ICANN

Moderator: Brenda Brewer
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12:30 pm CT

Coordinator: The recordings are started.

Jordan Carter: Great. Hi, everyone. Good morning, good afternoon, evening or something if that's where you are. And my name is Jordan Carter. Welcome to the 28th meeting of Work Party 1 in the CCWG Accountability.

This is our last meeting I think before the meeting in Dublin. It's the last meeting for us to finalize stuff and have any further discussions before we have our 12-October deadline for the reading list. And I don't know how long the meeting will take but I'll just remind you of what our purpose is in all of these.

We are not here to debate the substantive issues. We are not here to debate the substantive issues. We're here to make sure that our summaries of the public comments, our analysis of public comments is an honest and accurate reflection and that the options we're putting up to the CCWG for further discussion are ones that are based on the input and that we've received in the public comments and the discussions of the group.

So I'll say it a third time. We're not here to debate the substantive issues. I will be a little bit firmer than last time in my chairing if we start lapsing into a substantive debate I will move us onto the next agenda item.

Speaking of agenda items, I could only find updated comments papers on the first two, on the budget power and on the Affirmation of Commitment. If there are other updated papers floating around on the community forum, on the model, mechanism and on the recall of the ICANN board I would greatly appreciate them being reciprocated on the email list ASAP and preferably in a PDF format so that the staff can have them ready to go. And so you've got a bit of time to do that.

The proposed agenda is to do the agenda review, to work through first budget, second AOC reviews then community forum model, recall of ICANN board. If we don't have updated documents for those last three I don't know that we need to spend a lot of time on them. The point of the second reading call was to assess any adjustments to the documents. I've just - I would like to encourage people to recirculate if possible.

The third item on the agenda is just to make sure we've got a clarity in our group about what we're going to be pulling together for the 12-October deadline so what is our kind of work output. And the fourth is any other business.

So are there any changes needed to the agenda? I'll take a call on that. And I apologize for my speaking speed, I'll try to speak more slowly. Its 6:30 in the morning, I've been awake for an hour and I've had a lot of coffee. And - but I'll do my best. No agenda adjustments. Remember that you can raise anything that comes to your mind in any other business.

Right, so let's move to Item 2, the second review of comments analysis. And the first one up there is the budget power which our colleague Jonathan Zuck has prepared. Jonathan, the floor is yours to present the changes made since the last discussion. Over to you.

Jonathan Zuck: Can you hear me okay?

Jordan Carter: Jonathan, I don't know if you're speaking with us but I for one can't hear you at this point.

Jonathan Zuck: Can you hear me?

Jordan Carter: Now I can. Yes.

Jonathan Zuck: You can, okay good. All right, folks, thank you and (unintelligible). I've made a few changes and I didn't just to - Cherine's document, thank you very much, for that document, Cherine. And Carlos, thank you for your edits as well because I think we'll be using all of them as we get to the next step of this which is to address the comments and come up with responses and/or tweaks to the plan to accommodate the comments.

But as Jordan said, this exercise is mean to be sort of sort of tight and reflect the issues raised by the comments. So that's - that's what I held to. So if you see something that was an issue that was raised that is just left out then please do let me know and I'll make sure and get it incorporated into the form.

So the - I would say in the areas of - areas needing refinement, there was this issue that was discussed on the last call. It was a big - ALAC brought it up which is this Number 5 which is this issue of a revenue shortfall. And that is that we need to address a circumstance in which the budget actually needs to

be decreased because there's less money to spend and freezing the budget from last year or doing last year plus 10% or something like that would be counterproductive. And so coming up with a solution to that notion of how to decrease the budget if that's what's necessary is still an open issue and so I wanted to get it included into the areas of refinement.

Are there any questions about areas needing refinement? All right. So then in the next session on areas of divergence, fleshed out some of these things a little bit so last time if you recall I mentioned the links comments that were a little bit abstract about whether or not this would be an effective accountability measure. But I've expanded this section here to include the notion that it would be more effective to make use of the cooperative process up front to develop the budget.

And also Cherine's suggestion in Los Angeles that the focus should be on the operating plan more so than the budget. So that's sort of in the efficacy section an area of disagreement.

The next section, discrimination and balance of interests, again this was something that I had mentioned in the context of ALAC and AFRALO. And I've expanded to try and incorporate Cherine's analysis from the board. And it's about this notion of trying to maintain a fairness, if you will, and how to capture the board's role - capture is a loaded word - how to accommodate the board's traditional role as the arbiter of fairness which may not reflect consensus.

So that's where I put that particular issue is that it's the board's, you know, in Cherine's document anyway that it's the board's responsibility to impose fairness in its decision despite what might be reflected in the community

consensus. So that's where I've captured that particular issue and that needs further discussion.

And then on options for CCWG consideration, the - one of the issues I captured, again, from Cherine's document, is Number 4, which is a defined cause boundaries for objection. So in Cherine's proposal is the notion that on the five-year plan that a broad community approval would be okay but that there would need to be well-defined sort of standards for objection to the annual budget that would be based on varying from the strategic goals and objections outlined in the five-year plan.

And so that was his suggestion there. And there will be obviously substantive discussion about what the implications of that are because we've had a lot of conversations about whether or not to give a third party substantive decision making capability. And as soon as we create these standards for review that we will be putting that decision in someone else's hands outside of the community.

So that's a conversation we'll need to have. But again this - Number 4 is my attempt to capture Cherine's suggestion that at the annual level the community should only be able to challenge the budget if falls outside of their mission and purpose and - or the strategic plans that were developed as part of the five-year plan.

Number 5 as well, Cherine just made the - again the point that the five-year plan versus the annual and that the five-year plan should be subject to community approval but not the annual budget. And those are the primary changes that I made to the document from last time. Cherine has, in email, recently suggested that I might not have exactly captured the notion of aligning budget with revenue. That's tried to do in the revenue shortfall but he

and I can kind of work out a succinct way of capturing that particular concern more accurately if what I had under budget shortfall doesn't sufficiently do it.

So those are the changes I have thus far that I hope are an accurate representation of the discussions that are happening via the public comment period. And I welcome questions.

Jordan Carter: Thank you, Jonathan. I'll leave you to manage the speaking list. And according to the Adobe room Kavouss is ready to go.

Jonathan Zuck: Kavouss, go ahead.

Kavouss Arasteh: Yes, do you hear me?

Jonathan Zuck: Yes I do.

Kavouss Arasteh: Okay. Can't you (unintelligible) in for the (unintelligible). But I have one comment on the first issue that he suggested that the focus should be on the operational plan but not on the budget. Operational plan, strategic plan and budget there are three things that are (forcely) and increasingly and considerably interconnected. We could not say that just concentrate on what and less concentrate on the others.

You have a strategic plan based off a strategic plan you (unintelligible) the operational plan, how to implement that strategy. And you use the budget how to do this operational plan. So we could not make a focus on one. They are interrelated to each other, this is Point 1.

Point 2 is a clarification that in Number 5 Cherine or ICANN mentioned that the community should have approval of the five-year plan but not the annual

budget. Does it mean that the community has no power on the annual budget? Or they are talking about the rolling budget and rolling plan that community could comment on the overall five-year but in a specific yearly budget or the yearly plan.

I think community has the right to comment on both on the overall five-year budget and overall five-year operational and strategic plan as well as the annual one. So I don't think that we could exclude the community unless I misunderstood what you put in the paper. Thank you.

