TERRI AGNEW:	Today is the 13th of August, 2015, at 14:30 UTC. On the English channel, we have Tijani Ben Jemaa, Cheryl Langdon-Orr, Alan Greenberg, Olivier Crepin-Leblond, Beran Gillen, Gordon Chillcott, Sebastien Bachollet, Leon Sanchez, Glenn McKnight, and Eduardo Diaz.
	On the Spanish channel, we have Alberto Soto.
	We have apologies from Seun Ojedeji. From staff we have myself, Terri Agnew.
	Our Spanish interpreters today are Sabrina and Veronica.
	I would like to remind all participants to please state your name before speaking not only for transcription purposes, but also for our Spanish interpreters. Thank you very much and back over to you, Olivier.
OLIVIER CREPIN-LEBLOND:	Thank you very much, Terri. Have we missed anyone in our roll call? No one is shouting their name out, so the roll call is complete. And now we have to adopt the agenda. And as a result of the action item from our last call a couple of days earlier, we will be starting today with the CCWG Accountability, giving it a full 60 minutes, and then closing off with further discussion about the ICG since there's also a consultation on ICG matters. And that, of course, works closely in line with the work in the CWG IANA.
	Without any further ado, are there another other business or any amendments to the agenda? No amendments, no further business. Let's

go to agenda item number two, then, since the agenda is adopted and the agenda item number two is telling us that we have to go to agenda item number three, the CCWG Accountability. And I am happy to hand the floor over to either Leon or to Alan. I'm not sure who wishes to lead this part.

ALAN GREENBERG: What I was thinking to do, but I need the agreement of the group, is to start going over the comments that have been made. They've all been made, I believe, by either me or Sebastien. And to see to what extent we have agreement with this group that they either should form part of the ALAC comment or something like that, and to what extent do we have differences that we're going to have to either iron out or try to represent all versions.

If that's acceptable, then good, we have the right document in. I would suggest that to the extent people can either have a paper copy or another copy of the comments of the wiki available that would help, to some extent. But barring that, what I think is probably best is to be looking in the Adobe Connect at the actual report, the document that is there right now, and I will read out or reference what the comment is.

Now, we have a large number of comments. Olivier has said we have something like 60 minutes to talk about them. To the extent possible, people should try to limit their interventions to agreeing, disagreeing; and if disagreeing, then giving a quick rationale. But let's try to keep moving. Otherwise, I don't know how we're going to get through this in a reasonable time.

I would suspect, but correct me if I'm wrong, that we're best off having one person move the document as we go to address the correct places. If anyone feels that they really need to move it themselves, then certainly we can do that. Okay.

TERRI AGNEW: Alan?

ALAN GREENBERG: Yes, go ahead.

TERRI AGNEW: Did you want to turn the slides in?

ALAN GREENBERG: I would prefer not if you can be listening to what I say and go to the right places. In general, the paragraph numbers, which are easy to find. All right. Not hearing any complaints, let's try for this for a little while, and if you sense it is not working or not being effective, then speak up and we'll try to change the methodology.

These are the comments on the wiki. As I said, the bulk of them are mine. Sebastien has made a fair number of them. Sebastien, if you want to take over and do the talking when we come to yours, that's fine, or I'm happy to do it. Just when we come to yours, let me know which way you want to go.

First one is in paragraph 154. And that's one that was actually added. It's the minority review that Tijani put in, and its definition of the – Terri, as you're pulling it, if it's not too far, you probably want to page up and down. It's sometimes quicker than pulling the scroll bar at the right.

Okay, 154 just a little bit before where we are right now is the definition in the bylaws of how ICANN is led. Originally, it said led by the private sector. There's been a request to widen that and be more specific, and now it uses… I can try to find it here. Bullet one. So it says private sector includes business stakeholders, civil society, technical community, and academia.

The minority view says instead of just civil society, says individual end users civil society, academia, and the technical community. Essentially, it's adding individual users. I have some concern that there are parts of ICANN that have claimed civil society as their own. In addition to that, there are parts of At-Large, which are clearly not civil society as an organized entity. And, therefore, I strongly support the inclusion of end users. Sebastien, your hand is up.

SEBASTIEN BACHOLLET: Yes, thank you, Alan. There's another small change but, also, I think important not directly for us, but for the ICANN in general. There's a split between business provider and business users to try not to have everybody in the same as private sector and businesses. But that's two changes and no other.

For my personal point of view, we don't need civil society. It's not a representation within ICANN. It's a good representation within the IGF and so on, but as I would say, a compromise. I left civil society but I think it's important to have at least individual end user as a group as a definition. Thank you.

ALAN GREENBERG: Thank you, and sorry for not noting. I thought it was Tijani who said it but it could well have been you. And if you say it was, I'm sure it is. Tijani, you have your hand up.

TIJANI BEN JEMAA: Thank you very much, Alan. I am sorry; I was muted. If we add end users with civil society, this really means that end user and civil society are two different things, and there is no civil society – there is not part of the civil society inside the end users. So whether you use the definition of multi-stakeholder in the global definition of the multi-stakeholder, which includes civil society, private sector, governments, and etc. etc., or you use the multi-stakeholder defined in ICANN so that we will not make this confusion that as the NCSG are always claiming that they are [inaudible] society.

So they will explain it as civil society equal NCSG and end user is ALAC, which is wrong. End users include civil society, NCSG includes civil society, but they are not limited to it yet. Thank you.

ALAN GREENBERG:	Tijani, can you be clear? Are you suggesting that we say that they should eliminate the term civil society?

TIJANI BEN JEMAA:	I do prefer that. The best way is not to use private sector led. It is really confusing. Now that we cannot eliminate it because there is a political consideration, etc., we have to include everything, which is included in this private sector as it is defined here. And I think that if we use the definition of the multi-stakeholder at the global level, it will include end users. And if we use the definition of multi-stakeholder inside ICANN, it will, for sure, include end users, also.
	So [inaudible] we have to use this or the other, we don't have to use both at the same time, because this will make it more clear for NCSG that they are the civil society and we are not.

ALAN GREENBERG:	Okay. Thank you, Tijani. I guess I have a strong comment to make. There is no way we're going to get rid of the term led by the private sector. It's in the current bylaws. So that's life, and I agree with Sebastien. I think if we suggest that the term civil society be taken out, it's not going to work. We're not going to get agreement on it, and so the question is what do we have to do to make this more acceptable to us? And I think Sebastien's suggestion is something close to what I could live with – not optimal, but I could live with.
	And, again, if we're going to get a change made in this document for the final version, it's going to have to be something, which can be sold. So I

think we need to be very pragmatic. Olivier and then Alberto, we're only on the first of hundreds of items. Let's try to keep it brief. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks Alan. I just wanted a quick clarification from Sebastien on what he mentioned. He said there were business provider and business users. Does he mean finding a difference between the contracted parties and business users? Is that what he meant?

SEBASTIEN BACHOLLET: Yes, exactly. It's between – I would say business constituency from one hand was they do other things but they are business users, they are company who use Internet, and the business provider who are regisry, registrar.

OLIVIER CREPIN-LEBLOND: Okay. Thank you.

SEBASTIEN BACHOLLET: Thank you.

ALAN GREENBERG: Go ahead, Olivier. Oh, you're finished. Okay. I'll point out that I'm not sure we need to defend the business community if they want a different [inaudible]. They could provide it but I have no objection to what's there. Alberto, please.

ALBERTO SOTO: Thank you, Alan. I believe that we cannot leave the concept of civil society worldwide. The rest of the world understands civil society as a concept that includes a diversity of individuals within a legal framework in which they make decisions, and they work or add jointly or together according to shared rules.

