

**ICANN**

**Moderator: Gisella Gruber-White  
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3:00 pm CT**

Coordinator: The recordings have started.

Jordan Carter: Okay and thanks everyone, we'll kick off I think and thank you all for joining this call. And inevitably for some people it's going to be late at night to early in the morning and I am assuming that I've got the really awful job of convening and chairing this call and therefore chair it.

And I've been doing some preparatory work which you've seen shared with you and that guides the agenda. And I thought the first thing that we should discuss was the start of work between the two working parties that was suggested by the co-chairs at our meeting in what was it - Singapore. And at - because it does involve some slight changes to where the various functions that we've got might live so I think we should discuss those.

And we can discuss it (include genes) with Becky's working group and with the co-chairs and then see where we weather in it, so what will be aligned between the two working parties. We need to come up with a work plan and then how we're going to all work together so that's a (reflective) item. The scope - powers of mechanism have only been (discovered) on the Internet so

far online and a little extra space. So we felt it important to having done a discussion on that on this call.

And then to give you time to think about what you'd like to volunteer for, we'll do that after those discussions. That will be the fourth item and then any other business - are there any other points to add? Does anyone want to add anything to this agenda? I hear perfect silence so you'll still have a chance to add stuff if you need to at the end. And (if you have any other business to share) on the items. Tijani are we organizing the to call you - is that possible operator? Okay great, okay thank you.

And in the meantime the first item, trigger business and non-trigger. As you'll recall when we started these two working parties we had a (gross) subject and that's the difference between us and Working Party 2. Our responsibility was a community empowerment mechanisms and Working Party 2 was looking at and review and reject (payments). Now the co-chairs in Singapore as opposed to difference of their responsibilities between triggers and non-trigger mechanisms.

And the way I think about those two things is that triggered mechanisms are ones where they are started by some other events, they're not planned in other words. Some examples from other - the triggered mechanisms would be removing one or more ICANN Board member. And we wouldn't plan to remove ICANN Board members, we plan to elect them. But if something happens that meant that they needed to be removed that would be triggers.

And so under the proposed variation if this is a non-triggered powers working group we wouldn't be responsible for (developing) that any further, it would go to Becky's Working Party 2 to do it. Conversely and an example of a non-triggered or planned mechanism is to give the community pass to approve the

detail of the budget. That's because planning the budget is a task that is just part of the organization's normal work and it doesn't follow that - it isn't triggered by an extraordinary event.

The budget comes after the (COD) by the (COD)'s, either people want to or not. So that's the conceptual distinction and it hasn't - people seem relatively happy with those as far as I can make out in Singapore. And this gives us a chance first of all to comment and reflect on it. And then if we are happy with that or if we don't have a different suggestion we're going to need to go through our scope powers of mechanisms working papers, through the table on this.

And we're going to need to allocate things and to - between the two and possibly shuffle some out to Working Party 2, that should be in the trigger mechanisms. So I hope that all makes sense and (so a good job) is probably finish up at that (different) - do you think it's clear, do you think it's workable? Do you think it's better than what we've got now? What are your thoughts? Who would like to speak - if you could use the (hand set) that would be great and perhaps (Estea) your up next.

Kavouss Arasteh: Yes good evening or good morning or good time everyone, there are some (hums) from time to time a background noise.

Now this isn't here, I hope it will not appear again, it is difficult to hear you - I'm sorry to say that I don't know whether anybody else has the same problem or only me, thank you.

Jordan Carter: Yes thank you Kavouss, as I said unfortunately with no notice there's some construction going on next door to where I am so I will try and hold the

microphone up as close as I can to me and to be muted when I'm not speaking. Unfortunately I can't fix it further than that.

And currently no other hands up but there were some hands up before so if you'd like to speak please do use the hands-up function in the chat room.

Steve DelBianco: Jordan it's Steve, my - I'm unable to raise my hand right now for some reason the Adobe looks like it's malfunctioning - if I could get in the queue.

Jordan Carter: Okay - yes so I'll take Roelof and then Steve. If other people are having that problem please let me know - Roelof and then Steve.

Roelof Meijer: Thanks Jordan, as to your question to me it's both clear and workable so I think it's good going forward, better than the distinction we had before.

Jordan Carter: Okay thank you for that comment and Steve and then I'll reply to Matthew's question in the chat - Steve.

Steve DelBianco: All right thanks, Steve DelBianco - I wanted to ask just to clarify that the purpose of coming up with the distinction was to divide the work.

It wasn't as if this distinction was ingeniously devised to put like items together, it was somewhat arbitrary between calendar driven and non-calendar driven items so that the work could be roughly evenly divided. Do I have that right?

Jordan Carter: Yes Steve that's my understanding, it was basically looking at the mind map that we did in Frankfurt and roughly allocating the work between two groups so that we just had an effective split. There's no great genius behind it. That way and I'm not sure of the great genius in the proposed realignment.

Steve DelBianco: And so if in fact we went through the documents you've done and we identified the items that are part of our non-trigger work party I believe we should leave the rest of the items in the document so that when the other work party finishes their work it can simply be plugged in.

I'd hate to lose the organizational work that you've already done by removing those items while we're waiting for the other work party. Would you agree to leave them in there then?

Jordan Carter: Yes I don't think we should delete anything out of (Scott) power mechanisms paper and because it's not (leased) given we were all attracted to this working party by the community empowerment thing.

So what - we want progress the other party is making if we chance (with them). I haven't got actually any sense except they are going to come and audit us about which powers and which working party, so I think...

Steve DelBianco: Great.

Jordan Carter: ...that there's a little bit of room for flexibility.