Jonathan Zuck: Thank you, Kavouss. Those are good questions. And your statement at the beginning about the plan versus the budget is well received. But again, I think that falls into the substance category that we're trying to avoid. I just wanted to capture the suggestion from Cherine that we focus on the plan instead of the budget. So I think that will be a topic of discussion in Dublin and that we'll have. But I wanted to capture his recommendation.

I think that, on the - your second point, there may be a misunderstanding. No one has ever suggested that the community would not have the right to have input into both plans and both budgets. And they already do today. And this is going around the list now that the community already has an input role into both the long and short term budgets.

So the question - the real question is about a veto. And so the board plan, as Cherine represented it, would suggest that the community would be empowered with actual veto power or approval power. And I know, Jordan, that distinction is something that's very important to you. But - so the notion of having the last say, let's just put it that way, would exist for the long-term plan but not for the short-term plan, Kavouss.

And that was the recommendation that Cherine was making that the annual budget is so operational that it's so critical to the day to day operations of ICANN that the board should have the last say on the annual budget unless the community believed that they were going outside of their mission or outside of the strategic plan.

So in other words, the board recommendation is that the community could object to the long-term plan for any reason but would need cause that essentially had to do with mission creep, if you will, if the community wanted to exercise some kind of veto power over the annual budget just because the stakes are higher and it's important to the day to day operations of the organization.

So again, just capturing the distinction that Cherine is raising and not trying to put a value judgment on it but that's the discussion that we're having. I hope that's more clear. Jordan, go ahead.

Jordan Carter: Thanks, Jonathan, for the explanation. I wondered if you could just repeat for me what it is that you and Cherine are going to work on some language for?

Jonathan Zuck: Well, I need to - in his email to me that just came while I was out, he mentioned a couple of things that I didn't repeat explicitly but tried to capture. One is the board must be able to align costs with the revenue so that the financial stability of ICANN is not jeopardized. And so I was trying to basically cover that via the revenue shortfall issue. And so I'll have a conversation with him about tweaking at language of revenue shortfall to make sure that I'm capturing his concern.

Obviously there are substantive questions to be answered there because the board has certainly operated, you know, beyond means in the past. And so the

stakes of that are in question but we certainly need to make sure that we're capturing the concern that the board raised.

And the - and then the other piece that I think I did leave out is that Cherine suggested the board must retain the ability to do mid-year course corrections and new - add new things to the budget if something urgent came up - urgent matters came up. And I'll try to incorporate that language. I think I just left that out altogether. That was an oversight.

Cherine, are you on the phone? Do you want to just speak rather than write?

Cherine Chalaby: I am on the phone. I just want to respect what's said about the purpose of the meeting is just to - just to make sure that we accurately reflect the comments. I don't want to enter a discussion on substantive issues. You mentioned the two points and I'm happy not to waste everybody's time and just make sure the language is in the comments paper. So I'm okay. But I'm happy to discuss outside this meeting...

((Crosstalk))

Cherine Chalaby: ...if anybody wants to discuss the budget. Thank you.

Jonathan Zuck: And I'm sure we will on the list. And I will follow up with you to make sure that I've accurately captured your concerns.

Cherine Chalaby: Okay, thank you.

Jonathan Zuck: Alan, please. Grace - Alan, before you speak, Grace, do you have an administrative issue?

Grace Abuhamad: Yeah, Jonathan, I was just wondering if this is considered an action item? And if you have a date in mind that you'd like the item to be delivered on?

Jonathan Zuck: Oh. Those are very good questions and I - it's only 10 minutes old in my mind. I will try to go through Cherine's email - we will try between us to clarify his points by the - by Monday.

Grace Abuhamad: Okay. Thank you.

Jonathan Zuck: Right. Alan, go ahead.

Alan Greenberg: Thank you. Just a question. The issue that I raised a number of times, I think others as well of how do we handle the case of budget shrinkage, and freezing the budget or increasing it does not really address that really well. And I don't think that is being captured here.

Jonathan Zuck: Yeah, so I added in a Number 5 in the first section under Revenue Shortfall where it says...

((Crosstalk))

Jonathan Zuck: ...suggests there will be times when the budget must be decreased and freezing the budget in previous year's level might be fiscally irresponsible.

Alan Greenberg: Okay sorry, I missed that. Thank you.

Jonathan Zuck: Other questions? All right, pretty painless. Cherine, I'll turn around some language to you to approve for capturing your concerns.

Cherine Chalaby: Okay thank you.

Jordan Carter: Thanks. Thanks, Jonathan. I am planning - we'll come to this more in a late item but I'm planning to spend Monday afternoon, evening in London next week collating all the stuff. So when you do have a revised text it would be good if you could circulate to the list before Sunday UTC. It would be great if you could do that in a Word doc and in a PDF.

Jonathan Zuck: Happy to do it.

Jordan Carter: Cool. Thank you. Okay thanks, Jonathan. Thanks, everyone. I really appreciate your support and the stunning results from the discussion on the substantive issues, it's good. Means we'll get this call done in a very manageable time.

The next item on our agenda is the Affirmation of Commitments paper which Mr. DelBianco circulated an updated copy of to (unintelligible) I believe. And that's on the screen and Steve's on the call so I will hand the call over to Steve. Please go ahead.

Steve DelBianco: Thanks, Jordan. Steve DelBianco with the CSG. Staff has been kind enough to load directly to Page 5 and item 1 because we've already been through much of the Affirmation review on our previous call, we just need to conclude today so this is a discussion that can probably take 10 minutes or less if we manage to avoid substantive debates and just focus on the question that we're going to put to the rest of the CCWG.

Page 5 is the only area of the Affirmation reviews that we believe needs consideration by the full CCWG. All the prior four pages, both divergence as well as clarifications, we agreed to on our last call what the action of Work Party 1 needs to be.

So the first item on here is an important one, it's the commitment that in the bylaws on Draft 2 that, quote, ICANN would ensure that it is as it expands the TLD space it'll adequately address issues of competition, consumer trust, security, stability, resiliency, sovereignty rights, rights protection and malicious abuse. Now that's in the AOC.

What we added in our second draft in Paragraph 575, the second sentence you see in front of you. It says subsequent rounds of new gTLDs should not be opened until the recommendations of the previous review required by the section have been implemented. And that was a feeling that several people in WP 1 pulled together in the month of June and July before we published our second comment.

It was seen as a way to operationalize the commitment that was in the top part of the AOC commitment by ICANN. The board filed a public comment saying they did not support that. They said it would bar or be a barrier to entry for those who would have to wait to get the new gTLD round underway.

And then the board subsequently expanded on its comment by giving some text to Rinalia Abdul Rahim and Rinalia forwarded two separate emails to all of in WP 1. To make life easy for you I had those on the email I circulated today. And I've embedded here on the document in front of you the essence of what the board is recommending by virtue of expanding upon their comment.

And I should say in fairness, the Registry constituency had contacted us as well even though they did not file a public comment objecting to this paragraph in the Affirmation review. They have subsequently agreed with the board's view that that's an inappropriate restriction on the next round.

So on the screen in front of you, and thanks, Brenda, for arranging it there. I highlighted in yellow the essence of what the board wants to do which is the board wants the discretion to decide which of the review team recommendations would be implemented before it moves forward with the next round.

So it's about board wanting to preserve discretion. And the rest of Rinalia's text there are assurances from the board, even though they don't have the effective bylaws and they have no effect at all unless they show up in a board resolution, these are what the board is suggesting to us.