So I believe we should speak to these concepts, and within this concept, the end user is not there, is not included because the end user doesn't move or add within a group. So I believe the end user is the one that is not linked ore related to any other group. The end user is that person that has no representation, and these are the people we represent. We do not represent groups. Thank you.

ALAN GREENBERG: Thank you, Alberto. If I understand correctly, you are supporting the change that is there. So to the extent that people are supporting what my comment is or Sebastien's, when we get to Sebastien's, I think we don't need everyone saying similar things. The real important issue is there are people disagreeing with the comment, so it should not be a general ALAC comment. But I'm hearing in this particular one that we have overall support.

The second one is in Section 5.1. I don't have the paragraph number. You're going to have to find it, Terri. It is on the Independent Review Panel. And my statement is a very general one. It says, "I still have concerns on the binding nature of the IRP and why we should feel comfortable with a three-person panel than with the Board selected by

the community. I accept that the Board has made bad decisions, but I still have a feeling of unease with relying complete on the Panel and making it binding. The fact that a decision may act as a precedent, which it does in this new version, says that the decision may not only affect the current question at hand, but all future ones."

And the question is, do other people have that same level of concern or not? I don't have a solution to it but I do want to express a concern. Tijani, you're on.

TIJANI BEN JEMAA: It's exactly that, my comment. I meant to ask you what you propose because if we say we have this concern and I have the same concern, the solution for me is that the decision of the panel is binding and perhaps stopping a decision of the Board. But not the solution proposed, the IRP doesn't have to propose a solution; they have to say this decision is not good because of blah, blah, blah. That's all.

And then the Board will be obliged to review its decision, and perhaps they can give more reasons for their decision and submit it again. So it is binding not to make the Board act as they want, but it is what binding for considering the decision. That's all. This is my point of view. Thanks.

ALAN GREENBERG: Okay. You're suggesting that the IRP can reverse a decision, but not necessarily dictate the replacement outcome.

TIJANI BEN JEMAA: Exactly.

ALAN GREENBERG: I think the chance of that getting accepted by the people who have been demanding the IRP is close to zero, but we can certainly suggest it. Any other comments or thoughts on this one? Cheryl, I'm not reading the comments in the chat, so can perhaps someone on staff or one of the other community members, if something's said on chat which really needs to be said, please highlight it.

No other comments here? Then what I'm taking is a general agreement but not necessarily a good solution to it. I've been asked to speak louder. I'm trying to. If someone can confirm that it's working, please let me know.

The next item is paragraph 319 that's on the SO/AC weighting. The current proposal is the five times five, that is five votes each for the SOs, the GAC, and the ALAC; two votes each for the RSSAC and SSAC. My comment is I would like if the SSAC becomes not Board-appointed. Currently, they are appointed at the will of the Board and can be removed by the Board.

Should that they change and they be no longer Board-appointed, I'm suggesting that they have a weight of five. My personal comment is I would support the seven times five, but I reject the minority option of four for the SOs and two for all the ACs. Sebastien?

SEBASTIEN BACHOLLET: Yes, Alan. Why you single out SSAC and not the SSAC? Because I think there will be the same in that regard. They are currently SSAC chosen by

the Board. And if it's not, it must be the same. I don't see… It's a question. Thank you.

ALAN GREENBERG: I can give you my rationale. My rationale is SSAC is responsible for security and stability, which is an absolute core mission. The RSSAC is a different animal in that it has one member from each of the root servers on it. It doesn't represent a concept. It's just an operational part of the organization that has some input into it. So I'm treating them as differently, and I think they are differently.

We can't say, "Let's get rid of these root servers and get a bunch of new people," if these are the wrong people. They are the root server people, de facto. So I look at them as somewhat different. But I said I can support five votes for everyone if the community wants to go that way. I just think if the SSAC chooses to have its bylaws changed and no longer be Board-appointed, that's a strong argument about why they shouldn't be five right now. That was my rationale.

Tijani and then Cheryl.

TIJANI BEN JEMAA: Yes, Alan. Thank you. I have the same concern as you have, but I have another concern, also. By the way, I support your approach. I prefer seven times five. My concern is that suppose the GAC will not decide to be part of this game, and suppose also that the SSAC and the RSSAC do the same. We would end up with 20 votes, in which there is only our five votes, perhaps not in the mainstream of the registry people.

As we all know, the ccNSO – people of the ccNSO are only… They don't care about other things but about their [inaudible] ccNSO or ccTLD managers thinks, and they will not, perhaps, be really sensitive to the public interest. So what is the reminding there? GNSO but [inaudible] also, but let me make it more [inaudible].

It will be more domination from the registries and this is something that really disturb me and make me not, how to say, not comfortable with it. This is my problem. Thank you.

ALAN GREENBERG: My answer to that, and I'm not necessarily going to answer everyone's concerns, but this one is all of the powers require at least 2/3 of all of the votes. So if the ccNSO and the ASO say, "Yeah, it's not my business," then that power doesn't get exercised, and we've spent a lot of time creating absolutely nothing. So it's only going to get exercised if, indeed, the community as a whole feels that something is very wrong.

If we don't meet that threshold, then we don't use the power. And for some of us who were saying, "We don't want enforceable powers," that's fine. We're exactly where we were, where we wanted to be.

CHERYL LANGDON-ORR: Cheryl Langdon-Orr here.

ALAN GREENBERG: Cheryl, go ahead.

CHERYL LANGDON-ORR: Thanks, Alan. And your last point is a perfect one. I don't have any loss of sleep – well I do for ICANN meetings, not over the possibility of a 20-vote situation. In fact, it would be perfect. And the concept of the GNSO acting as one in cyber registry operators is, at the moment, beyond farcical. So that worries me even us.

I just wanted to put on the record what I put in the chat because Alan is not reading the chat and I wanted it recorded. He'll read it, but not necessarily in time with each of the conversations. Whilst I am absolutely happy to support the five by five, two by two as proposed, my personal preference is in fact, for a seven by five. Thank you.

ALAN GREENBERG: Thank you, Cheryl. Are you saying that you are, therefore, rejecting the suggestion that SSAC could be converted to five, as I'm suggesting?

CHERYL LANGDON-ORR: No. I said my personal preference is for seven by five.

ALAN GREENBERG: Okay. But you said nothing else in the comment. That's the part that [inaudible].

CHERYL LANGDON-ORR: No four bys or anything else. My lowest bid is five by five [inaudible].

ALAN GREENBERG: Somewhere between those two ranges. So the five by five has to say, the two times two could become [inaudible].

CHERYL LANGDON-ORR: Three or four or five.

ALAN GREENBERG: Two times five or some variation thereof.

CHERYL LANGDON-ORR: Some variation, but my personal preference is actually seven by five.

ALAN GREENBERG: Okay. So I'm sensing general agreement. And the wording will be – obviously, we'll debate at not ad infinitum, but nevertheless for a while.

                         All right. Paragraph 346 now. There's two issues. One is the question of when they cite a number, is it that number or more than that number? So if 66% is normally interpreted in ICANN bylaws as it must be more than 66%, the 75% is potentially problematic because if the interpretation is more than 75%, that means you need at least 76, which means a single AC/SO can veto some action. Something we originally were avoiding.

                         However, if you're worried about the ganging up concept – that is, all the ACs and SOs gang up on, all except one gang up on one of them,

then more than 75%, in fact, prohibits that. So I'm a little bit at a loss to know do we want to raise the issue that more than 75% implies a veto or not. At this point, my feeling is I would tend to say don't raise it, and if the result of that a single AC/SO can veto some of the actions – the one that requires 75 – then that's probably a good thing, not a bad thing.

Cheryl?

CHERYL LANGDON-ORR: Helps if you come off mute. Basically, it is unlikely that it will be exactly a 2/3 or a 3/4 but I would suggest that not raising it is probably the best.