Steve DelBianco: Got it and on the cartoon slides that we looked at last Thursday morning in Singapore, the non-trigger column included just five things - the budget and strap plan approval that you indicated in your email.

Structural reviews which are things that are motivated by the Bylaws structural reviews, the AOC reviews, Board member elections - which is surprisingly, it probably ought to say something - I'm surprised the Board member election suddenly showed up. And then finally ATRT review teams

which is the same thing as Affirmation of Commitments. So while those items are calendar driven - so I'm concerned the things that we believe should be done in Work Stream 1 include modification of the Bylaws to bring the Affirmation of Commitments in.

They include modification of the Bylaws so that we're not differential to GAC advice that comes over without a census. This is something we discussed just two nights ago and I appreciate that you put it into your table already, thank you. But those two items I just brought up - the Bylaws changes, they don't show up at all on the Work Party 1, Work Party 2 list. And so while we appreciate the chairs helping us organize the work I do think we should feel free to put things like that into our Word Party 1.

And put as much detail behind it as possible. Because it's part of what we've got to do to empower the community, thank you.

Jordan Carter: Thank you Steve, I don't think that what was on the slides was intended to be comprehensive. I think it was designed to give the community an idea of the sorts of things.

So the five units that I in fact Board elections do belong in the triggered mechanisms. But things like incorporating the ATRT in the Bylaws are clearly not triggers, so they would have to be in our scope of action. And so as I've said on the chat I update this and I'm sorry this happened so late because it only occurred to me I should have a go at this this morning. And at the scope power of the mechanisms working paper I added a column on the right-hand side of the table.

And it just suggested whether the particular powers and mechanisms in that list would count as triggers or non-triggers. And it might help us to quickly

review that document and - on the screen, so that's going to be loaded in a second I think. And in the meantime I have Roelof and Kavouss with their hands up again - Roelof would you like to have another comment?

Roelof Meijer: Sorry that's an old hand, I'll put it down.

Jordan Carter: Okay thank you – Kavouss?

Kavouss Arasteh: Sorry during the last few days there is an extensive discussion relating to the change of the Bylaws in regard with the way that GAC working and the changing - possible changing consensus in GAC by super majority or something.

I sent several messages to everybody and send a message to the GAC and the Chair of the GAC that we should be very, very prudent and very careful on this very delicate and sensitive issue of changing the consensus to super majority. We have been facing considerable difficulty during the last three years that this consensus has helped us. Changing that would be very, very big departure from the current and we need to have a clear advice or clear reaction from the GAC, please kindly consider that.

This is not an easy issue to change the consensus by super majority or whatever type of majority that you're thinking of, it's just a warning, thank you.

Jordan Carter: Thank you Kavouss. I am - I'd like us if we could to hold the discussion about that item until we get to Item 3 in our agenda where we look at the content of the scope and powers mechanism.

As you will see in it I've added the text and that Steve had proposed left to that. And at the moment I would like us to just focus if we could on the kind of allocation of items and - but we will definitely come back to this. And I don't think that we're trying to tell the GAC what to do in any case but we should discuss the substance of that point if that's all right with you. And Steve you've got your hand up in the chat as well.

Steve DelBianco: Jordan I don't mean for it to be up, I have lost the ability to lower it - I no longer have the control that I used to have here so that's not me. I may reload - I'm going to reload Adobe and see if that helps, sorry about that.

Jordan Carter: Okay so if we accept that that distinction (as we saw work) to just (evidently) see where our powers are.

And I think you all have and the new version of that (go power) the mechanisms working paper in the middle of your document. So I encourage you just to run down the list and - of the power to the community table. And in the right-hand column and I've added a (clip) of what might be to the triggers which is not our working party and to the non-triggers which is our working party against each of the kind of mechanisms of powers that (set out there).

And I think the easiest way to do this is to take five or ten minutes (unintelligible) we've got time to do it and to be able to look at those allocations like (proposed). And to - and, you know, raise any concerns that was explained - that you think should be in a different category and we can have a discussion about it. So the people that are happy with that approach let's do that.



The alternative approach by the way for me to just run through and spend five minutes explaining why I put the (unintelligible), either way. But it's over to you, I'm happy to do it either way.

Steve DelBianco: Jordan it's Steve, it would help me if you explained the rationale on the first couple and I have a better idea about how you're - how you see the distinction between triggered and non.

Jordan Carter: Okay I can do that and in terms of changes to ICANN Bylaws and Articles of Incorporation I thought that would be a triggers power because what we're suggesting is that the community should block and change (that is) the initiative of someone else.

So and that some part of the community or the ICANN proposes a change this power suggests that we should have to block it. That's triggered by the act of suggestion the change so that's why it was triggered. And the second one for Board of Manager and Action that conflicts with the Bylaws, once again there's an action that in conflict, so someone has done something. It's that action which triggers and the community responds which should be the challenge at the Managing or Board decision.

So that's why it's sort of triggers. As opposed to the third one, the budget and strategic plan and if the budget and strategic plan processes the normal part of that corporation's it does those things on a regular cycle. And they come to a conclusion and it seems to me that because of that process it won't work (opposing), it's just another sign-up point in that process - it isn't particularly triggers, it's a non-triggered thing.

It's part of the normal work of the organization. So that was how I distinguished between those three, I hope that's helpful.

Steve DelBianco: Jordan this is Steve, it is helpful to me and do we have a better understanding that this is exactly the way Becky Burr and Work Party 2, do they see it the same way?

Jordan Carter: That is a good question, I was hoping to chat with Becky before this call but I didn't and so I'm going to be speaking with her after this call.