Now let's scroll down a little bit lower to see what it is that the board is recommending through Rinalia. Thank you. It's right here at the top of Page 6. Rinalia's latest email suggested the board would propose that we drop the language requiring implementation of all of the CCT recommendations and instead require that the review team include in its report that it designate each of its recommendations suggesting either it's got to be done before the next round or it could be done in tandem with, that is to say not before the next round.

Now those are just recommendations and the board reminds us that it would make its decision on the recommendations based on input from the review team as well as the community and staff so, again this is the board reminding us that review team recommendations are only recommendations. We force the board in the bylaws to consider and begin implementation but the board cannot be required to adopt and implement every single recommendation that comes out of a review team.

So I wrote here in yellow that WP 1, that's us, proposes blank, because I don't know what we want to propose. But the question we would put to our brethren

in the bigger CCWG - don't scroll down yet - just yet, Brenda. The question we would put to the full CCWG is retain the language that subsequent rounds have to wait until implementation or the board's proposal of having the review team indicate its preference before the board decides. So those are the two options.

We don't want to have substantive review about which option you like or don't like. I'm asking you in WP 1 if anybody objects to us presenting it that way to the full CCWG. So I'll take a queue on that. And if anybody needs me to clarify the two choices we're going to put, I'm happy to do that.

All right, I see no objections so we are going to put to the full CCWG the choice of retaining our current language or adopting the board's presentation. I'll try to turn the board's two sentences into a standard bylaws language.

All right, we have just two other quick items for presentation to the full CCWG. Number 2 on the screen in front of you, and Brenda, scroll Number 2 up to the top if you don't mind. Thank you. This is about the review team composition. Avri, Alan, a bunch of us in WP 1 worked hard to come up with a consensus - a compromise, if you will, on how to construct a review team.

I'm part of the GNSO and I could tell you that this is not the ideal composition of a review team because it limits the GNSO to just three members of a review team. And sure enough, members of GNSO have come back and suggested that it's inappropriate to limit to just three.

So we have asked staff to give us a report on what kind of - what were the numbers and where did they come from for the prior Affirmation of Commitments review teams. And there's been five of them - four of them already so we ought to be able to get some data. I'll ask right now whether

anyone on staff can say when that data might be available to WP 1. So anyone on staff just please answer.

Grace Abuhamad: Hey, Steve, this is Grace. I went ahead and submitted that information to the WP 1 list and I got no feedback so actually I was wondering if anyone had received it.

Steve DelBianco: Thank you, Grace. We probably all received it and at least, speaking for me, I missed it in the fire those flood of emails that have been coming through in the last several days. My apologies, Grace.

Grace Abuhamad: No, no no problem.

((Crosstalk))

Steve DelBianco: I will look at that and I will insert the data here.

Grace Abuhamad: Okay.

Steve DelBianco: If we have the data - I'll insert it right there because we want our full CCWG to consider the data that Grace gave us in terms of which of the options we want to put in our report. So in yellow, even if it's just a strawman, I've put in here that WP 1 would recommend - this is in response to the comments - that the full CCWG consider an option that would allow the chairs of the ACs and SOs to select from - select more than just three from any single AC or SO if any of the 21 total member slots were not requested by those other ACs and SOs.

So that would have the effect of still limiting the review team to 21 but considering that there are times that some ACs and SOs send nobody that

there be an opportunity to add more from a particular group. And for something like the new gTLD program you can bet there will be plenty of people in the GNSO and probably the ALAC who would love to have more people participate on a review team where there's a lot of work to do.

So I'll take a queue on that. I see Kavouss and Alan so far. Again, please don't debate the substance of this but rather whether this is the way to present it to our friends in the CCWG. Go ahead, Kavouss.

((Crosstalk))

Kavouss Arasteh: But I need a clarification, what do you meant that if one AC or SO does not designate people - the other they could have (unintelligible) change the balance? Thank you.

Steve DelBianco: So, Kavouss, obviously if there's 21 people total and the RSAC doesn't send any names at all then the review team would be three short. To accommodate the public comment the option we're going to present would say that if another AC or SO, say the ALAC, offered four people that all four of the ALAC could make their way onto a review team.

And when you talk about balance I'm not sure exactly what you mean because we want 21 people to do a lot of the work on these review teams. The review teams are supposed to come up with consensus recommendations. And if they don't they have to report the degree of consensus or dissent for every one of their recommendations.

And when it comes to balance, remember that some of these reviews focus very tightly on gTLD issues and have no impact at all on things like the ccNSO and they have no impact on the ASO. So if GNSO constituencies have

more interest in this they ought to be able to participate greater. That's the idea.

Thank you. Alan.

Alan Greenberg: Thank you. My only concern with the word "requested." ACs and SOs generally do not request slots, they endorse a certain number, they endorse candidates. And they may be endorsing five candidates even though they are not requesting five slots. So...

Steve DelBianco: Alan, can I point you to the paragraph at the top of the screen, which you and I and everyone else in WP 1 put into the second draft. It says, "Each SO and AC may suggest up to seven perspective members for the review team." So maybe the word was suggest, not request. But they can suggest up to seven and we're saying that more than three could be picked if there were openings. And I can use "suggest."

Alan Greenberg: Yeah, but the point I'm making is the AC and SO provides candidates, they don't ask for the number of slots and therefore that...

Steve DelBianco: We agree.

Alan Greenberg: ...you know, the word "requesting" I think is the problematic one. You know, if any of the 21 member slots are not allocated to the other ACs SOs, that...

((Crosstalk))

Steve DelBianco: That's fine, Alan, if that'll help be clear, I'm happy to do that.

Alan Greenberg: Yeah, because as a selector they may decide for given review team that we don't need the 21, that, you know, 15 good people is going to be more than enough to do the job properly.

Steve DelBianco: All right, look forward to working the data into this.

((Crosstalk))

Steve DelBianco: So I don't see any other hands up. So folks on the call are comfortable with us presenting it this way as a recommendation for the rest of the CCWG to consider and the alternative, if you don't accept the recommendation, is to fall back to what - to what we published on our second draft which is a strict 21 total with no more than three from any group.

All right thanks, everyone. Brenda, Number 3, which is Article 18 of the ICANN bylaws, and the reason we talk about it on the Affirmation team is that the Affirmation of Commitments Item 8b was a commitment by ICANN to remain in the United States and it dovetails with an existing ICANN bylaw as well as the Articles of Incorporation. So this is touching multiple groups, our group, another WP 1 subgroup that Keith Drazek's working called Fundamental Bylaws, but it also affects some of the work that's being done by WP 2.

So I'm not positive that we will be the only ones building this into the CCWG. But I have recommended at the bottom, scroll to the yellow, Brenda, please, scroll up a little bit more, there it is right there. WP 1 believes this should be considered by the full CCWG since it is a matter being discussed in WP 2 and in the Fundamental Bylaws group.

In the text above I delineated how we, in the second draft, had suggested it did not need to be a fundamental bylaw, that's still - that's still the fallback position if the full CCWG does not want to change it. Any comments on that one? Fantastic.

The next one, Brenda, we don't even need to discuss very much. I simply highlighted the fact at the beginning of each and every AOC review starts off with sort of a commitment since after all it was the Affirmation of Commitments.