ALAN GREENBERG: We'll still raise the ganging up but we won't raise – I will probably say in a separate document because there's a lot of things here that are simply typos and lack of clarity, and I'll raise the fact that we need clarity because there seems to be some conflict, but we won't raise it in the ALAC statement.

Okay. Sebastien, we have a few things on yours. One of them is weighting, which I think we already talked about. And the other one is voting thresholds. Do you want to raise anything or have we already covered your issues at this point?

SEBASTIEN BACHOLLET: Thank you, Alan. I guess it's already covered. Just to say that we have to know where we are going with those threshold and who is involved [that's at the table]. Thank you.

ALAN GREENBERG: Okay. Thank you very much. We're moving on to Section 7.1, budget. Paragraphs around 389-390. One of my comments is just, again, an editorial one. We use the term rejection of budget and veto of budget. I think they are used synonymously, meaning the same thing, but it's not 100% clear. And I think they need to clear that up in the wording.

Leon, am I correct in presuming that rejection and veto are the same thing, if Leon is able to speak.

LEON SANCHEZ: I think you are correct, Alan.

ALAN GREENBERG: Okay. So that's just an editorial one. There is conflict, in my mind – and again, I'll ask Leon whether I'm misreading it or not. In 389 and 390, it says if there is a second community vote, then the previous year's budget will be used. 390 says, "If in the community's judgment, the Board's response to a second veto is inappropriate, they can use other escalation mechanisms."

I'm not sure what the concept of inappropriate is when the Board has no options. Is this something left over from a previous version, perhaps?

LEON SANCHEZ: I'm not sure, but it's something that we should definitely be looking at. I think this should be taken down to the rapporteurs of this specific power, but yes, it might be a legacy edit there, but it might not, so we must clear that out.

ALAN GREENBERG: Okay. I'll ask the question on the list and if it's necessary to keep the question in, then we'll include it in ALAC. Section 7.2 on bylaw rejection, this is one of those ganging up issues. If there's a bylaw proposed that says in the self-serving case, the ALAC gets another Board seat. There was already a case last year when a bylaw was proposed to change the threshold related to GAC advice. I don't even remember the details. And there was such a community uproar. I remember that something requires a supermajority of the Board instead of just a majority or vice versa. And there was such an uproar that the Board withdrew the requirement.

So the issue is already there that a bylaw that is solely related to a single entity might be rejected by the rest of the community. Now that's either a good thing or a bad thing depending on which side you're on that day. Sebastien?

SEBASTIEN BACHOLLET: Go ahead, Alan. I just want to just suggest to you that as you were talking about the budget, you take my comments on the same time that not to correct the same document. But go ahead with that and we will go back to the budget. It will be short, I guess. Sorry.

ALAN GREENBERG:	Okay. Thank you. I'm finished at this point. The question is do we raise this issue or not? As I said, ganging up is a great thing if you're one of the gangs and a bad thing if you're the one ganged up on. And I'm a bit at a loss. Do we want to raise this issue or trust the community is going to be reasonable and fair? I don't know. I'm not sure this is one we can change at this point, so maybe it's rather moot. Sebastien does have a change in one of his later suggestions that I'm agreeing with that's in his minority report when we get to it, that perhaps addresses some of this.
	I'm not sensing any strong feeling as to what to do. Cheryl says, "Trust the community." So I'm sensing that we don't mention the ganging up issue in this case.
	Okay. The next is 7.3, removal of an individual director. I know we're in different positions on whether we should do this and exactly how. My comment, however, is that assuming we do it – and we are now in a position where we will have to give some level of rationale. It cannot be done purely on the will of the community, and I don't think we can remove that at this point, that I want explicit statements saying that it is not appealable and the Board members waive any rights to claim libel, slander, or defamation. Otherwise, I think this is not an exercisable power and has to be significantly modified.
	Comments on that? No comments implies everyone's agreeing with me. Then we say that one stays. Yeah, and my other comment [inaudible].

SEBASTIEN BACHOLLET: Tijani was raising.

ALAN GREENBERG: Okay. I'll go to him in a minute. The other comment I have is that the section on convening the community forum implies if we are moving multiple directors at the same time, it would have to be done multiple times, and I think we need a statement that they should be synchronized.

Olivier, I don't know when your hand went up. I'm going to presume it's the third one, but if that's really wrong, then yell out. We'll give the floor to Tijani.

TIJANI BEN JEMAA: Thank you, Alan. This removal of individual directors is really a problem for me, as you know. My silence wasn't in agreement because of what you said, and [neither] I didn't want to say anything because this is something that I have to think really deeply and what kind of comment I would like to make about it, but for me, as much as we put possibility for the director to defend himself, and as much as we make the decision more community made than single SO or AC made, it will be better for me, as you know.

So I don't have any comments now on what you said, and I don't have any suggestion now, but it will come later. Thank you.

ALAN GREENBERG: Yeah. Thank you. To be clear, I know some people disagree with the ability to remove directors, and I'm assuming that you will make comments. That's not one of my concerns, but this concern is focused at if we have the ability, then we should also make sure that we don't have legal liabilities that, as individuals, could be used against us, for instance, if we make a statement saying the director is doing something or other. I don't want to be sued for defamation in a US court over making that statement.

So this was prefaced of if we have that ability.

TIJANI BEN JEMAA: It is good.

ALAN GREENBERG: I was hoping everyone agreed. I don't think anyone here really wants to be sued over these things. But next, we have Olivier.

OLIVIER CREPIN-LEBLOND: Thanks, Alan. I just don't want to repeat all of what Tijani said. I 100% agree with him, but I do have a concern about being able to find directors to sit on that board once we start having these types of [roles]. It just makes it ever so precarious.

ALAN GREENBERG: I would suggest that someone make a rational argument for why they do not want the ability, and then let's have the discussion in relation to that comment.

TIJANI BEN JEMAA: Okay. I can do that.

ALAN GREENBERG: Yeah. I mean, I think you need to put down the rationale if we're going to convince people. You can't just say, "I don't like it." I know neither of you has said that, but we really need it in writing. Sebastien, it's yours.

SEBASTIEN BACHOLLET: Yeah. It was just because when you ask nobody was talking and you know my position. I write it. It's in writing here, it's in minority report, it's in my comment on the first draft, and I stick with my thinking just to take into account that the people who will go to the board need to have some stability and there is other way to influence them than to have a sore on top of the head. Thank you.

ALAN GREENBERG: Okay. Thank you. Sebastien, to be clear, I think you are probably supporting what I'm saying. You're objecting to the removal of directors, but you're not objecting to if we can remove directors, then we should not be liable through defamation suits.

SEBASTIEN BACHOLLET: Yes. Agreed.

ALAN GREENBERG: Okay. Yeah. So I think we're agreeing with the comment, we're simply flagging the issue that we have a substantive discussion to have on removal of directors. All right. Removal of the entire Board, this is Section 7.4, paragraph 415. And this is a small point.

The wording of that implies we're only going to involve the SOs and ACs that have votes, but we have previously said that there is a substantive discussion that must be had with all ACs and SOs. So I think that's just a wording problem. I don't think it's a substantive issue worth discussing.

Paragraphs 429 and 430, there's a minority view that a single SO can remove the entire Board. I categorically reject that and I presume everyone else does in this group. The argument is that if the registries, specifically the ccTLDs or the gTLDs, have no confidence in the Board, then the Board should go, regardless of how anyone else thinks. And I certainly reject that. It's a direct violation of saying the community exercises these powers, and I'm presuming nobody else supports that in this group.

Next, we have a number of items on budget and the Board. Sebastien, do you want to present those, or do you want me to do it?