And if there's a reconciliation issue on how we're treating trigger and non-triggers and (unintelligible) bring that back to both of our working party. And Kavouss you still - oh yes, you let your hand go. To Tijani your hand up, your turn

Tijani Ben Jemaa: Thank you Jordan, Tijani speaking. I want to follow-up on what Steve just said and I do think that we need to concert with Becky and (his) working party about the trigger and non-triggered issues.

I think that what you did Jordan on your table is for me very logical, so it's only to submit her what - this table and ask for point of view or her group point of view about the trigger and non-triggered issues - thank you.

Jordan Carter: Thank you Tijani, yes I think that makes sense and the obvious point there is that probably the result will be we will transfer some of our and power of mechanism to her working party.

And she will transfer some to ours. I haven't reviewed hers yet but I thank you for that (saying as much) and Kavouss you've got your hand up as well.

Kavouss Arasteh: Yes, is it possible that you kindly explain what do you mean by Working Party 1 is non-triggered group? I understand trigger subject to get issue but

non-triggered group, what do you mean by that? Is it possible that you kindly clarify that for me at least?

Jordan Carter: Yes so it relates to a decision that the coach has made that the ICANN meeting in Singapore to propose triggers and non-triggers as two different - as a different and new way to put some (work) between the (unintelligible).

So (unintelligible) and Working Party 2 was the working party for review and reject. And most review and reject mechanisms are triggered by some event, either in the company or in the community. Whereas quite a lot of the community power are part of ICANN's normal processes or changing the Bylaws to give the community signoffs of this and normal planning purposes pose that position as a more logical division then the community empowerment review and reject.

So that's the nature, it's kind of a retitling, repurposing of these two working parties that I and Becky are the repertoire's for and (lead) to a better work being shuffled between them. Tijani I see your hand up again.

Tijani Ben Jemaa: Yes thank you Jordan. Mesh AOC into the ICANN Bylaws, I think we need to change the formulation. Once the AOC is meshed inside the ICANN Bylaws it will be a non-triggered issue.

But to mesh it you need to (give) something - it is not something (unintelligible). So I prefer to say once included in the Bylaws it will be a non-triggered mechanism.

Jordan Carter: Thank you Tijani, I - just let me respond to that. And if we - we shouldn't look at the changes required to get to where we're going as being triggers or non-triggers. You could argue that all of the changes that this accountability

CCWG (ceiling) got triggered by the IANA (unintelligible) and the desires of the community to make ICANN more accountable. I agree with you that once it's been it isn't a triggered set of powers that's why it's got non-triggered (bias). Actually in emerging within the (unintelligible) that's just the transition we need to work through. And I hope that helps and Steve you've got your hand up.

Steve DelBianco: Thanks Jordan, Kavouss let me sympathize with you, I am as confused as you between the triggered and non-triggered distinction.

But I'm a team player and I'm trying to figure it out and when we all figure it out it will really just be a way of dividing up the work. But to Tijani what you just said is so appropriate is that somebody in this CCWG has to sit down and mark-up the Bylaws to move the Affirmation of Commitments evaluations into the Bylaws. And that is a task that only has to be done once over the next several months, but once it's done before Affirmation of Commitments review become non-trigger.

And I know that's exactly what you were saying Tijani, but somebody has to take the work on of modifying the Bylaws to bring - to one time now - to bring that in. And let's not let that fall through the cracks - I see Matthew Shears in the chat as well and we have to do the work. Somebody has to be on the work team to jump into the Bylaws and add a section and it isn't that hard. So if it's not that hard why don't we sign up for it and bring it all for the affirmation reviews.

And then when we bring them in we make a few changes to them, so we wouldn't necessarily say that ICANN's chairman and the GAC chair appoint the people on the review team. We probably let the GAC appoint the GAC member, we'd let the GNSO appoint the GNSO members. In other words we'd

make a few changes along the way. And once they're in they become non-trigger and there isn't anything for us to say about that on Work Party 1.

In other words once we've brought them in there isn't a work item to do it because the four reviews will be self-explanatory. The new Bylaws provisions of doing the reviews every three years and how they're done and who appoints them, all that will take care of itself. So that's a task that has - that we need to do to get it done and it's not a task that's fallen to anybody yet. And given that the Affirmation of Commitments is in our column Jordan we could take that on as part of the work we're doing - thanks.

Tijani Ben Jemaa: Steve if I can follow your - on what you said. Mesh AOC into the ICANN Bylaws is a change of the ICANN Bylaws and so it is the first item we have on the table which is triggered.

That's why I said perhaps if we change the formulation of the merge AOC into the ICANN Bylaws would be good to be a non-triggered mechanism, thank you.

Steve DelBianco: Yes that is in there - look down to the fourth row in Jordan's table, he has it as non-trigger. Fourth row down - do you see that Tijani?

Tijani Ben Jemaa: Yes.

Steve DelBianco: But I know that - I know Jordan think of it that way and that's great because that's a process of - well that's not as big of a process.

It's not like we have to follow the cookbook that the chairs gave us, that's just a markup of the Bylaws. The work product for that is just a redline and it

doesn't require all of the different things that are in the cookbook - does that make sense?

Tijani Ben Jemaa: I understand very well the intention of Jordan, it is a non-triggered because why - one, it is in the Bylaws yes it is non-triggered.

Jordan Carter: Okay thanks Tijani and Steve, that's helpful. Roelof I see your hand up again or is that an old hand?

Roelof Meijer: No it's an old one, excuse me.

Jordan Carter: Okay thanks and Fiona your turn - you are on mute, oh yes there you go.