Those commitments in our second draft report were all supposed to make their way into a bylaws level commitment, although not part of mission and core values. Some commenters in the second draft went back and said, we'll wait a minute, we ought to put them - these commitments into the mission and core values. So what I did here to tee it up for everyone to look at is on the left column is exactly what we have in the Affirmation of Commitments and in the right hand column identifies what piece of that constitutes a commitment from ICANN not just a promise to do a review.

And so the yellow text at the bottom simply says that we think this should be considered by the full CCWG since it's a matter also being discussed in WP 2 since they're managing core values and mission statements.

All right with that, Jordan, unless there's any other questions I think we have a document that's nearly ready to go. I can get these final edits turned around in just about 10 minutes. Right and...

Jordan Carter: Thanks...

((Crosstalk))

Jordan Carter: Thank you, Steve. Go ahead.

Steve DelBianco: Yeah, I was reading the text you put in the chat, Jordan. If any of you have other comments that you didn't have a chance to speak on the last two times we've discussed the AOC, this is a great time to bring it up. I know Rinalia was not on the call but I certainly hope that she will consider that we gave very fair treatment and presentation to the board's comment and proposal.

                  Okay, thank you, Jordan. I think we're done.

Jordan Carter: Thank you, Steve. Thank you all. It did seem a fair treatment but hopefully Rinalia will be able to add any kind of response on the email list and if she does have any concerns remaining.

                  So thank you for that walk through. And I realize, everyone, that when we go through these sometimes we move through it at quite a pace so as we go through each document we'll do those kind of last call at the end again.

                  The next one I think is community forum. And I don't know whether this is an updated document or not. And I do not see Matthew Shears on the call. Staff, is this the same document as last time or is it an updated one?

Grace Abuhamad: Jordan, it's the same as last time.

Jordan Carter: Okay. And we're Matthew-less. I didn't see any comments that were raised. Can you give us scroll control for this please? Thanks. I don't recall any major areas that needed amendments here but my memory may be faulty on that. And Matthew hasn't circulated a revised paper and hasn't - isn't on the call.

So shall we simply not deal with this item or is there any point that anyone would like to raise that we can put in the notes and then address to Matt?

It's always great to keep moving along if we don't need to. There was a reasonable discussion about it last time and there were some tweaks I think to the language. My suggestion will be that I just email Matthew and ask him if here's anything. I think he sent his apology for this call. So if you do have any points about the text as you're revising it please feel free to raise them on the email list. And Bernie says he did. But I don't know what Bernie means.

Bernie, can you join the audio and just tell us what you mean by he did? Oh he gave an apology. I see. Yeah, so he's not on the call and he let us know. All right so let's move on from that one then. If you do have any comments pop them on the email list or send them to Matt direct.

In that case the next item on the agenda is the community mechanism as sole member paper. And my impression is that an updated version of that has just been sent around the list and is now on the screen actually. So...

Avri Doria: Not yet.

Jordan Carter: It's on the screen on my...

Avri Doria: This is Avri.

Jordan Carter: ...my computer. And hopefully, Avri, it will be on yours soon too. When you say, "not yet" do you mean you haven't emailed it around yet?

Avri Doria: I sent it as you were talking about Matt. I was editing it up to the last minute so maybe it's gotten there now. That's what I meant by "not yet" I had - that it hadn't been received yet and wasn't showing yet.

Jordan Carter: All right, okay. So...

Avri Doria: I can start to talk through to it if you want while it's being uploaded.

Jordan Carter: Okay yeah, go ahead, Avri.

Avri Doria: Right. Okay the only material change to the first part - and basically it was an effort to try and include the comments that had been received. The only part to the reporting was to include the raw numbers that had been put out on the list in there so that there was a comment about the subgroup of what various commenters disagreed about with the model whether it was the vote counting or whatever.

                 There was a comment I had put in when I went back and playing with the numbers. I wasn't able to get a coherent enough raw numbers stay built in time so I just cut the comment out at this point since I didn't have a proper analysis to put down. So I've included the raw numbers there.

                 Then there were a couple edits that were gotten but most of the edits are in areas we're not talking about today, which is the options for CCW - there was the - that elephant in the room didn't change. And then there were some issues within the model so there were various issues on the single model and the designator model that had been brought up.

                 Many of them had been brought up by Cherine in this section. If this isn't the right section I can move them around. But they were mostly things like

reconsider, reconsider, etcetera so reconsider seemed to be future actions, things we should be doing now as opposed to the analysis. But if I got it wrong please tell me. I did it quite quickly.

And then there was some of the MEM-based issues that we already had and some that were added. And then there was issues pertinent to either model. At the moment only one of those came out. And so I was trying to basically capture the comments that people had put in yesterday plus people had done some this morning I guess, comments in the text that I tried to take in.

And I'm not going through all the comments because that would be to discuss things that we aren't supposed to discuss at the moment. But please people should check them and make sure that, A, they're in there, and, B, they're in there correctly. The document is still open for editing by anyone so I recommend that people go and suggest edits where they're needed. Thanks.

Jordan Carter: Thank you, Avri, for taking us on that through of the doc. And would you like to manage the queue of people or would you like me to do that?

Avri Doria: I'm fine either way.

Jordan Carter: You do it.

Avri Doria: So which would you prefer? I do it? Okay, Alan, please.

Alan Greenberg: Thank you. I guess I'm asking about something of was it a comment. I've heard it discussed but I have not - I don't recall whether it was a formal comment or not. One of the issues that the board or certain board members, anyway, had with the current model is that there are so few ACs and SOs that

are likely to formally participate. And I'm asking is that - has that been captured? And is it one of the things that we need to consider how to fix?

I don't have the...

Avri Doria: I believe it has been - I believe - this is Avri. I believe it has been captured but, you know, we have to look at it. It's certainly something that needs to be considered and, as I say...

((Crosstalk))

Avri Doria: I mean, there's certainly been several comments about capture. And I believe it's in there but, you know, it may need some tweaking in the wording to make sure it says it the way you said it. But...

Alan Greenberg: In fact I think the ALAC may have commented also on the few number of ACs and SOs. It strikes me as I've been looking at the various alternatives that the difference between the board model and what the CCWG proposed is we ask ahead of time are you going to participate whereas the board model basically allows each AC and SO to decide on the fly for an issue. And that may be something we want to bring up to the whole working group. Because that may be a way to address what has been viewed as a very significant problem that is, the stakeholders are not...

Avri Doria: Thank you.

Alan Greenberg: ...sufficiently representative.

Avri Doria: Yeah, thank you. Though they were getting perilously close to actually discussing solutions. In the comments I've got in the last section, 3.1d was

consideration of advice from those SOs and ACs opting out of the decision making mechanism so there's several. And within the issues that have been brought up and the sub issues within the models and that's 3 in that last section you'll see several discussions there of moving from voting to consensus or doing consensus this way or that way.

So various suggestions have been made and they've been captured.

Alan Greenberg: Okay, thank you. That's all I wanted to know.

Avri Doria: But please check it to make sure that it's all there. Jordan, please, thank you.

Jordan Carter: Thank you, Avri. I was wondering whether actually we should have just as another bullet point in the areas of concern/divergence something that does reflect that. There's already a - there isn't a bullet point that really says - like in the previous section, areas needing clarification or refinement on Page 4, there is a bullet point that says must be minimum number of SOs and ACs participating for the model to work.

To me that bullet point is kind of the angle in for that point about not enough participation. So I think it's there but I don't think it would be unreasonable to propose some language - maybe, Alan, you could do that in the Google doc in the areas of concern/divergence about that topic?