SEBASTIEN BACHOLLET: Okay. Thank you, Alan. I will go quickly to the budget question. It's on paragraph 380 and 381, I guess. It seems to that it's written that it will be done in Work Stream 2 to improve it. And, in fact, in the next

paragraph, it already explain what it must be done, and I have real problem because, as you know, I was member of the [Board Finance] Committee when I was on Board, and the schedule to publish a budget proposal were always a big trouble, and we're under two years on the four years I was there to do it after July.

I don't think if we add the time to this that we will be able to have a good budget because it will be too rushed. And we have to decide if we want a power or if we want a good budget, and I prefer good budget.

ALAN GREENBERG: Okay. I guess I have a comment,.I'll raise my hand. I tend to agree with you. The document somewhere here says, "And we must expand the timeline by four weeks or something to allow for this process." And that's one of those things that I look at and say, "Fine. If ICANN staff and the ICANN Board do not make a strong comment saying, 'It is impossible,' then I'm willing to live with it."

On the other hand, if they say something like that, then I think the community has to take that into account, and I'm not quite sure how. But I would prefer that that comment come from the people who actually have to implement it as opposed to from the periphery.

SEBASTIEN BACHOLLET: Yeah. I get your point. Maybe I have a question because you were [inaudible] member of the CWG and the CCWG, but it seems like the CWG asked something about the budget. Do you think they asked something for the whole budget or it's something specifically for the

IANA budget and the CCWG is jumping in this way to have also the ICANN budget and not just the IANA budget?

I think one way to solve that it's to say, okay, we have a request for the CWG. It's IANA budget. Let's do that very thoroughly, but the rest we leave like it is.

ALAN GREENBERG: My recollection – and I haven't read the words recently – is the CWG was just concerned about the IANA budget. But, again, this is one that I don't think we're going to reverse in general. We may need to change it. But I don't think we're going to kill it. There's just too much will in the community that says it's essential. I personally like the designator model because it didn't have this capability, but I'm not sure we're going to be able to fix it other than make it better right now. That's my comment.

I guess I don't really want to make statements in the ALAC proposal, which we know are simply going to be ignored. We should try to be doing things that will make it better. That's not a rule. Tijani's hand is up.

TIJANI BEN JEMAA: Thank you, Alan. I agree with you about the budget power and I also like to prefer this power doesn't exist. But I know that it is now there and it will be there because there is a big will inside the community, inside the powerful people of the community that they are pushing very hard for that. So we will not change and we cannot make a comment from ALAC about it saying we don't like it.

But the concern you are raising about delaying the budget adoption and delaying the budget used by the executive because there is no budget approved can be fought by something written in the bylaw, something written clearly compulsory for the Board and for the staff to make the consultation we are doing now with the staff about the budget before the adoption of the – during the development of the budget.

And I think if we do that, if this becomes something compulsory, is something that they have to make, it will reduce drastically the possibility to have the budget retracted. So I think that now the rejection of the budget is there and it will not disappear. So how to make it less harmful is to make the consultation compulsory and to make them from the beginning of the development of the budget so that anything can be [inaudible] from the beginning and will not end up with a budget that will be rejected. Thank you.

ALAN GREENBERG: Sebastien, can I get in?

SEBASTIEN BACHOLLET: Yeah. Go ahead, Alan. Sorry.

ALAN GREENBERG: Okay. In light of what Tijani said, and I was going to make a comment similar, that we do have a process right now. The threat of a veto is a strong one to convince the Board to listen to what the community is saying if indeed the community is unified. Very often, the community is not particularly unified.

And we do have a precedent from a few years ago. I think you were on the Board, at the time, I'm not sure, where, in fact, the budget wasn't approved until well into the budget year, and we simply ran on the previous one. So on the rare occasions – and I think it's going to be very rare – that we might exercise this, if we run over, then we run over, and we do just what we did in 2013 or 2012, or whenever it was, that we simply survive and keep on running without an adopted budget in the right time.

So I'm not particularly worried about it. Thank you.

SEBASTIEN BACHOLLET: I see that [Cheryl] agree with both the comment of Tijani and Alan. Tijani, you want to take the floor again? Okay.

ALAN GREENBERG: Sebastien, I will add.

SEBASTIEN BACHOLLET: I guess you have—

ALAN GREENBERG: Yeah. Just a quick comment. I think it's fair game for us to say we worry about the fact that trying to make the timeline may impact the quality of the budget, and it's something in designing the actual timelines we need to consider. I think it's a fair statement to make, but I don't think it's a reason not to do it, in my mind.

SEBASTIEN BACHOLLET: Okay. Good. We have the elements to write something on behalf of that, and I guess it's good. Just the next part, it's removal and recalling of the Board, and I tried to read this part and, in fact, in the 409 Section 2, subsection A, it's written that the chair of the [inaudible] must be associated with the petitioning SO or AC or with the director involved. That's the same for removal one board director from the SO and AC. We are with the Nominating Committee.

I guess it's fair to add that the chair of the forum must not be associated with a NomCom, either. That's very easy and simple thing, I guess.

ALAN GREENBERG: Well, it depends, I guess, associated with the current NomCom. I'm not really sure the impact of that because they're going to be removing a director that a previous NomCom did, but I have no problem with that.

Can I make a suggestion, though? The whole concept of removal of directors is a substantive issue, and I would like to defer the discussion until other people have had a chance to comment and maybe then in the next meeting, we allocate 20 minutes or something like that where we tell people ahead of time we're going to be discussing this issue and do it in… I'm not sure we can do it in depth in that amount of time, but actually devote some specific time to that one issue.

Does that sound reasonable to everyone? Because some people are prepared, right now, to have that argument. Olivier was talking about making a comment, or I said other people who feel strongly should

make a comment that then we can deal with substance and actually have something written by a variety of people before we go into it. Does that sound reasonable?

SEBASTIEN BACHOLLET: Yeah. For me, it's very reasonable. We can take some time for that, and I don't need to read out my comments. You can read them. It's in the [inaudible].

ALAN GREENBERG: Exactly. And I think we should give people the chance to read them all. Okay. You've pointed to your statement you published. Next one is part three of my comments. We're actually doing pretty well. Olivier, how are we doing on time?

OLIVIER CREPIN-LEBLOND: Hello, Alan. You still have ten minutes. However, because we did run over so much in the last call, I'm sure you can spend more time until we actually completely finish what you have to go through here.

ALAN GREENBERG: Okay. Yeah. Deferring the director issue, I think we'll probably get through it. The next one is going to be controversial. Again, I don't think we can come to closure on it, but let me present my issues and let Sebastien who I believe wrote the document that I'm critiquing at this point, present, and then anyone else.

I have some strong concerns on the wording of the diversity statements. I worry that we're going to get into a quota system that is to be blunt, if we have two white males from North America, or one white male, we can't have a second one no matter how good that next person might be. Or from Europe, for that matter.

I also worry about saying every group must have diversity when we are listing so many different classes of diversity. There's just the examples go on for region, origin, culture, language, gender, age, disability, stakeholder group. So no group is going to have a good representation of all diversities. Are we simply saying you can't replicate things that look like they're each other?

I'm not quite sure what it means to have diversity in a three-person IRP panel. So I think, from my point of view, we need a little bit of clarity to say how one judges these kind of things, and I have a strong worry – and it's the same when we come up on to the issue of human rights.

Paul Twomey made a really salient statement in one of the last CCWG meetings. He said, "Anything in our bylaws is now going to be judged by IRPs based on the face value of what the words say, and we may get things imposed on us that wasn't what we meant but is how someone else is interpreting it." And we may well have IRPs that making binding decisions, and I think we need to be very careful about making clear what we mean by some of these words no matter how good the statement sounds and what we think it means.