Fiona Asonga: (Unintelligible), I think Tijani and Steve may be misunderstanding. If you go back to the (unintelligible) presentation on the issues that were put as non-triggered and those which are non-triggered I think it was (unintelligible) characteristic of where we want to get to.

So looking at (here) that where we want to get, we want the Affirmation of Commitments put into the Bylaws and it will become a non-triggered issue. We want community and (department) - the (part) community to be an (answer then), you know, a (contribution) of (unintelligible). The Board depending on who's mechanism of which (we) triggered, so if we understood that slide from - because the slides were giving us the characteristic view of what we want, what it is we want to accomplish so that when we are walking and drafting documents and along that kind of vision.

But if we look at everything they're doing within the CCWG it's all triggered, so we might as well have everything as triggered and that doesn't help us (unintelligible) moving forward. I think what helps us go through our

(unintelligible) in the last meeting in Singapore or (where it is) non-triggered and triggered issue because I think for me it's very clear. Once we for example put the Affirmation of Commitments into the ICANN Bylaws it does become an (answer) that issue and that is where we want to get it.

Where the issues of Board manage - Board or management actually conflicts with the Bylaws those are (ones that) have to be triggered even in the future. So if we look at it in terms of where we want to be in the future with (unintelligible) looking at it in terms of what we are working on I think everything we're working on it's been done by the community so we can as well say everything right now is triggered and that will not help us. But if we look at the characteristicly I think it helps us in terms of (begging) us on what we want to accomplish.

I think it's very clear that anything which will be guided by (unintelligible) in the Bylaws will be - or in the memorandum in that (code) will be a non-triggered issue and all - and things that have to do with review, redraft that have to -that's required community back to begin an engagement of sorts those become triggered. I think that helps us in terms of moving forward, so I don't necessarily agree with you Tijani and Steve - thank you.

Jordan Carter: Thanks Fiona, look (our cover speaking was closed) and I think we're ready to move on to the next item because essentially we're all agreeing with each other.

These labels, triggered and non-triggered are what would apply once all of the changes have been made. And the only processes to set the work between our two working parties we said we need to keep an eye on the ones even if we aren't going to let them go to Becky's working party. So I hope that there's no confusion there. One of the action points we need to do to write a very small

paragraph for each one that explains extremely clearly what we mean by this and what the reference is. So I'm happy to take that on with Becky.

And if we could move to the next agenda item and that which is the working plan - oh sorry there's one more action actually which is for your - keep looking at that document, keep looking at the specific - (those) allocations. Remember that non-triggered means it stays with that, triggered means that it's going to be focused on more by Becky's working party. And if you've got comments or questions or suggestions to change those put them in comments on the Goggle Docs or put your suggestions on the email list. Hopefully if you could within the next 24 hours or so that would be helpful.

And okay the next item is the working plan and methods, I wonder if the staff could change what's on the screen for us from the current document to the working plan and methods document. And just call that coming up, I thought I'd start by - oh there we go, that's nice and quick - so what we tried to do in this doc is that we've got an (expect) meeting on the 23rd of March which is just Sunday five weeks away. And we need to have a good set of materials to present to the whole CCWG at that point.

So we need to make sure that we're working on the right set of powers and mechanisms and the ones that need to go by Working Party 2 need to go to them. And then we need to fill out the accountability mechanism template for each single (parent) that we do. And that needs to be done obviously by (chapters) and you (handle that) for chair but I'm not going to share that - all that content by myself. And - but I know that there are a bunch of people here who are going to be able to help with that and take the lead in doing it.

So we need to get that text as good as we can as carefully considered as we can. It either is a consensus that our working parties or where there isn't a



consensus there's a clear explanation about what the issues are for the CCWG to work through this meeting. And it's not a lot of time to do it. So what I tried to do is to set out a work plan in the draft work plan section of this document, it's actually at the bottom of the first page. And that would give us a few days - by the end of this week to actually volunteer and for that mechanisms that we want to do.

And then to do some work on populating those templates with content that's based on what we need to (agree). And then to have an (unintelligible) group that could help scrub up the language and take a first pass at looking at it. And then to discuss those on the call - on the next call which I'm proposing we're probably going to need to do one next week and one the week after. And we'll discuss it through on our next call and improve and critique the (last) question and then do another round of everything (we're not serving).

I'm sharing it with (unintelligible) the WGS (to go). And then hopefully in the fourth - third call early in March we will work through the issue. Now it's a pretty tight timeframe but that's because there are two things - unknowns here. One of them is how the template will work and, you know, whether it - make sure that it needs to be filled out or whether it's going to be tricky. So we need to start trying to get some content in as quickly as we can and to make that work.

And the second unknown is because we as a group haven't been talking on the substance yet. We don't know what the (overall) consensus is. So by (spending) in the time that we've got available if we find that we need much more intensive discussions than I thought we do have time to do it. And - but to do this work relies on pretty much everyone volunteering to work on at least one of the developments.

And so that's the kind of (growth) picture that work plans and I think I've got hands up for hopefully comments on kind of what we need to do and the (giant) structure of work that outlines it. So I've got Tijani and Kavouss and (Evala) - (Eva) on the list so Tijani you're first.

Woman: Sorry (from an old time).

Jordan Carter: Uh-hum, okay we'll move on to Kavouss.

Kavouss Arasteh: Excuse me, before you move into the subject we are discussing I have some question about the (current) subject.

And I need to say (unintelligible) by whom - by event, by entity? For example we take the Working Party 2, the (view on the dress). You said something is identified and we have (unintelligible) and we need to do something, is it something (call them) trigger to notify the (buyer) or notify the - (anything) that is to be really (implied). So you could buy home, so you could buy events, (reservation) within Working Party 1 or Working Party 2.