Alan Greenberg: Okay thank you, I will.

Jordan Carter: And that's just my suggestion. Thanks.

Avri Doria: Yeah.

Alan Greenberg: Yeah.

((Crosstalk))

Alan Greenberg: ...without debating the model that that's one of the strong divergences and it may be fixable. Thank you.

Avri Doria: Yeah, I think that's a good point. And, yeah, as I say it's in there but please make sure that the wording actually says it the way it needs to be understood.

Alan Greenberg: Avri, can you...

((Crosstalk))

Avri Doria: Kavouss, please.

Alan Greenberg: Avri, can you send me a pointer to the Google doc so I can do that?

Avri Doria: Most certainly once I have a hand free I'll actually put it in the (unintelligible) send it.

Alan Greenberg: Thank you.

Avri Doria: To you. Okay, Kavouss, sorry I came to you and then immediately pulled back.

Kavouss Arasteh: Can I talk?

Avri Doria: Yes, please and I can even hear you.

Kavouss Arasteh: Okay. Okay thank you. Avri, thank you very much for your work done. Another area of difficulty was the way that this region is made at the level of the SO and AC. ICANN board was not in favor of the voting as such but was much in favor of promoting the consensus approach based on any procedures currently applicable in any SO and AC to arrive at consensus. I don't want to discuss what the consensus is but that is the issue between voting and consensus. Has it been duly captured and highlighted or not? Thank you.

Avri Doria: Thank you. This is Avri speaking again. Certainly the issue of moving away from voting to consensus has been. I don't think we have anything in there at the moment that specifically discusses how the ACs and SOs make the decisions internally but we do discuss what happens after that.

Do you believe that something needs to be there for how the decisions are made at the SO AC level? Or just after that? I'm curious.

Kavouss Arasteh: Yes, if I'm not mistaken we have three steps. Step 1 is petition (unintelligible) and Step 3 is decision making overall. Talking of the Step 1 petition, the level of the SO and AC how the decision is made, it is made by the consensus or made by the voting. In the CCWG it is talking about the voting. And in - talking of simple majority or (unintelligible) voting. But the ICANN board, as far as I understand the document, if I'm not mistaken, they are dealing to go ahead with whatever possibility exists for consensus. I'm talking of Step 1, I'm not talking of Step 3, decision making. Thank you.

Avri Doria: Okay. Thank you. I believe it's in there but please take a read and make sure that it is indeed covered accurately. I believe that that is in there. Thanks. Okay Alan, I see your hand up again next.

Alan Greenberg: Thank you. Yeah, on the issue Kavouss just raised, part of our problem here is nomenclature. I believe the substantive difference that has been - or the issue that is being raised by the board in this case is not voting as such but how one - but whether - rather but coming to a consensus.

The - how one arrives at consensus may be a voting method. But that's internal to the AC SO. I think the substantive difference is they are disagreeing with the decision we made way back in Frankfurt, I think, to allow an AC SO to subdivide its votes. That I believe by saying the AC and SO must reach consensus they are saying the outcome can be yes or no, not subdivide it. And I think that is the substantive difference, not necessarily the method by which that decision is arrived on.

So I don't know whether that's captured or not but I think using the word consensus has obscured what they were really getting at, that is the AC SO must come to a decision as opposed to a fragmented range of decisions.

Avri Doria: Okay. Thank you. I think it's certainly not covered down to that level of detail. There is a discussion of the whole decision making process and consensus and voting so perhaps when you're looking at the text you may want to tweak it and I'll look at it to try and bring out a little bit more of that detail. Although I'm not taking really good notes while I'm talking at the moment. But I'll look at it later.

Okay, thank you, okay one hand went away but Kavouss, your hand is there. Thank you.

Kavouss Arasteh: Yes, I'm sorry. The issue raised by Alan is not the case. We are not talking of the splitting of the vote in particular community SO and AC in ALAC or in GNSO. We are talking of at the level of community decision making whether

it would be a voting procedure as currently in the CCWG by majority or simple majority or whether it would be a consensus. So Alan raising a different issue. And I don't think that we should mix them up together. So I could not agree with what he says that I am addressing. I am addressing another issue. I'm not addressing split of the vote within the community. Thank you.

Avri Doria: Thank you, Kavouss. Yes, I understand that. I'll make sure that we keep them separate. Alan's issue is more one about how the SOs and ACs make their decision itself and are actually more pertinent to a voting mechanism; yours is more the replacement I think, you're saying, the replacement of a voting mechanism consensus mechanism.

Jordan, please.

Jordan Carter: Thanks, Avri. I just wanted to sort of say for the record my understanding, which was I thought the board was - and a number of other people were talking about two things. The only reason we allocated votes, if you recall in principle, was, A, to let SOs and ACs express some of their internal diversity in their decision making though if there wasn't a consensus within the SO and AC they could represent that by sharing votes out in ways other than everyone supporting one thing.

And the other one was to distinguish voting rates between various classes of SOs or ACs so giving more weight to some than others. I think the board's suggestion was that that - neither of those were necessary or appropriate so they thought that an SO or AC should come to a decision about whether or not it wanted the power exercised and each should count as the same weight and that the decision making process was among the SOs and ACs would be by consensus with thresholds to be defined.

And so that's, I think, what is noted here. I don't think anyone has tried to say hey, GNSO, instead of your procedure that you've worked on and know how to use, you have to vote like this. I don't think anyone is trying to do that.

Avri Doria: Thank you. Yes, I understand. And I think that that is reflected in what's here but, again, you know, people should read it and make sure. Thanks. I see no other hands, does that mean - I mean, obviously it means there's a lot of be discussed later. Yes, thank you, I needed another hand, thank you.

Greg Shatan: Thanks. I put it up whether you needed it or not. In looking at the very kind of almost at the end of the paper Page 6 under MEM-based issues, I don't see a discussion there about decision making issues for the community. And frankly I'm having a little trouble recalling exactly how or if the board's suggestion, you know, which we're calling the MEM-based model, you know, dealt with kind of the decision factor.

So I see it discussed under 1a under the single member and single designator model variety of challenges but not sure what if any, you know, consideration or discussion we need to have about how the - how decision making is made in the community in the MEM model.

Avri Doria: Thank you. I will add that. Thanks. I see no other hands, does that mean I should turn things back over to Jordan now? Jordan, I turn it back over to you. Thank you very much, everybody.

Jordan Carter: Thank you, Avri. And thank you, everyone. And that - it's shaping up as quite a good paper. And so I think it'll give the CCWG a good guidance for the issues that have been raised and the discussion that would happen. So thank

you to you and Robin and to everyone who's helped with the discussion and helped with adding some comments in the Google doc.

Avri has pasted the Google doc link into the chat channel. And it was under Notes - Discussion Notes pod to the right of the screen in your Adobe room. So that's that item done.

The next item on our agenda is the recall of the ICANN board item. And Greg Shatan has circulated an update to that paper and is going to present it to us. I'd like to just while its loading just intervene to say that we recirculated the info from Grace on the composition of ATRT review team. And assuming that we have time, which I think we will, we'll get her to do a little presentation and then perhaps a little discussion. So we'll do that as the first item in any other business.

But for now, Greg, the floor is yours on the recall of the ICANN board.