So that's my overall comment on diversity. I know Sebastien has some strong feelings that are counter to that, or at least I think are counter to

that, and turn it over to Sebastien, and then we have a queue of Eduardo and Tijani.

SEBASTIEN BACHOLLET: Thank you, Alan. Yeah. I think we need to be, also, careful of it's the least it's not to say all the element of this list must be ICANN [inaudible] for each and every group. It's just that, today, the only concern, real concern, is original balance at the Board level and some other organization like At-Large. We don't take into account the other part of the diversity. Then it's important to put for the organization that all the elements regarding diversity, gender balance, but also language and so on and so forth.

And it's not to that say that the diversity must be in each and everybody point, embedded in each and every organizational group or circle, but it must be taken into account when you have a choice. I guess our main, I would say, disagreement, Alan, it's not so much about that, it's the fact that you consider that the skill must prevail on anything else, and I disagree with that because skill is just one part, and people with not enough skill – I will not say with no skill, but with not enough skill – need to be trained and one way to be trained is to be involved in.

I can tell you that people, whoever came to the Board of ICANN, I saw few of them that when they arrive with even if they have very good skill and they were chosen for their skill at least by the NomCom, and they need sometimes some people more but let's say at least one year to figure out how it's working, what it is done. Then I am not sure that with

a little bit less skill but with a better balance, we will not have the good results again.

And the question of the skill, it's not a question of the skill of each person. It's a question of the skill for the overall group and the diversity of the overall group.

But I get your points. You were arguing about some of the inputs from the comments. What is important is to look at the recommendation and to see where we agree or disagree with the recommendation. And I have the impression that one point you argue it's about the ATRT to be also in charge of the diversity review.

And my argument for asking the ATRT to do that is that the only group was in charge or able to have overall view each three or four or five years of the all organization, and I think it's one element. It's not to say that they will do everything. There are some suggestion to create some bodies of people or whatever to be in charge of that plan.

It's something we will take into account in the discussion in Work Stream 2. It's not to be done today. And that's few things, I guess, we… I don't know, we disagree, and I wanted to express my point of view. I give you back the floor, Alan, to be the chair of the meeting. Thank you.

ALAN GREENBERG: Thank you very much. Eduardo, we have a queue of Eduardo, Tijani, Cheryl, and me.

EDUARDO DIAZ: Thank you, Alan. I'm going to be very short. You mentioned that the combination says that it must have diversity. Maybe we can recommend the change must [inaudible] and explain why we are suggesting [inaudible] and you make it a little bit more open because when you said about all the things that you said about diversity means, it's a very wide scope. I think [inaudible] will be more flexible. Thank you.

ALAN GREENBERG: Thank you. Tijani?

TIJANI BEN JEMAA: Thank you very much, Alan. Diversity is one of the subjects that is very dear for me, and we have to think about diversity and we have a widening diversity on the Board, but look at the Board and tell me if it is very diverse.

This is a real problem. And I am not like Sebastien. I don't want to decrease the level of the skill for the diversity, not at all. There is very good skills everywhere in the world. If you want to find them, and if we want to be diverse, what does it mean a panel of three person, a diverse panel of three persons? It means simply that they don't have to be all North Americans.

This is a real problem. We need to look at it in this way. It is not because we don't like those or those at all, but it is to help every part of the world represented, every part of [inaudible] represented. We don't have to bring people, for example, for Africa, who are American or who

live in London. Those are not African. They have their roots in Africa, but they are not in Africa anyway.

So I am really frustrated from this side. I know that in ALAC, we have the most diverse in ICANN, and I'm really happy for that, and I do want that at the global level of ICANN, we try to be more diverse and changing must [inaudible] with decree. As much as you give flexibility, the tendency will go to North American people occupying the seats. That's all. Thank you.

ALAN GREENBERG: Thank you, Tijani. Cheryl?

CHERYL LANGDON-ORR: Thank you. Hopefully, my audio is all right for the interpreters, if Terri can ping me if it is not, please. I, as you know, have said a lot of things about this topic. I stand strongly in the "should" as opposed to "must" camp. I think the laundry of diversity descriptors are useful as aspirational examples. I think on the matters of diversity for ICANN, it should be both aspirational and inspirational in as much as one can see opportunity for a capability, if not skill sets, to be developed so that one can be deployed into a role because you would aid in giving greater diversity to that group that you are being appointed to as a way forward for something like ICANN.

I think diversity needs to be aimed for and, indeed, strongly pursued, and I think diversity needs to be reported on, and I think both regular updates in terms of dashboards on diversity are useful tools as are both

report cards and "external", perhaps external audits and reporting. And I don't particularly care where it sits, but I'm perfectly happy for it to sit under an ATRT or standalone. But it does have to be addressed and I think a lot of will be addressed in the Work Stream 2 activities.

But a statement that it should be, as opposed to must be, is important to me. Thank you.

ALAN GREENBERG: Thank you, Cheryl, and I put myself in the queue. A couple of comments and I'll be very brief. We continually, in these documents, say that we want to give the right to select people to a group to individual ACs or SOs, and then we say but the group must be diverse. Tere's really no way to do the two at the same time. And I can live with either, but we really must be consistent.

I think we have a really significant problem with increasing the pool, and I think we need much more focus on that. That is, people we can select to. On the issue of skill, I think it was Sebastien, but I'm not sure, used the word balance. We want multifaceted people and their diversity goes along with their various skills. And I think we sometimes put people in categories which they don't belong in because they, in fact, have perspectives which are different from where they happen to come from or the color of their skin, or the language that they may normally speak.

I think the NomCom does a pretty good job of trying to find people who have that balance and can represent things, even if they don't have the right skin color or whatever. On the issue of the ATRT, I really think that, number one, you need a lot better staff reporting so that the group

doesn't have to do the investigation, but I really think you want a dedicated group who does that and not the ATRT. And I can give a whole bunch of reasons I won't go into here.

Let me give one quick anecdote. I live in Quebec, as you know. Quebec is a largely francophone place. Periodically, people do their audits and we find out that the government employees are virtually all francophone and very, very few people are visible minorities. So they adopt a rule that by 2016, we will increase the numbers to such-and-such percent, and then that year comes around and they do a review, maybe, and we find they haven't changed or it's gotten worse.

The real issue, I think, is monitoring and shame, and forcing the organization to do something about it, and not ignore the issue. Visibility of the problem I think is one of the key problems, and we shove it under the table too much in ICANN. Thank you.

Tijani and then Olivier, I think, in that order.

TIJANI BEN JEMAA: Thank you, Alan. I do agree with your last statement, and I forgot to say that as much as we enlarge the number of criteria of diversity, it will be [inaudible] it will be deleted. So we didn't manage to have the regional diversity. How we will reach all the other kind of diversities? So we may mention them but we have to stress the fact that we need at least regional diversity and an agenda diversity. Thank you.

ALAN GREENBERG: Thank you, Cheryl. Olivier, rather.

OLIVIER CREPIN-LEBLOND: Thank you, Alan. Right. Okay. Just a quick one here on this diversity thing. If I was to be pragmatic, I would, of course say should is the best way there and should with the caveat that we all know the difficulty in being able to find people of the skillset required when one considers all of the other diversity qualifications.

That said, if I was to be political, I would say that does put a lot more pressure on ICANN and on the community and on the Internet community to bring those skill sets to those regions or people of origin, of culture, of language, of gender, age, visibility, or stakeholder groups that are currently not having those skill sets.

And since this is a proposal that will be looked at by politicians as well as pragmatists like us, I would recommend, perhaps, that we would need to put must and have a clause in there of course. I'm not going to draft the clause exactly there but it must be that, of course, with the proviso if there is no such with the skillset being more important than the other stuff. I don't know how exactly if you write it down there, but I think that politically, it would probably go down better with the majority of the world because, let's face it, Western Europe and the US is not the majority of the world. Thank you.