Second point is that the asset making of commitment is a contact within ICANN and NTIA. Once the issue is transferred some of the terms of that may need to be reviewed and revised before being incorporated in the Bylaws. For instance following of (Line 1A) or something I don't recall said that ICANN reviewed the use (unintelligible) of (catch). If it (unintelligible) and ICANN, if it is a (wanted) transfer I don't think that we should be the same (unintelligible) that ICANN or whoever the operator should review the usefulness of (GAC).

This is something we need before including (day) as permission of commitment in the Bylaws we have to see developments of that item whether

at the stage of transition or during the transition or after transition that ICANN still is valued or not. This is second point. Third point what Tijani said that once we include (by) at the commission of committees Bylaws it took them three years.

It seems that we are talking of absolute accessibility, there is no absolute accessibility even if a very best (in the view) of (escalation) of commitment, including Bylaws. It still may be subject to some trigger after some time, we cannot talk about the absolute stability of something. So I don't think that it becomes a non-three year after the inclusion. So you have to be very careful about these teachings, so (unintelligible) by whom, by event or by somebody or by an entity.

Second, I think (worse than) commit the need to review before included in the Bylaws, and third, there is not absolute stability after the inclusion of the (unintelligible) of commitment into the Bylaws. It may be subject to some changes after the review and the (just) actions. So these are the things that we have to really be very clear and not to rush. Otherwise we will have some difficulty in the future, thank you.

Jordan Carter: And thank you Kavouss and in fact these things are not important in one very significant way, which is that the only use of these labels is to allocate the development of all of the questions that you just asked, so that who has standing, who can trigger things and so on in some detail.

So the only question these labels are deciding is whether it's our working party or Becky's working party to do the detailed work about who has standing, who can start using (unintelligible), what are the (butting) requirements and so on. So it's just an allocation of work mechanisms. All of the questions that you

raised are very important but they aren't important in terms of allocating the work, they're important in doing the work.

And so they - we need to do everything that you've described but we don't need to do that in deciding whether it's this working party or Becky's working party that works on it. I hope that's clear. And I have a hand on that speaking list which is Roelof - Roelof, he's far away in the backroom raising his hand and (unintelligible) that will be great.

Roelof Meijer: I think a little bit of clarification on if you are still using and you work then the distinction between powers and mechanisms.

In (Scott)'s document there's a clean distinction, of course those are the items where we've - where you've just added the column for trigger and non-triggers that was from community. And there were some mechanism to something else, that's the kind of the structure. So as AOC structure becomes supervisory boards, (statutes) to members, delegates. I don't see them - those mechanisms back in the work plan in the sense of somebody describing them or fitting them to the template.

Jordan Carter: Thank you Roelof that's a very good point. And the reason that I haven't listed them is that when you look at the templates that the co-chairs have asked for us to fill out for each of these powers of mechanisms - powers.

And the template requires you to specify a mechanism for each power. So that work is going to have to be done so that when you look through the template the first section's are that describing what the power is. Then there are sections about the standing of the people who can act and the composition of the decision-making by the and so on. So that's what's (causing) us to do on a one-

by-one page if you like. I am not sure how that will work, I think it will work one of two ways.

It will either be quite simple and straightforward to do that or when volunteers are working through that template they're going to say it's easy to specify what the power is and to describe it but why are we basing your hope on two separate ways to implement it? Why are we building different mechanisms? And so one of those things that we're going to have to do in our group is to quickly reconcile and expose those to (voids) creating a hugely complex and dysfunctional (distance).

And I think we should have a goal, we should have a (trying) with the template we've been given and that on our call next week we should decide and whether we are going to be able to do that. Or whether we need to separate the powers from the way that they are exercised - the powers from the mechanism which is the way that it's coming out Bylaws in our fourth plan. Does that help Roelof?

Roelof Meijer: I'm not sure. The way I understand it the power is in ingredients of one of the mechanisms - of each of the mechanisms.

Quite a few mechanisms have identical powers. The template is - or at least the title suggests that the template describes a mechanism. So maybe that causes the confusion because your proposal is to just - to use the template to describe a power. And I think that's a good way to work because like I said many of the mechanisms share powers. For instance the power to overrule a Board decision is something that you need if you have a supervisory board that you need to get, if you have delegates that you need to this working group become permanent and that you need if you have a membership structure.

And so I think it's a good way to start from describing the powers of filling out the templates for the powers that will still leave work to do for the mechanisms. Because they are distinct and the distinctions between the different mechanism we will have to describe because they were required. For instanced different changes to the By- ICANN's Bylaws - I'm not sure I'm making myself clear.

Jordan Carter: Roelof I think you are and I think that - and when we present our work at the conclusion we need to be clear that what within the community do - what the community should have the power to do which is what I've called power and how they're going to do it which is what I call mechanism.

Now the template that we've been given when (the chosen) and one way to respond to that is to (unintelligible) we'll go in (unintelligible) we'll try the template. And another way to do it is to say all that we'll ask the people (would say) the template to do to fill out the first sections about the power and who (connects to size them) and to not worry about the mechanics. To not worry about the second part of the templates and for us to have another group looking at the mechanism.

Now my inclination is that we should honor the - what the co-chair and try it their way first because it could work - it could well work. And I don't know if you've got a response to that.

Roelof Meijer: I think we're saying the same thing but maybe we're using different terms or something.