Greg Shatan: Thank you. It's Greg Shatan here. And we're actually looking at the third version of the analysis of the power of recalling the entire board. If we could turn or if each of you could turn to Page 5 this is really where the first substantive change, other than removing some bad spacing, takes place.

In the 7th area of concern and divergence I went back to the underlying comment in trying to clarify what this meant, the public comment tool, while an amazing effort, doesn't always reveal the subtleties of some of the comments completely. And I was able, in going back to that I realized that actually I'd not captured the comment correctly.

This comment stated that while they supported the CCWG's plan to establish standards for removal of a board member or the entire board in Work Stream

2, that the CCWG should establish a basic outline of minimum standards for board removal as part of Work Stream 1.

So I'm not sure whether this is duplicative of the paper on recalling individual board members. But in the chance that it is not I've left it in here and corrected it to accurately reflect the board member - the commenter's position.

If there are any comments on this, I don't see hands, but seeing none I'll move on. The remainder of the changes are on Pages 6 and 7 in the section on options for consideration. And what I've added here is what you see in underlines and primarily in italics which is somewhat a commentary, if you will, on the options that were presented by the commenters.

So we had a couple of comments that we lacked standards for selection of the interim board, at least there were no standards set out in the paper, which led some to believe that there would actually be no standard for selecting the interim board, which of course is unlikely at best. But we want to dispel that type of concern. So what I've stated here in response to some specific suggestions that were made by commenters that the following.

"The second draft is silent on selection standards for the interim board except to note that the geographic diversity requirement will be waived. CCWG may wish to consider revising its proposal to state that standards for the interim board will be the same as those in place for the ICANN board, other than the requirements relating to geographic diversity."

I realize in reading that that depends on the idea that there actually are standards for the ICANN board, which I'm not exactly entirely sure currently exists. If anybody knows whether or not they exist and thus whether this

comment makes sense, that would be helpful. But I will take a couple of hands first from Alan Greenberg.

Alan Greenberg: I'll let George speak first because I think he'll probably cover it with more accuracy than I can.

Greg Shatan: George. George, you may be on mute and I see the red slash through your microphone.

George Sadowsky: Can you hear me now?

Greg Shatan: Yes.

George Sadowsky: Can you hear me now? Okay, have you checked the bylaws?

Greg Shatan: I have not yet checked the bylaws...

((Crosstalk))

Greg Shatan: ...I read them more often than I care to admit.

George Sadowsky: You will find parts of the bylaws which talk about the requirements or the standards for directors.

Greg Shatan: Good, then my instincts are correct, there are standards and we continue to rely on them - the selection of an interim board.

George Sadowsky: Yeah - yes.

Greg Shatan: Alan, anything further or are those hands now...

Alan Greenberg: While George was talking I pulled up the bylaws. We're looking at Article 4, Section 3, Section 4 and the international representation which is the diversity, is Section 5, but in my mind there's an absolute requirement that we be explicit that the Section 3, Section 4 qualifications must be met. I mean, they include things like you can't be part of a national government. You know, there's a whole bunch of things that are really crucial to ICANN so we cannot ignore them. It should explicitly cite them. Thank you.

Greg Shatan: So your suggestion, Alan, then is to go beyond the general mention here to explicitly cite in our suggestion...

Alan Greenberg: Well no, no I don't say we have to cite the bylaw reference but we should say that the normal requirement as specified in the bylaws do apply with the exception of international diversity.

Greg Shatan: Okay then I will add, "As specified in the bylaws" in my offline copy of this document. And that will take care of that. Seeing no further comments on Number 1 we'll move to Number 2 which is based on a note that the commenter failed to see any consequences listed or discussed in our paper if the community doesn't satisfy the goals, principles and deadlines that are part of the process.

So I merely note that the CCWG should consider what consequences, if any, would attach if particular goals, principles or deadlines are not met. This would probably require, you know, parsing the various goals, principles and deadlines to determine if there are what the consequences would be. Overall maybe likely that they would be, you know, failure of the process. But in any case we're reporting this out to the CCWG. Jordan.

Jordan Carter: Yeah, I was just going to say, Alan, I - Greg, sorry, I agree with you but the consequences (unintelligible) to meet the deadline in any of these processes since they fall over, they become inoperative. And as for the goals and principles, this is a process that we're setting out. And the goals and principles behind that logic and why would set it up and if it gets implemented, it's up to everyone who's using the process to apply their own goals for it aside from the general back to that it's been agreed as an accountability tool.

So I don't think this is something, personally, that the whole CCWG does need to consider. I think other than clarifying in all of our powers that if the timeframes aren't met and the power falls over and that's all you have to say, in my opinion.

Greg Shatan: Thank you, Jordan. I can change this to reflect that. Any other comments on this one? I do agree with you on this. The next comment, which in some relates to this one, is that we should make some or all of the time periods less rigid. One commenter expressed concern that the 120-day period for selection of the replacement board might not be sufficient. And rather than having the consequence be some failure, at that point we only have a replacement board. So the consequences would be unknown? Would the board leave? So, you know, to make that a target rather than a deadline.

And then another commenter expressed a more general concern that tight timelines could open the process to capture and while they didn't specify exactly how that would happen I assume it relates to the ability - the unequal ability to respond to tight timelines from different parts of the community. So, again, that may be a reason to relax timelines somewhat. So that's something which we should consider.

Alan.

Alan Greenberg: Yeah, thank you. One thing I - that has been mentioned but we never talked about is the implication of the 120 days, does that mean that the interim board resigns at 120 days, if not before, which could imply the board is severely understaffed if the 120-day target has not been met by, you know, the majority of the community including the NomComm. So I think we need to be explicit, if we have a date that is anything other than a target I think we need to be explicit about what happens at that date. And I think logic says that we cannot simply have the interim board disappearing if it hasn't been replaced. So...

((Crosstalk))

Greg Shatan: I think that's correct, the interim board would need to stay on so long as the full board wasn't selected, you know, subject to gaming and capture to attempts to keep the interim board in place longer than it should. But that's kind of getting down to a bit of a rabbit hole. Jordan.

Jordan Carter: Thanks, Greg. This 120 days is four months. And I'm pretty sure that we had suggested that as part of the implementation for Work Stream 1 one of the obligations would be, firstly, on the SOs and ACs for their seven directors that they have a kind of emergency, quote, unquote, process that they can exercise to select directors within that timeframe and that their NomComm would make arrangements to be able to place some interim people.

So I agree that we have to be clear that the interim board wouldn't vanish but it seems to me to be highly unlikely that we want the interim board to hang around for a year or two years or whatever feels comfortable for it. The idea is some time pressure. So if the idea is some time pressure maybe we should say that in the report and say what it is that we - the community will need to do as

part of the implementation. We do need to be clear that the board won't fall over at a 120-day limit.

Greg Shatan: Thank you, Jordan. I think the concern of the original commenter was what happens on Day 121 or, you know, is there something wrong with selecting the full replacement board only on Day 137. So I think the idea was to keep the time pressure on to aim for 120 days but not to have a rigid - not to have a consequence if there is a small failure - a relatively small failure to meet that timeline dead on.

Tijani.

Tijani Ben Jemaa: Thank you, Greg. Tijani speaking. Jordan said what I wanted to say but I want to answer to something very important. Yes, (unintelligible) board has to stay endless. (Unintelligible) it is the same, yes, it's perhaps the same. But where you would put the bar if we can - if we don't manage to have the (unintelligible) board after 127 what will happen? So we need a deadline, we need a (link). If we don't have a (unintelligible) we may go very, very far and this is, I don't think, this is acceptable for ICANN. Thank you.

