controlled by the board and staff so no wonder that's

where they want accountability reforms to go, not into work stream two. So I

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think it's really important that we particularly in light of the boards comment

of against work stream two.

And I think it's worth noting also that this was one of the areas where they put

a red line in where they said we're going to decide, we're going to say this is

against the public interest if you don't do it the way we want which is, you

know, really work stream two is a red line issue for them but right up there

with human rights and transparency I guess.

So I think, you know, we really need to support the items that are currently in

work stream two and make sure that we get more transparency in there. Does

anyone else have any other thoughts on this one or anyone want to volunteer

to hold the drafting pen on this particular recommendation response?

Anyone have any thoughts on what we need to add to this or comments based

upon the boards written response? Okay I'm not hearing any noises. (Ed's)

got his hand up. Please Ed go ahead.

Ed Morris:

Thanks Robin. I think we need to be very clear about the retention of the

independent counsel. Talking casually to (Thomas) last week or conversing by

chat, ICANN is using the fact that it's been a very extensive process as we all

know.

But ICANN is going to attempt to regulate our use of independent council in

work stream two by basically trying to control the budget. And so I think

somehow we have to put in there paid for by ICANN but the retention is

determined by the CCWG.

I think we need to be a little bit more specific in what we approve or we could

wind up in a situation where we can retain independent counsel but ICANN

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put the monetary limit meaning that we can't really use them. I'm a little bit

concerned about that.

Robin Gross:

Yes I think that's a fair point I mean we've seen how ICANN uses the resources that it controls as the way of managing the process. For example they don't want to not provide travel funding to Marrakesh for the members even though we're supposed to be working on what gets into work stream two

and a lot of the implementation is just on the IRP.

And, you know, there's tons of things to be done but by refusing to provide travel support they can prevent us from getting that work done and as you say by not funding our independent lawyers we're not able to get that legal work

that we need to have done.

And, you know, we'll probably just be dependent upon Jones Day or ICANN's legal department which will not give us objective and neutral advice. So I think that's right.

Anyone else have anything to add on that issue or work stream two generally?

Brett Schaefer:

Are we going to be responding to the board comments at all in - I'm sorry this is Brett Schaefer. Are we going to be responding to the boards comments to the third draft at all in this or are we just going to restrict our comments just to the third draft because obviously...

Robin Gross:

No I think...

Brett Schaefer:

...because obviously the boards efforts to weaken its obligations to follow through on work stream two and also to narrow the scope of what is in work

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stream two would be objectionable and should be mentioned here if we're

going to be doing that.

Robin Gross:

Yes, no I think that's right I think that's absolutely right because, you know,

some of the places where now we know there is weakness like work stream

two, the mission, the human rights issues, the transparency issues.

We know that those are on thin ground now because of the boards comment.

They say we're not going to treat those special they get treated like every

other comment but yes sure like the last time right.

So I think yes what we need to fortify those things that we'd like in the report

that the board is trying to weaken and I think we need to do that in our

comments.

Okay, any other thoughts on this on the responses at all? I'd like to for folks to

have any other edits or thoughts put into it say this needs to be filed by the

21st.

So can we say by Friday is that too ambitious to try to have this done by

Friday? Any final thoughts? I see (Ed's) got his hand up, (Amar's) go this

hand up. Okay Ed please.

Ed Morris:

Thanks Robin. Could we have the weekend and make it Sunday? I know a lot

of us are working during the week and it would be nice to have the weekend

to work on it.

Robin Gross:

Okay, yes works for me. Amr.

Amr Elsadr:

Thanks Robin this is Amr. I just want to remind folks to also consider the time needed for the policy committee to go over all of this and endorse it although I'll try to get the policy committee started on this now but just want to remind folks

I also had a question. I think I misplaced the recommendation that discusses - I'm sorry my audio doesn't seem to be coming in too well. I was just saying I think I misplaced the recommendation that addresses the strategic plan and budget and how the committee would go about vetoing this.

We haven't discussed it much over the course of the work of the CCWG. I know that I've pretty much - I've voice my opinion and raised concerns about this but I was just wondering what folks think about this and wondering which recommendation it's actually in if someone could remind me.

Robin Gross:

Yes.

Amr Elsadr:

And I was also wondering why we are not objecting to this or what people's views on this are. I've barely heard views from anyone on this actually. Thank you.

Robin Gross:

Okay thanks, thanks Amr for reminding us of the budget, the approval of the budget issue. So that's going to fit under recommendation number 4, ensuring community involvement in ICANN decision making to seven new community powers.

This is one of the new community powers is the budget approval or rejection rights that the community has. And we distract response that we have right here right now didn't go into that particular issue and I think it's, you know, just because it wasn't in the mind of the person who was doing that drafting.

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But I think that is the point that we want to bring into here that there is

some concern about how that budget power could play out. Amr can I ask you

to - since you raised the issue to add that point into this response in

recommendation number 4?