But like you I suggest that we start with the powers, but the strange thing is that the template is the type of accountability mechanisms and the first item to fill in is the name of the mechanism. So just to make sure that we all

understand it the same way I propose if we want to start describing the powers first that we change the title and the description in the first (cell) that we're in into accountability powers or community powers and name of the power and not name of the mechanism.

Jordan Carter: There's this unbearable silence suddenly.

Man: I was (unintelligible).

Roelof Meijer: Hi I'm Roelof, I made a very elegant response to you but I had myself on mute.

And I think that's a really good suggestion but I would like to talk to the co-chairs and to Becky about before we start changing the template because it's important that both working parties use the same one. So I think it's a good suggestion but (honest).

Jordan Carter: Okay and next on the speaking list is Kavouss.

Kavouss Arasteh: Yes I don't think that we should change the name of mechanism or the name of power.

Name of power has no (lead), mechanism has (unintelligible) what mechanism we use to implement a particular power but is not name of power. Second, there are very rare cases that the powers are identical - they might be similar but not identical. Removal of one Board member is not similar to reversing a Board's decision. There are two different teams and the power of difference so I don't see any area that the powers are identical. I would be very happy to have some example where the powers are identical.

They might be similar but with some differences and that change the implementation. So is it possible to not go to that far saying that they are identical powers unless we check every item on our list and see whether there is an area that the powers are identical. I don't think that we should say they are identical power, thank you.

Jordan Carter: Thanks Kavouss, I have to say that in my opinion there are going to be - every power is different. That a number of powers might be nothing (exercise) but the same mechanism. So if - there were - the powers were the same then they would just be one power. Anyway Tijani you are next on the speaker.

Tijani Ben Jemaa: Yes thank you Jordan, community appoints affirmation review team members is a mechanical.

It is a mechanical that empower the community, particularly the mechanical. The power is not the - it's not the (unintelligible) if you want, the mechanism gives power to the community. I think this is the meaning of empowering the community. So I think those are mechanism - community appoints affirmation review team member, it's mechanical - thank you.

Jordan Carter: Thank you Tijani, see the way my grain works is that the powers to appoint community members to review teams, the mechanism is how you do that.

So it might be that there's a cross-community working group that does that, that would be the mechanism. It might be the same cross-community group that (unintelligible) I don't know. Let's not get into a semantic discussion of it because the template whether it's (cold) mechanism or power it does ask all of the right questions that we're going to have to answer, whatever they're called and whatever the labels are. Steve you're next on the list.



Steve DelBianco: Thank you, it's just a very brief point, Roelof was discussing the template and it's come up a few times.

When I first saw the template it occurred to me that it's an extensive list of questions that for many of our mechanisms will be non-applicable, we won't have to deal with them. And I did talk to the co-chairs about putting too much formula type cookbook approach in and they agreed that we don't necessarily have to build a table just like the template where everything is filled in. It's sufficient they said if we look at the template and for any of the template items that are applicable make sure that we answer them in the pros that we write about the mechanism.

So it doesn't have to be a completely structured document where every single mechanism is fit to the template. That's my understanding and I think we need that flexibility, particularly when I look at the items that are on our work table. For many of them you don't need to go through a checklist like the stage and a half of cookbook of mechanism - that's all, thanks.

Jordan Carter: Thank you Steve that's an important point. That no one should feel in that - if you're going to volunteer for a drafting on one of these you shouldn't feel you have to write large amounts of text or complete every box.

That's a very important point because all you'll need to be able to do is to explain why it wasn't important to fill it out if you're going to leave it blank. And I would like to turn the discussion if I could back to whether this work plan makes sense. Whether there are any fundamentals in that like (list) things that we have to do and if there are any comments like that I'd be grateful to hear them.

Otherwise we should need to move on to working matters because we've only got about half an hour left on this call. And I do see a couple of hands up and at the moment but I see Kavouss's hand, please Kavouss.

Kavouss Arasteh: Yes Jordan I totally agree in the way that you describe power and the concept.

Power is ability to do something and to do that something you need the (modality) and they can mean that that is the (content). So there are two different things and they are not identical, thank you.

Jordan Carter: Thanks Kavouss and I'm going to make a last call if anyone sees any major point of the work plan.

A comment has been made in the chat about whether we're looking to actually draft the Bylaws changes that will effect to these matters or not. That's a very good question, thank you Keith Drasek.

My response to that would be and so far what I've taken from the discussion is that our meeting in March we only need the power filled out.

But given that what we're trying to do with that face-to-face meeting is to get our proposal ready for public consultation. And my personal view is that probably the more detail that we've got to consult the community the better as long as we get the big picture - story right. And so I would like that to be noted as well in fact as an action point if we could.

And Jordan's checked with the co-chairs about whether (Josh Spiral)'s changes should be developed by the working party in time for the (same page). And if we do need to do that it's a bit more work but I think it's still manageable.

And thank you for asking the question. And are there any other points about the work plan or can we go on to working method.

Okay so we can start that work plan then as a workable start and I suggest that we actually move on with it so we (unintelligible) in our next call that we have. I'm turning basically to the working method and we've discussed some of it imperatively already in the sense that we're going to need (bond) in July, the content and the template. And we need to have had the chance to review and talk through what's there.

And I suggested an attitude group to support volunteers if people have an idea and want to help they shouldn't feel unable to do that just because they're not (so comfortable) with their English language writing skills. And so the editors can provide, excuse me, provide some support. And the - and that we should highlight issues so we can't come to dealings we (involved) in that directing party.

And that probably weekly call is going to be required and that we should use them (unintelligible) with comment functions as a simple way to share (at that). And do people have any other comments that they want to make about work methods at this point?