ALAN GREENBERG: Thank you, Olivier. I really worry, though, about Paul Twomey's comment about an IRP laying down rules based on the words that are in our bylaw without the understanding that, but we have so much overriding concerns. So I will point out that we had a session on for new

ALSes yesterday, and the first three, I think, or four people who presented their ALSes were women. So maybe we're getting better. Sebastien?

SEBASTIEN BACHOLLET: Yes, thank you, Alan. I wanted to ask you globally where is where most you want the chance to [should]. I was wondering where it was. Maybe somebody can tell me which line it is.

ALAN GREENBERG: Good question. And I know I commented on some of the input, not necessarily the recommendations. But I think that's a valid comment, and I'm going to go back in light of this discussion and look at the recommendations and perhaps make some hard suggestions for next time. If I feel strongly on this, I think I have an obligation to try to write something. So I'll certainly do that. Anyone else can, as well.

SEBASTIEN BACHOLLET: Because we really try. Maybe we don't succeed, but we try not to have immersed in the recommendation. It's on the explanation on the proposal or the comments we get, including comments I wrote, and then the [inaudible] could come from mine. But what it's important, it's not at the end for us, what it's important. It's what will be done in the Work Stream 1 and Work Stream 2, and that's a recommendation. But who must be read with more carefully than the other part of this document, if I can suggest that. Thank you.

ALAN GREENBERG: I take that under advisement and I say that I didn't do a good job of that at this point. So I'll try to do something better. If we can quickly go ahead. Olivier, is that a new hand?

OLIVIER CREPIN-LEBLOND: Yes, it is, Alan.

ALAN GREENBERG: Quickly. Well, it's your meeting, so if we go over, we don't care.

OLIVIER CREPIN-LEBLOND: Thanks, Alan. It's just a response to Sebastien. We must ensure it's not in the [test] yet because it's not drafted yet. But if you look at paragraph 439, you do see the points of Brazil considering that geographical, cultural, and gender diversity is a key element and should be a mandatory criterion in the selection [inaudible]. So there are some questions to have a sentence or at least a paragraph that will either have a must or a should in there, and I guess we need to know what we want to lean towards.

ALAN GREENBERG: And what Sebastien said is that was echoing some of the input but is not the recommendation that comes later in this document.

OLIVIER CREPIN-LEBLOND: It's a [inaudible] statement.

ALAN GREENBERG: It is, but it's not what the working group is recommending. So I think I need to go back and look at those actual words. I did this late at night and I admit that. So I think this is another item that we need to bring back to this table in our very limited time that we have left over the next week or so.

Very quickly, going over the other issues. I'm trying to recall. All right, I have a personal statement, and I don't know if the ALAC wants to echo it or I should make it personally. Paragraphs 580 to 587 on the WHOIS review team. Steve DelBianco has been adamant that we not make any changes to this. I feel strongly that we should be changing the wording to give the Review Team, whether it's WHOIS or Directory Services, the discretion to do reasonable things, not what was written in 2009 by people who may not have understood the situation very well.

And Steve's argument has been that we shouldn't be changing substance. But we did change substance in the ATRT, for instance, giving the review team more discretion to pick the right things. So I think it's quite reasonable. The other half of it is he has suggested that if the details of the review – the WHOIS review – be changed, it has to be recommended by the ATRT review, a group who know virtually nothing about this subject. And I think that's quite inappropriate, also.

I plan to make a personal statement, but if the ALAC supports it, then we'll do it on behalf of the ALAC. Speaker two, Sebastien.

SEBASTIEN BACHOLLET: Thank you, Alan. Yeah. I agree with you. It was one of my comments a few months ago about when we were talking about the incorporation of the Affirmation of Commitments within the bylaw [inaudible] the two components of the gTLD must be taken very carefully [inaudible].

One of the reasons is that it was a [inaudible] we – and I was involved at that moment. We decided to have this [work lunch] about the directory services. And if we stay with just one part and not the other part, we will be missing something very important for ICANN. And the other point, it's more political view is that all this Affirmation of Commitment was very good thing was not done too much bottom up, and even was not discussed. It was signed by the CO and I guess the Board at that time discussed this issue and with the Department of Commerce.

But then it's our right to suggest some changes on the [inaudible] but it's now six years and we need to be able to do that. And I agree with you. We need to be able to change it in the [inaudible] of future and not just to look to the past. Thank you.

UNIDENTIFIED MALE: Me, too. I agree with you, Alan.

ALAN GREENBERG: Thank you. I'll just point out the words we're talking about are things like unrestricted and public access to all of WHOIS information. We have already accepted, in many forums, that that's not what we can do. It's in violation of European law, it's in violation of laws in various other

countries, and we know we have to change from that. So to put that in our bylaws, I think – I believe – is personally ludicrous. Cheryl?

CHERYL LANGDON-ORR: Thank you, Alan. And I'm agreeing with you and indeed others on the chat list. A couple of points, though. To the best of my knowledge, Steve DelBianco, in fact, has reached out and asked Steve Crocker, and I believe Steve Crocker and staff are pinning language that would, in at least Steve's view, improve this particular section.

So that's important to know that that's happening on one side of things. That does nothing other than give me greater reason to say that the ALAC should make a statement in along the lines of what you just outlined. And I think it is just absolutely essential that not just in the matter of WHOIS, but in the matter of all review teams as they are going to be designed in the near and middle future, that they have the ability to morph and evolve as required. If not, they become useless. And when they become either useless or unnecessary or unworkably, they, of course, need to be removed from the review team system.

So you do have to be able to retire these things as well as develop these things, but I think we're in a very good position to make a statement on this from the ALAC. Thank you.

ALAN GREENBERG: And I thank you very much. I've just written down several of the things you said, and I think I'll draft something to replace what I said there in a little bit. More generic sense. And I'm encouraged that Steve has

reached out to the other Steve. If, for any of you who are on the Accountability call where there was an interchange between the two Steves, if you go back into the IANA issues of Skype chat after Steve Crocker responded to Steve DelBianco, someone wrote in, I think, in capitals, "SLAP." In that he really slapped him down with a very strong statement. So I'm glad that there is discussion going on.

We've reached pretty much the end. I have some very short comments on the three minority statements. The one from Eberhard, I say I do not support it. He makes a couple of interesting points, but his conclusions, I think, are invalid. That is, we should reject the whole thing.

Sebastien, as we've already discussed in some of these things, I disagree on some of the issues and agree on a few of them. And on Ed Morse's that as ACs should be lower creatures in the status of things, I disagree strongly. But his point about double voting probably needs some level of investigation and thought. Within the gNSO, they tend to have rules saying you can be part of multiple stakeholder groups but can't vote in them. We don't have such rules across ACs and SOs and maybe we need them. I'm not 100% sure.

And that's all I have to say, and I will turn it back to Olivier at this point. It's in the absence of any hands.

OLIVIER CREPIN-LEBLOND: Thank you very much, Alan. I see no other hands, so thank you. I think that's been very productive. We can move to the next item in our agenda, and that's the IANA Coordination Group. We are supposed to have 15 minutes and another 10 minutes after that for CWG IANA, and I

have been told that the interpreters can stay an additional ten minutes or so.

What I would suggest is because those two are dealing with very similar items, primarily the discussions on IANA.org and the intellectual property requirements and also the points that Tijani has brought forward during our last call, we bring those two agenda items together.