Amr Elsadr:

Sure. This is Amr again. I'll try to come up with some language at least to express the concerns that I have and just to avoid some quickly now. On one

hand I think that a power of vetoing or controlling ICANN strategic plan and

budget could very easily be misused to drive policy issues.

And I think that could become extremely problematic but from a more generic

perspective I'm not exactly sure what approving the budget in the strategic

plan actually has to do with accountability.

My take on this would be that folks should be able to hold ICANN

accountable based on what they proposed and then whether they've met their

goals and the goals in the strategic plan are not and whether they're screwed

up their budget or not.

This should be something that they are held accountable to after the fact. I

don't feel that it's something that the community needs to or should have the

power to veto before it ever gets off the ground.

It just seems more like an ability for certain actors who seek to control

ICANN rather than hold it accountable. Those are just my random thoughts,

thank you.

Robin Gross:

Thanks Amr. I think that the budget power is pretty solidly embedded into the

recommendations. And so while I very share those concerns the extent to

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which we can, you know, actually get the budget approval rights kicked out at

this point I don't think is very realistic.

So I think what we need to do is we need to raise these concerns and if we can

propose a way to address, you know, try to address it and try to guide the

implementations such that we can try to mitigate against that potential

concern.

I think that's probably the way to go. I mean I don't want to, you know, be the

bearer of bad news but I do sort of feel like that ship has sailed and I don't

think there is a lot of - there would be a lot of support for knocking out the

budget power at this point.

I think it's our best hope is really just to try to tailor it in a way that can try to

address the concerns that we have. Ed your hand is up, please go ahead.

Ed Morris: Thanks Robin. We don't have (Fadi) on his contribution but I want to make

sure that in a response to recommendation number 3 as long as folks agree

that we say that we support the inspection rights particularly that is detailed in

the Sidley (Adler) memo of December 10.

That's a little bit of a blow back against what the board is trying to do for

inspection.

Robin Gross:

Right, right.

Ed Morris:

It was a great memo. It's created a plan for inspection that could be used at the

lowest level whereas an SO or an SU we could start the process without

having to go through the community mechanism.

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Then if it's rejected by ICANN staff or board and we don't get the

information then we use the community mechanisms. So I think it's workable,

it's a good proposal.

And the board ignored the memo completely in what they came up with in

inspection. So I think it's important that we state we do support inspection in

this particular form of it.

Robin Gross: That's a good point. Yes so we - I don't know what happened to that text

because it wasn't there last week but we'll get it back. I'm sure it's floating

around somewhere and we'll be sure to get those points added in there as well.

Ed Morris:

Thanks.

Robin Gross:

Okay, so did anyone else have any other thoughts on these responses? So it

sounds like we're going to have was it Friday or Monday? What's going to

work for folks that are to get the - any comments in on the draft on this?

Presumably our policy committee has been participating in this process in the

sense of, you know, we have had meetings every month and the last couple of

weeks and, you know, the draft has been out there and hopefully they won't

be shocked by what we're working on.

Hopefully they are paying attention to the process here. And so it won't be

stalled in the policy committee as can happen sometimes with drafts. Okay,

did anyone else have any thoughts on the responses?

Okay so let's talk about very briefly - I see hands are up. Ed is that a new

hand?

Ed Morris:

Sorry old.

Robin Gross:

Okay no worries. Stephanie I think that's a new hand.

Stephanie:

Yes and it's Stephanie Perrin for the record. My apologies if you've already discussed this I was late. I see that (Becky Burr) has done a side-by-side comparison of the (unintelligible) language and the former language. Did we talk about this?

Robin Gross:

Are you - with respect to the mission? Well we did talk about - we did yes we did talk about that to some extent about we're opposed, we're opposed to the board's recommendation and how if that - if their suggestion were to be implemented then that would be enough for us to say okay well then we don't support that particular recommendation anymore because right now we do support the recommendation because the recommendation includes the compromise language that the group came to after, you know, long negotiations with a lot of help from (David Post) and from Milton and (Becky Burr) and (Malcom).

And so if that - if we're going to move to the board language and away from our groups language then that would be a reason to oppose that recommendation.

But at this point we need to sure up our support for that language, state our opposition to the board's attempt to weaken that language. So to that extent we did sort of mention that.

Was there anything else you wanted to talk about on that or some things you wanted to say about that?

Stephanie Perrin: Well I'm just trying in the event that the GNSO meeting tomorrow turns into a

substantive discussion of this and as I say (James) said he figured it was going

to take the whole of the meeting.

So that sounds substantive to me. I'm wondering exactly what I want to say

on this, you know.

Robin Gross: Yes well I think that's exactly what...

Stephanie Perrin: Yes they're like trump cards, you know.

Robin Gross: I think...

Stephanie Perrin: (Unintelligible) in the common language.