Man: (Unintelligible) are we still connected?

Man: Jordan are you on mute?

Steve DelBianco: I think we may have lost Jordan.

Man: Have we lost everybody who's calling in?

Coordinator: This is the operator, all lines are still open.

Man: (It looks like) we're all still here, it's just Jordan.

Coordinator: Oh okay.

Steve DelBianco: All right he's reconnecting.

Man: Can you hear me?

Jordan Carter: Yes.

Man: There's a silence, total silence, absolute silence.

Coordinator: Once again this is the operator, please stand by - all lines are open and connected including the Adobe line. We have just lost the audio for the moderator.

Man: Anyone heard any good jokes?

Man: (Greg) probably has a good (Heath) joke.

Steve DelBianco: Hey while we're waiting for Jordan is anybody ready to step up and volunteer for some of this drafting? I don't want to get in front of anybody.

Man: Yes I am - I can (unintelligible).

(Joan): (Joan) here.

Roelof Meijer: Yes this is Roelof, I can do 1A, B and C.

Fiona Asonga: This is Fiona, I would be happy to work on Section 2 on the Commission of Commitment and the (ledger) group.

Tijani Ben Jemaa: But Keith I see that in the (hist) there are three (good) and not three (good) mechanisms. So I don't know, will we work all of them or we will work only the non-three (good) ones?

Steve DelBianco: Hey Kavouss, if you look at the bottom of the document on the screen where it says volunteer's list, if you scroll down to there it's near the end of the document.

On there Jordan is showing us only the items that are on our work (day) which is to say non-trigger. So there you just have to look at - did you find that at the bottom where it says Volunteers List - that's the only ones we have to go after.

Tijani Ben Jemaa: But now Steve - this is Tijani, not Kavouss - community approval that should - and the strategy plan is triggered - is a non-triggered, yes?

Steve DelBianco: That's right - that's right, it's within Work Party 1 - everything...

Tijani Ben Jemaa: Yes, yes.

Steve DelBianco: Sorry Tijani, it's the Volunteers List which Jordan has there they're all Work Party 1, so...

Tijani Ben Jemaa: Okay.

Steve DelBianco: ...they're all within our camp and that's great a lot of people are volunteering for different things and that's great. So Jordan you're back and we pretty much have all the work volunteered.

Jordan Carter: Oh okay.

Steve DelBianco: Just kidding, just kidding.

Jordan Carter: I apologize for that, I have an Internet connectivity problem which is ironic working for an organization called Internet (unintelligible). I just made a (sheep's job) which was very welcome.

And when I left I was trying to speak about the work plan I think and we can go through volunteers now or we can come back to them. The only other thing that we have to do on risk and plan is just find out if there's any discussion on the content of the scope called the mechanism document. So if you've already started doing volunteers should we just continue to do that? Are people happy to take that approach?

Steve DelBianco: Sure.

Jordan Carter: Are - is the staff volume- taking notes from those volunteers - and I see that they are.

And who - so (Bob) you're up and Steve and Matthew have volunteered for some and Fiona is working on some (AFC) materials. And are there other volunteers who would like to help with the drafting of the content of the template? We've got plenty of tickets for one and two and maybe fewer for three, four, five, six, seven. And there's also (being) - I would like one or two

people to volunteer and help with doing some editorial support so (being able to) look at drafts that people do and may help flush out the language.

And Keith I see you're happy to (unintelligible), we'll take you up on that. And (Jonathan) and Keith are both volunteering to join that (attitude) as well. Now remember that no one is giving an evil hand of power in any of this process because all of the content is coming back to all of us (unintelligible), so. Are there any other - if there are no other specific volunteers after this and also I'm putting a little note on the email list and reminding that people have got time to volunteer.

And I'll proactively ask some people to do (unintelligible) and I'm happy to finish writing too. And so keep making suggestions in the chat as well. And okay are there any other points that the work plan and methods document? And hopefully we can check but I tried to make it as short as it could be. No hands up and no one's speaking so let's move on to the next item which is...

Man: Do you have a - this one's hand is up, yes.

Jordan Carter: (Unintelligible) power mechanisms (unintelligible) that the ICANN meeting started out (contemporary) (unintelligible)...

Steve DelBianco: Jordan?

Jordan Carter: Am I still connected to the call this time?

Steve DelBianco: You are.

Man: Yes we can hear you.

Steve DelBianco: Jordan it's Steve, hand up - would you take a question?

Jordan Carter: Yes, if you can hear me please let me know.

Steve DelBianco: We do - I do hear you Jordan.

Man: We hear you, can you hear us?

Jordan Carter: Okay thank you, I think I had a - I can now hear you all as well, yes thank you. Sorry there was another connectivity that got - I'm on (4 GF) (unintelligible).

And I was - I've now completely lost track of where I was at. But just - I was giving a little outline of where the scope and powers of mechanisms document came to You would have seen the first draft of it around about 10 or 12 days ago and there hasn't been at the standard change to the content of the document other than somebody adds the power (that be) is supposed to inspect it and clarifying when the Board of ICANN should respond to the GAC consensus (unintelligible) (of my meeting).

And are there any comments about that document and do you have your hand up? So I will move on to Steve, thanks.

Steve DelBianco: Thanks Jordan, it was really a question about what you as a repertoire have as expectations.

So now that we have an example where Keith and (Jonathan) are working on 5A and B, Fiona, Matthew and I might grab 2A, B, C, D and E we were thinking that since the deliverable for 2A, B, C, D and E is a markup of the Bylaws that there's almost nothing in the template that we have to pay



attention to. Instead we take the Affirmation of Commitments, we snip off the full reviews at the end and we try to put them in a Word document and make them read as if they're part of the ICANN Bylaws.