Greg Shatan: Thank you, Tijani. Kavouss.

Kavouss Arasteh: (Unintelligible) unclear so we have to see all the (unintelligible) and conditions. We need to look at that one. What Tijani said the rights and other people but there's something to be done. I don't think it's quite clear. Thank you.

Greg Shatan: Thank you. I think that, you know, in order to keep with the original concept that we're primarily reporting things out, I'll edit this slightly to include both the, you know, concerns that there needs to be a deadline at some point even if

120 days is only a target to avoid dragging things out beyond any reasonable timeframe.

And I think for the rest - the discussion about whether not having a deadline but only having a target will in fact result in dragging things out beyond a reasonable timeframe or not is a discussion we can have in the full CCWG. We just need...

((Crosstalk))

Jordan Carter: Greg?

Greg Shatan: Yes.

Jordan Carter: My apologies for interrupting but I just wanted to remind you that we need to be making sure that the issues are raised for CCWG discussion rather than discussing them. We're lapsing a little bit into the discussing them mode.

Greg Shatan: Yes, I was trying to steer us away from that as well. The next point was - that one commenter thought that there was a potential for a failure to agree on interim directors. So I think we just need to review the interim director selection process to ensure that it won't result in a failure to agree on interim directors. Since I believe the interim directors are selected by each part of the community that selects directors. That would seem to be, to some extent, a problem within communities.

And it may not be possible to ensure that this happens. But, again, as with other, you know, issues if the community can't put together a slate of replacement - of interim directors we can't remove the board. So the consequence I guess would be failure to be able to move forward on replacing

the board. But we can, again, leave that substantive discussion to this full CCWG. Kavouss.

Kavouss Arasteh: What you said, if I understood correctly, is means that from the moment that we decide to recall the entire board we should think of the interim board and once the interim board is selected or elected with the number that is required then we will go ahead to recall the board. Otherwise we may be facing a position that one or several or some SO and AC which are - which have the right to designate the directors may not reach any agreement to do so therefore we have recall the board, we have no board and then we have no interim board.

So we have to connect these two together. There should be no pause of - none board whether is the standard or whether is interim. So we have to think of that situation that is interconnected. Thank you.

Greg Shatan: Thank you, Kavouss. I think we've actually - I may not take the time to find it right in the call but I think that is actually the way that it's set forth in our suggestion.

I see here it says that actually at the top of Page - toward the top of Page 2 where I've excerpted the second report says, "As previewed above in the event that the threshold is met for a recall for the entire board, simultaneously with that vote directors to serve on the interim board will be selected automatically. The interim board will consist of the group of candidates that each SO and AC was required to provide by the end of the discussion period and it would replace the ICANN board upon the threshold being met for recall of the entire board."

So again, implicit in that is if the SOs and ACs cannot all supply the required interim board members we can't move forward and recall the board. Jordan, does that satisfy your concern about going back to the original report? Okay so it is an item to consider.

Jordan Carter: Sorry I was just recognizing that some of the confusion can be answered in people's minds by just rereading what we'd already proposed. We'd already proposed something that dealt with that but I think that, you know, so there is no potential for failure to (unintelligible) directors because if they haven't been selected and then the replacement can't happen - already dealt with.

Greg Shatan: Right.

Jordan Carter: But I think the way you phrased it - framed it isn't inaccurate there so I don't mind it saying that (unintelligible) at Number 4. And I also think the way you've done Number 6 is fine as well.

Greg Shatan: Let's deal with that. So 4 will stay as it is. Five did not change. Six - all of a sudden my scroll has gone out of my control. Six relates to the earlier comment that I reviewed and changed which was the suggestion to establish a basic outline of minimum standards in Work Stream 1. So I've just expressed that in narrative form. That the CCWG should consider whether to establish a basic outline of minimum standards for board removal as part of Work Stream 1 rather than leaving this entirely to Work Stream 2.

So I think that's self-explanatory and really no commentary necessary before this gets to the CCWG. So with that I'll see if there are any hands on this paper generally. George.

George Sadowsky: Thank you. Greg, can you hear me now?

Greg Shatan: Yes.

George Sadowsky: Can you hear me now?

Greg Shatan: Yes.

George Sadowsky: Okay. Just a point on the minimum standards. This is of course a critical point. And if we can get it right then I think we have a chance of coming to agreement. I would say - and the basic outline of minimum standard sounds like a patch. It sounds like, well, we'll get something in there so that we know what we're talking about. I would argue that it - maybe we should go for more than a basic outline of minimum standards. I don't know what that implies in the language but to make it less than a temporary thing. It looks temporary. Okay? Thank you.

Greg Shatan: Thank you, George. Anything else from anybody else? Again, this is, you know, primarily intended just to report out the comments. So our commentary on the comments is of secondary importance, though obviously it's helpful - hopefully helpful to frame the discussion as it goes into the full CCWG. But at the most it should frame the discussion.

                     Alan.

Alan Greenberg: Thank you. Yes, we're here to report the comments. But at the same time if we find a fatal flaw that was ignored by the original CCWG proposal such as meeting the bylaw required comment - or criteria for directors, we have an obligation to bring it to the attention.

Greg Shatan: Yes, and hopefully we're doing that.

Jordan Carter: Greg.

Greg Shatan: Yes, Jordan.

Jordan Carter: Thank you.

Greg Shatan: Thank you.

Jordan Carter: Thank you for doing that work for us and for representing it back. It doesn't look like there are any more hands so you might be done.

Greg Shatan: Thank you and I'll turn it back to you, Jordan.

Jordan Carter: Thank you, sir. Thanks, everyone. I think we're pretty much there. Once again, if there's any issues to raise on the list raise them on the list with that or any of the other documents.

                   The next item on our agenda then - and thank you for sticking to that mostly not debating substance once again, people, the next item on our agenda, Item 3, is the approach to documenting our work for the 12th of October deadline. And my suggestion, which I made on the list in very brief form, was that we provide two documents for the CCWG.

                   One would be that (unintelligible) areas of consensus, areas of clarification, areas of disagreement and options for CCWG to consider for each of the areas of content that we've done. Just to (unintelligible) document in the same order as the proposal so people can easily see what it is. And in that case I think we just keep a little paragraph from the executive summary of the report about what the part of the proposal is. We wouldn't keep the full language as in some of these papers.

And then a second paper which has the same order, the order of our report, but just the matters for the CCWG to consider. So people have a shorter document which is just the issues that need to be resolved. And I'm hopeful that we can try and tease out some of the most important ones though I think that we have a good sense of what those are.

So if people have a different view about the way that we could present stuff I'd be interested to hear it. To me that gets all the info available to the CCWG in the longer document but also gets a very clear statement of the matters that we need to consider and decide in one place as well.

So just ask for any comments on that one. Kavouss, I see your hand is up. Please go ahead.

Kavouss Arasteh: ...the area on which there is no consensus. And the second document the area that we need to have the CCWG decision we need to have a brief description of the case on which we require decision. So we should not just put the title and ask CCWG to decide. We have to have one (unintelligible) lines of description of the case then put in the box the decision which is required by CCWG or if we have the recommendation to make we do it (unintelligible). Before that we need to have few lines of description of explanation of (unintelligible). Thank you.