Robin Gross: ...the board isn't the only one with red lines here the community can have

some red lines too and I think that the GNSO in particular that this would be

an issue.

You know, all the people that I just mentioned who are negotiating this issue

these were people in the GNSO. This is a GNSO issue to a large extent

making sure that limited mission language is right.

So I would hope that on the call tomorrow there are concerns from other parts

of the GNSO about the boards attempt to try to weaken that language. And I

would say this would be sort of a red line issue for us.

It's not listed up here on the agenda today as one because as the

recommendation is currently drafted we like it, we're fine with it. It is the

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board's change that would be a no go for us. If that's helpful for how you talk

to these guys tomorrow.

So I think that, you know, in terms of talking about what our sort of NCSG's

red line issues, what are the major concerns that we have they're with

recommendations 1 and 10 and 11 and 1 and 11 are about over empowering

GAC and changing the rules of the advisory committee, giving them decision

making rules.

Marginalizing the rule that the supporting organizations have. You can see the

response that is drafted there on recommendation 1 and then together with the

language on stress test 18 which is recommendation 11.

Those two are big issues for us and so I would say we would vote no on those

two recommendations as currently drafted. And then also number 10 there

which is the one on accountability of supporting organizations and the, you

know, the board really trying to sort of claw back the ways in which the

supporting organizations can be managed.

And it's worth pointing out that the GAC is exempt from all of those reviews

and accountability improvements. And so again here we are giving GAC a lot

of power but where's the accountability that they're supposed to be held to?

It doesn't exist. So for those reasons I would say recommendations 1, 10 and

11 are the real red lines for us. And then if the board got its way on the limited

mission or expanding the mission language that would be a very big concern.

If the board got its way on limiting transparency, limiting work stream two

items. Again there are things that could very easily move into that deal

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breaker bucket should the fragile negotiated draft be thrown out in favor of the

boards view on some of these things.

Ed is that a new hand?

Ed Morris: New hand Robin. Are we into the GNSO council part of the agenda at this

point?

Robin Gross: We sure are.

Ed Morris: Okay. We don't know how it's going to play out exactly tomorrow. We do

know that there will be extraordinary meeting called to council sometimes in

early January to deal with the specifics and take actual votes.

But my thoughts in terms of how to present this tomorrow and I just want to

throw this out here to get some feedback would be to initially start off by

expressing our dismay at the truncated public comment period.

Now that doesn't help anybody. Then go into our opposition to 1, 10 and 11,

wrapping 1 and 11 together as you've stated. Once done with that then send a

message that we have deep concerns given the past history of the CCWG that

the board comment may be given a little bit special attention.

That if the proposal changes to incorporate those comments the support of the

NCSG and the non-commercial community for many other recommendations

and indeed perhaps the entire package would be in question.

So I want to see what folks would think about that perspective in the council

meeting. I want to send (Thomas) a message and unless we take that line to

the point where he has to go back to (Leon) and say look if we do what the board wants we may lose the non-commercial, we may lose the GNSO.

We need to give him something to go back with. So those are my thoughts I'd love to hear some feedback.

Robin Gross:

I think that's absolutely right and I think that's a really good approach, a really good approach to take. Anyone else want to weigh in on this? Any other thoughts?

Any of our other councilors want to speak up on this since you're the ones who will be going into the meeting tomorrow and have to do the heavy lifting?

Amr Elsadr:

Robin this is Amr.

Robin Gross:

Yes.

Amr Elsadr:

Just to express agreement with Ed I think that's a very solid suggestion and it would give (Thomas) something to take away from the meeting and gives us sort of an objective to work toward.

And Ed it would be great if you would lead the NCSG discussion of this topic on the call. Thanks.

Robin Gross:

Thank you. Anyone else want to weigh in on this approach or the council discussion tomorrow, next steps, anything at all? Looks like we've been going pretty steadily now for an hour and a half and we've made our way through our agenda.

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So we might actually be done for the day. Anyone else want to weigh in on

this stuff? Okay well again please put your thoughts down into the Google

doc, into the mailing list.

And you've got until the weekend for that and then this is going to have to be

submitted to ICANN on the 21st. So thank you all. Any - (Brett's) got his

hand up. Okay yes Brett please go ahead.

Brett Schaefer:

Just very quickly. There are some people that have been leading the drafting

or editing or (consolation) of the responses to various recommendations that

aren't on this call.

You might want to send an email out to everybody who has sort of been

leading those responses to let them know of the timeline and the expectations

over the next few days.

Robin Gross:

Yes. Thank you, thank you very much for that reminder good idea. I will do

that right after we get off this call. Okay, anyone else? I guess not. All right

thank you all I really appreciate your participation and all the help with the

drafting and the editing and see you all shortly, thanks so much bye-bye.

Maryam Bakoshi: Thank you very much Robin. (Nathan) you may now stop the recording.

Thank you.

END