We wouldn't necessarily put a section number, we don't know where it would live but we'd put them together as reviews. We'd make changes to say the community appoints people, we'd make changes about the ATRT being able to sunset overviews and create new ones. We'd do everything that you have in the work plan and what we would end up with is about four paragraphs of text. We would work with each other to edit it and then we would produce that for you guys to put back into the document.

But that deliverable doesn't have any of the elements of the cookbook or template and I'm just clarifying with you that that's your expectation as well.

Jordan Carter: I think I missed some of the conversation leading up to that and I maintain to be that we should try and use the template (where it worked).

But that if there are important deliverables that will actually advance our work that don't match the template, my view is do those (unintelligible). And I think that it's impossible for people to understand what is meant by approving (DOC) in the Bylaws without actually trying to incorporate it in Bylaws. And Fiona has already done some work in respect to that including (DOC), so we would need to join her into the volunteers there. I think (unintelligible) actually Steve, Matthew and Fiona.

And so I don't have a problem with people doing more and if you think the Bylaws changes by themselves is self-explanatory just do that and let's discuss it on our next call. And we can see whether there's a need to try and somehow unplug a high-level description of it into the template. And if templates don't

prove useful we will change them. So if you are using them and you are finding that it isn't working for you then do what you think works and bring it back for review.

And I would just urge you in terms of the working methods that we're doing to consider using Google Documents that people can see you working on rather than just exchanging Microsoft Word documents - pass between you. And I don't know if people have problems with - I would be happy to help informally (about it) if you need. And so is that clear? Use the template as much as you can, if there's something obvious you need to do that isn't part of it then do that. Roelof I see your hand.

Steve DelBianco: Jordan it's Steve, (it just depends).

Roelof Meijer: (Unintelligible).

Steve DelBianco: We did try to make this clear, if you look at the template it is of no relevance to the task under 2A, B, C, D and E.

And it's not as if we're going to take a look at it and use what we can, none of it applies. And I just want to make sure you're okay with that because the work that Fiona, Matthew and I would do is only four paragraphs of text that we're proposing to live in the Bylaws that would require ICANN to do the reviews that only the affirmation requires today. So there wouldn't be any application of the cookbook at all, thanks.

Jordan Carter: I see, you've already done what I suggested which is to look at it and not use what you can, if none of it is of use then that's fine.

And that's noting still the volunteers that are coming through in the chat which is good. And I do want to (scope) powers mechanism document and just ask if there are any violent disagreements with any of the content there. Roelof you hand's up.

Roelof Meijer: Yes my hand is not up because of a violent disagreement but can you put the template in Google Docs so that we can use it from there and copy it?

Jordan Carter: That is a very good idea and (Greg) or other staff could you put the template into Google Docs and then check it as a link on the working party (last) so that people can find it.

And I can (easy to use) copy of it then and if - I think that should be doable. And just (unintelligible) if you get the document up to Google Docs template, save it as a different filename otherwise everyone will be writing their content into the Google Docs. And Tijani you've got you hand up.

Tijani Ben Jemaa: Yes thank you Jordan, rather than Google Docs I would prefer to use the Wiki since we have our Wiki's.

And as you know in some countries Google is not permitted, so some people from our community would be prevented from using Google Docs. So our Wiki's are very well and it is (calibrated the way) to use the Wiki's

Jordan Carter: Certainly, I don't mind what system people use as long as it provides the best thing for our (unintelligible) that is open and easy to use.

And wherever there are Google Docs when we start posting on the ICANN community within a day or so PDF and Word documents and they can post and mark their changes - track changes that show the difference between

various version. So definitely all of the material will be available on the Wiki as a potential depository and if you want to use that as a working space I'm sure that you can do so. But as (Grace) has offered please contact her for your accounts.

And (Grace), other staff I presume that somewhere on the ICANN would be - there must be a sort of how-to tutorial that people should be learning more about it. If there's information like that could you please stipulate that on - and - on the (unintelligible) blog? Thanks (Grace). And okay we keep looking back to the working methods. I'm wondering whether that means that people have moved a bit beyond what's in the scope, how is the mechanisms of these documents.

And I'll ask again is there any sort of violent disagreement? So if people are happy to have it standing as just a working document of this group and that's providing we (talk) (unintelligible) be doing some more work on. That's how it feels to me and are there any hands up for people who want to comment on that or comment in the chat about it? Okay and bear in mind that being fine with this document does not bind us to anything in this. It doesn't do that so if someone (unintelligible).

Okay by my measure that means we have largely worked through our agenda for job of the volunteers, Item 4 really in conjunction with our work plan. And Kavouss has asked where the work plan is available on the Wiki. Kavouss it was included in a copy of the papers that I emailed around. So you will have like a PDF and a Word version of it in your email definitely. And I know that the ICANN staff will post that material on the Wiki in the development section.

We've got a subgroup section Working Party 1 and under that is Working Party 1 documents and so in there you'll be able to find all this material and as soon as humanly possible. And are there any items of other business that anyone would like to raise or any other issues that was not dealt with adequately earlier? We've got five or so minutes to (enjoy) any last points. Are there any hands up for that? And anyone want to say anything?

Man: Thank you.

Man: (Unintelligible) that he can type and he's re...

Berry Cobb: This is Berry so for those that aren't seeing the chat that we did lose the voice of Jordan and it looks like we're drawing the meeting to a close. I think there's a few - otherwise let's close the call and thank you for participating. And at this point operator you can stop the recording.

END