I'm not exactly sure as to what we can discuss here. Obviously, apparently, the ideas to discuss the drafting of our ALAC statement on the ICG consultation, but I haven't seen any additional text currently being added to the wiki, and I would urge you to please add the text of your interventions in two days ago, and specifically I guess to Tijani and others who are spoke two days ago to please add the text in the comments part of the wiki page for that consultation.

TIJANI BEN JEMAA: Will do.

OLIVIER CREPIN-LEBLOND: I'm sorry?

TIJANI BEN JEMAA: I said will do.

OLIVIER CREPIN-LEBLOND: Okay. Thanks for this, Tijani. Yes. I'm very eager to receive your input on this. I wondered, at this point, really, it was just to raise the point there

was any other point that the ALAC or, at least this working group, would like to raise about the ICG proposal. I note that there has been some discussion in some circles, and I'm not even sure what mailing list that was on, but certainly not to do with this working group, not to do with us – some discussion as to how much of this final ICG proposal is open where the one is just allowed to comment on the cut and pasting together of the proposals or is one able to actually look back and dig into commenting on the actual contents of any of the individual proposals in there.

Obviously, the clash as far as IANA.org is concerned might mean that there will be a change in one of the proposals, if not more than one of the proposals, if it goes the other way.

But there's certainly a certain Richard Hill has mentioned that the last version of the CWG IANA proposal did not go through public comment. There was a public comment with the input from the public comment going into this, but then it didn't go through a public comment itself. And, therefore, he is treating that the public comment on the overall contents of each one of the three proposals, [inaudible] particular, the one on the names proposal [inaudible]. His point of view, I guess, points of view differ.

Alan Greenberg, you have the floor.

ALAN GREENBERG: Thank you very much. Two general comments. All of the reports have gone through extensive public comment from within their own communities, and to the extent anyone cared at the time from the

other communities. I appreciate Richard's comment in that, on occasion, we have seen reports, which have undergone significant change and are then issued as final. But at some level, you eventually have to come to closure.

And if you keep on going out for public comment every time there's a change, and then you make changes, you'll never end the process, or at least it will take a very long time. So given the overall timelines, I think the process we have followed is reasonable. I think everything in the ICG report or proposal is fair game, including the details, but with the understanding that if we're identifying something, which we really believe will kill the Internet, we need to say it

But understand that if we need to go back to any of the three communities and have them make substantial changes, then there's a good chance this delays the transition and stops it from happening.

So I think we have to evaluate our comments with real care to say, "Is this something which is really going to be dangerous if it's done or something that simply isn't the way we would have done it if we had our full control?" Thank you.

OLIVIER CREPIN-LEBLOND: Thanks for this intervention, Alan. So based on our discussions – and I haven't drafted the exact test, but I will draft in the next 24 hours – I would say that the ALAC statement on this ICG consultation would primarily just have two points. The point that Tijani has raised and also the point that there is a preference in the At-Large community that IANA.org and other intellectual property pertaining to IANA remains

with ICANN as it currently is, but it's not a deal breaker and there wouldn't be vehement opposition to it going to the IETF Trust.

I think that's the way that one can word it based on the discussions that we've had. Is there any opposition to this?

ALAN GREENBERG: I have no opposition. I think the wording has to be done very carefully. I think the position certainly I have taken, and I think others have, we have no problem going to the IETF trust or a new trust as long as there is a certain reasonable level of security from the names community that we will have access to the trademark and to the domain name.

The reality is if we lost the name IANA and IANA.org, we could recover from it. So we're not going to die over it, but we really would like to see something in place so we don't have to go through that ugly process.

OLIVIER CREPIN-LEBLOND: You mentioned a new trust. Now that's the first that I hear of no objection to actually going through a new trust. I was under impression that our community or people on the previous call were concerned that a new trust would have absolutely no type of accountability mechanism and would, therefore, also have no track record, that might not have the – might be, then, in a position to say, "Well, if you have a new trust with untrusted running the new trust, this trust could sell the IP to a third party or do whatever it wants."

ALAN GREENBERG: No, not at all. If there were a new trust, it will be a trust answerable not only to the IETF, but to the three communities. And, therefore, there would be constraints on what it could do, and the constraints would have to be controlled by the trustees who are representatives of the three communities. So it would be a new trust crafted to hold these particular trademarks and domain names.

I think the only reason we would resort to it, if we could not put enough contractual terms on the IETF trust to have the level of security that we want. So that's a simpler path, but the new trust is something, I think, that Avri originally said, and that if we cannot come to an agreement with the IETF trust – and the CRISP proposal made it clear, it wants it somewhere other the current IANA operator, the then-current IANA operator, which implies a trust or something. And it suggested the IETF Trust.

So if we cannot come to terms because the terms of the IETF Trust do not allow it to enter into an agreement of the kind that we would want, for instance, then a new trust is an option.

OLIVIER CREPIN-LEBLOND: Thank you, Alan. Eduardo Diaz? Eduardo, you might be muted. We cannot hear you at the moment. You just got disconnected. Okay. Sorry about that. So there's no one else in the queue. I think that's pretty clear. Are there any other points, which you think the ALAC should be reading? And I do realize that there's so much to read but, at the end of the day, we're looking at three reports of which I hope that you've managed to read the other reports, as well.

What we might do, and I tell you what. As you know, the contributions from other SOs/ACs, and commenters are starting to trickle into the forum itself. And so I think in our next call next week, I'll probably be putting a link over to that. It might be interesting to, perhaps, respond to any of the points which are made by other commenters since we do have some time until we need to give this.

At the moment, I just, as I said, see those two issues. Eduardo Diaz, are you back online?

EDUARDO DIAZ: Yes, I am.

OLIVIER CREPIN-LEBLOND: Okay. So you have the floor.

EDUARDO DIAZ: I've been following this through my conversations since inception, and maybe I'm trying to understand what is the main fuss about this trademark because, at the end, having or not having a trademark, it really doesn't affect the actual IANA function of what it's supposed to do. So if someone can tell me what is the big fuss about this trademark, I would really appreciate it because I will see it more than having a trademark. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you for this, Eduardo. I feel the same regarding the trademark. Regarding the domain name, IANA.org, though, it is apparently hard wired, strangely enough, some of the IETF works that IANA.org is referred to specifically. And so if IANA.org was to be transferred to another organization or sold or whatever – or not renewed, let's say – there would be some serious problems. That's at least what I've been told. Alan Greenberg?

ALAN GREENBERG: Thank you. The problem with the trademark is if it's not defended, someone else trademarks it with relation to the Internet, and then says we have to stop using it. And there are people around who have talked about second routes and things, alternative routes who would be in a position to do that, that would be problematic.

Now, we could all recover if the name IANA is no longer usable and the domain name is no longer usable, but it's really ugly, especially for the IETF. So we really don't want that to happen.

OLIVIER CREPIN-LEBLOND: Thank you, Alan. And I wonder if Leon can say a couple of words. Leon is in the queue. Leon Sanchez.

LEON SANCHEZ: Thank you very much, Olivier. The trademark has been registered in various countries at this point for the exact same services as the IANA trademark is registered in the US. That's why I was saying in the chat

box that as [being stated] at this moment, the trademark issue seems to be only a US issue, not a wider community or a global issue.

I mean, the fact that someone else comes in and registers the trademark for the services in many countries, or even in the US if someone let the current registration die, it wouldn't really affect what IANA does because it's [inaudible] services. I mean, you might, at some point, need to change the name, but then you have a prior use right on the trademark.

So for me, as I said, it's a non-issue, the trademark issue. With regards to the domain name, that could be another perspective, of course, and what is ironic to me is that being ICANN, the one that is able to actually control the domain name system isn't able to secure the IANA domain name for the IANA function. So it's kind of, as I said, ironic.

But yes, I mean, I think the trademark issue, at least, is being exaggerated, it's being treated with US-centric perspective. Well, as I said, the domain name could be a different issue or seen in a different perspective. So I would say that maybe an ALAC comment on this issue could be to encourage a wider view of the issue if we really want to go deep diving into the trademark issue, or otherwise, just recommend that we let it as it is. Just the US issue and IANA. It wouldn't really change what the proposal of the ICG is telling us to do. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you very much, Leon. I think you're absolutely right regarding the special use domain name. The IETF could easily draft a standard that would extend IANA or IANA.org to be a special use domain name that

could not be registered to anything else. But whatever it is registered to.

I think in the same way as you have .ARPA, example, example.com, example.net, .org, the RSC 6761 makes such the standard. Alan Greenberg, you have the floor.

ALAN GREENBERG: Yeah, just to note my recollection but I have to double check is IANA is a restricted second-level domain in all TLDs at this point. So if I'm right, it couldn't be registered by someone else. It is even restricted in .org, so if that domain name were to lapse, it's not clear that we could renew it, even we couldn't renew it. So that's something to consider as we go forward.

OLIVIER CREPIN-LEBLOND: Thanks for this, Alan. I'm not an expert in that and I haven't got the [RFCs] in front of me, but yeah. Okay. So that's another point. And then, finally, I think that I don't see anyone else putting their hand up on any other issues that we need to alert the public consultation on this. Alan Greenberg, you have your hand up.

ALAN GREENBERG: Sorry, that was an old hand. It is gone.

OLIVIER CREPIN-LEBLOND: Okay. Thank you. And now we have a hand up for Sebastien Bachollet.

SEBASTIEN BACHOLLET: Yes, thank you, Olivier. I just wanted to be sure at the end of the call, you will tell us what we have to do for each and every comments we have to do what will be the process, who is holding the pen, and so on, that to be [sure] we participate at the right level and with the right time. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you for this, Sebastien. I think that seeing that we are seven minutes beyond the end of this call and we haven't really gotten much very much more to discuss on this, we can move into the next steps and any other business or next steps. The first one is, as you said, who is holding the pen on what?

So Alan Greenberg, I believe, is holding the pen on the Cross-Community Working Group on Enhancing ICANN Accountability Second Draft Report. Terri, it would be good if you could put the link into the chat, please, so that people here would have at least a copy of that link.

And then I'm holding the pen on the IANA Stewardship Transition proposal consultation by the ICG, and there's also a wiki page for this. And I think that we are both working closely on basing our comments on what's going to be on the wiki. Because these are such high-profile discussions and comments that are being made – perhaps, not import comments, but high-profile – we need to show full transparency and full tracking of the comments that we receive. And I think it's important, especially if we do have some substantive comments that might really

go against the flow and end up being hard fought by others with other points of view. So it's important for us to have those on the wiki.

I don't see any of the two things. Okay, Terri is putting the links into the chat. Thank you, Terri. And then we have to think about the call next week. Are we going to go for one call or two calls again? This week, had we had just one call, I think it would have been quite terrible.

I do like the format of the two calls. Alan?

ALAN GREENBERG: We have no choice but to do two calls.

OLIVIER CREPIN-LEBLOND: Two calls? We can do one on Tuesday and one on Thursday again, and put a Doodle for each, please.

ALAN GREENBERG: Yep. I see two calls from Gordon Chillcot. I see Cheryl Langdon-Orr sadly agreeing to this. I'm sorry, Cheryl.

CHERYL LANGDON-ORR: It would be all right if they weren't all between midnight and dawn, but there has never been one of these calls that hasn't been between my midnight and 3:00 AM. You've got the narrowest band of time zones for any of our calls. But anyway, I will pursue. I have done for more than 12 months.

OLIVIER CREPIN-LEBLOND: Cheryl, that's the time when you think best. We want to get you at your prime thinking mode. [Inaudible] prime thinking mode. Tijani Ben Jemaa, you have the floor.

TIJANI BEN JEMAA: Thank you, Olivier. Two calls would be very good, but assuming that a lot of production has been done on the wiki, we need to discuss the things are written. Because if we discuss only ideas, we will not advance very, very much. The best is to have people producing or commenting, and perhaps proposing language so that in the call, we will agree or disagree or perhaps amend some wording so that we reach the deadline with a text that is approved by everyone. Thank you.

OLIVIER CREPIN-LEBLOND: Absolutely, agreed, Tijani. And I, therefore, ask all of you. Tijani, I'm looking forward to your bit on the ICG response and, of course, Alan is looking forward to further responses on the chat, as well. Not the chat, sorry, the comments on the wiki. Alan Greenberg?

ALAN GREENBERG: That is a tick mark. Tick marks do not have to talk.

OLIVIER CREPIN-LEBLOND: Ah, okay. It was put up at some point. I no longer remember when I was agreeing with. Oh, I was agreeing with the two meetings. Actually, I was agreeing with Cheryl sadly agreeing.

OLIVIER CREPIN-LEBLOND: That could be a bug that we can send over to Adobe. When the person that starts – Alan Greenberg with an A at the top of the list. There's no way to differentiate whether you have your hand up or a green tick. When Jimmy Schulz puts a green tick, he remains in the middle of the list. Alan remains at the top. Big problem.

CHERYL LANGDON-ORR: Can I suggest, Olivier, you need to have the different view of attendees, if you would like to manage it with the attendee status view. That might help your confused deliberations.

OLIVIER CREPIN-LEBLOND: Thank you, Cheryl.

ALAN GREENBERG: What is attendee status view?

CHERYL LANGDON-ORR: Oh, children, don't you know? Ah! If you go up to attendees, and you change to attendee status view, under change view, then hands up, green ticks, red ticks, vote yes, vote no, and stepping away are all neatly calibrated and at top of page, and you never make another mistake.

ALAN GREENBERG: Ah, but okay. Hands up always migrate to the top. This one migrates other things to the top, also. I see. That's sort of neat.

CHERYL LANGDON-ORR: Damn. I've given away a trade secret.

ALAN GREENBERG: No one appears unless they have [inaudible].

CHERYL LANGDON-ORR: Sorry, Olivier. You were trying to wrap up but I couldn't help by share because Alan needed a [inaudible].

ALAN GREENBERG: Can someone put up a hand so I can see it or a tick? I want to see how this works. Hey, look at that! Thank you, Cheryl, you've made my day.

OLIVIER CREPIN-LEBLOND: Thank you, as I desperately try to regain control of the [inaudible]. I want to thank all of you for this. I've completely lost control. I now know how these things work on Adobe, but in the real world, it's gone. I'm glad that after spending so long together today, we're still in high spirits, and I would like to thank the interpreters, Sabrina and Veronica, for having bared with us for this past hour and a half or so.

And I look forward to all of your points on the wiki. And next week, as we said, so we've got a call on Tuesday, and a call on Thursday, and I gather that Terri, you've got all of that recorded.

TERRI AGNEW: Yes, I do. Thank you, Olivier.

OLIVIER CREPIN-LEBLOND: Fantastic. Thanks very much.

ALAN GREENBERG: Before you adjourn, Olivier, you'll note that in deference to your request, I've put myself at the bottom of the list now.

OLIVIER CREPIN-LEBLOND: Yes, thank you, Alan. That's very kind and very thoughtful of you, and I shall be awarding you with the [inaudible] prize for this. So thanks to all of you and take care, and have a good weekend. Until next week, keep those comments coming in. This call is adjourned.

CHERYL LANGDON-ORR: Bye.

ALAN GREENBERG: Thank you, Olivier.

TERRI AGNEW: Once again, thank you for joining. Please remember to disconnect all remaining lines and have a wonderful rest of your day. This meeting has been adjourned.

[END OF TRANSCRIPTION]