Jordan Carter: Thank you, Kavouss. I think that in most cases we do have that. In some cases we might need to add that. And if - my hope is like I'd like to collate what we've got so far in about 8 hours and circulate it around. And in doing that I can highlight any areas where there does need to be a bit of explanation developed. And in that case maybe you can do some quick drafting over the

weekend to flesh that out and give the work party time to review it before the Monday deadline. So that's a good idea, thank you.

Steve, you're next. And, Steve, I think if you're not on mute I'm broken. I can't hear you...

((Crosstalk))

Steve DelBianco: Sorry, I was on mute and that means I was broken, I'm sorry. For the Affirmation of Commitments review team, we had several items under clarifications and refinements where we said WP 1 recommends this response. And that implies we didn't think the full CCWG needed to debate and consider and vote on options. But of course the full CCWG may disagree with the WP 1 recommendation. Those are the items I put in italics with highlighting. And I think that calls the eye's attention to it.

As well we had a number of items where we presented two options, Option A and Option B for the full CCWG knowing that the full CCWG might go with Option C or might amend what we have. I only need to say this in that - for each of those options, we included a lot of context and background so that the CCWG members who look at it don't have to go open our previous second draft report, they don't have to open the public comment tool to dive in and see. But wherever possible we try to quote and bring enough context in.

So I say this, Jordan, because I know you have a wonderful tendency to try to really condense things to keep it short and simple. And if you did so with some of that material I've just discussed the context would get lost and we'd end up having to, well, rehash it for the full CCWG when it came time to make a decision. So it's just my appeal to let the document be a little longer if

it's in fact, you know, helpful and clear what the choices are that the CCWG needs to make. Thanks.

Jordan Carter: Thanks, Steve. I take that caution. While I do like things being brief it's not my intention to make the decision making process harder because I think we need to make this work harder for us like we need holes in our head. Where the context is useful we keep it and I think our problem is going to be more needing to add some context as Kavouss suggested rather than delete it.

So I'm going to take that as basic assent to the doc and the approach taken. And so thank you for that. There's no perfect way of doing this but it seems like a logical model. Now as our first any other business item I'd like to invite Grace to give us a little talk through the composition of Affirmation of Commitments review teams, ATRT review teams and others.

And she's got her paper coming up. Grace, the floor is yours. If we can keep this item to around about 10 minutes I think that would be great.

Grace Abuhamad: Thanks, Jordan. I'll be very brief. I'll leave it for you all to scroll through. What I did was I got collected information from a few pages on the ICANN Website and I've put those pages on the - in the document for you so you can look there for more detail. And of course for the CCT review there is no information yet because ICANN has just launched a call for volunteers and the group will be announced in December.

From the first page that I looked at there is a summary infographic that was on the page and I thought it would be useful to place it into the document for you all to see. Basically there's a selection committee and then there's the membership for the review team that is presented. So I thought it would be

good for you to look through that and just get an idea of how the different categories of individuals on the review teams - is organized.

If you go down to the next page, on Page 2, I have a breakdown of each - of the composition of each of the review teams that has occurred. And this is what I call the actual composition because if you look back, for example, at ATRT 1, if you look back at the announcement, there was an announcement or an intention for a certain amount of representatives to be on the team. And then in some cases once the selection took place there was a modification to that.

And the same thing - and then for ATRT 2 you'll see that there is also modification between the two teams, ATRT 1 and ATRT 2. And so that was - Alan I think raised that point today on the call where he said that in some cases, you know, the SO ACs may put forth certain amount of candidates, etcetera, but it's really the selection committee that makes the decision on the balance of the review team.

And so when you're looking at this document that may be something you want to delve into and look at the differences between the different teams. And I'll note that I added at the top the number of total people per team. And you'll see that it's around 15 or 16 maximum and that includes the ex officio members and like Larry Strickling in the ATRT case or the chair of the board, chair of the GAC, etcetera - independent experts as well.

Any questions or comments? Alan, go ahead.

Alan Greenberg: Yeah, my comment is the one I put in the chat. And the reason I asked for the information because my gut feeling was the numbers were something like this. The highest we've ever had on an AOC review was 13. The average is 12.

Those reviews were large enough, that is when you look at all the people around the table, once you add in the board member and experts and ex officio that I think our 21 is way too high. Thank you.

And to be specific, if we had 21 plus the others, I think those groups would be completely unmanageable. Thank you.

Grace Abuhamad: Jordan, go ahead.

Jordan Carter: Grace. Thanks, Grace. Thank you for the compilation of the information and the presentation of it. I think that will trigger a useful discussion in the CCWG about whether three times seven plus the others is useful or whether we need to shrink it down. But that's not a session that we need to have it today. So thanks once again for pulling that together.

Grace Abuhamad: Thanks, Jordan. And I'll just note that in some cases as well it - based on that summary infographic, the composition changes per type of review. So in security and stability reviews they had the RSAC and the SSAC represented but in other reviews you'll see that the RSAC, for example, didn't have representation.

Steve, you've also raised your hand. Go ahead.

Steve DelBianco: Yeah, thanks Grace. Appreciate the document. I took all of your Page 2 and inserted it into the Affirmation of Commitments public comment review so that the full CCWG can see those compositions from Page 2. It's not as important to understand Page 1 because that was the old style of selectors coming from GAC and ICANN CEO.

I also wanted to note that the text that we as a CCWG approved and published in August didn't say 21 members but a group of up to 21 members. So there's no requirement that they go all the way to 21. And it's each of the ACs and SOs only offer one or two each we might not get anywhere near 21.

But thank you and we'll leave it to the CCWG to consider that.

Grace Abuhamad: Thank you, Steve. Alan.

Alan Greenberg: Yeah, two things. Number 1, Steve, when you pasted in may I suggest in that top line you list the total number of people and then the number of people from ACs SOs. You know, I went and did the arithmetic and got it wrong at least once so...

Steve DelBianco: Alan, I pasted verbatim what Grace put on Page 2.

Alan Greenberg: No, no I understand. She doesn't have that. If you look at the chat the actual number of AC SO people is 13, 12, and 11. And I'm suggesting you should add that because that's the basis of the number we're looking at from the ACs and SOs. That's Number 1.

Number 2, Steve, you're correct that we said up to 21. But as a matter of setting expectations. And, you know, I wouldn't mind saying up to 14 and giving the selectors the discretion to go above or normally up to 14 or something like that. But I would not want to set expectations that the total group is going to be 21. Because that is going to set the wrong - send the wrong message. Thank you.

Grace Abuhamad: Okay, seeing no further hands I'll turn it back to Jordan.

Jordan Carter: Thanks, Grace. Thank you very much. Okay ladies and gentlemen, are there any other items of any other business? Kavouss' hand is up. Kavouss, please go ahead.

Kavouss Arasteh: I have two. One a question to Steve. Steve would you like to briefly - not discuss, inform the Work Party 1 of the meeting that have last night or you don't think that this is necessary? I leave it to you. Second is I would like to thank the rapporteur or chairman, convener of Work Party 1 and all the distinguished colleagues that have worked in preparation of these five or six areas very extensively and very ably.

And we thank them very much. And they did a lot of work to facilitate the discussions and perhaps (unintelligible) further explanation it may be required at the level of the CCWG. These are the two things. But still I require to that Steve may think whether there is a need to explain something or he doesn't think that at this stage we would not inform Work Party 1 of the discussion of last night. Thank you.

Jordan Carter: Thanks, Kavouss. And, Steve, do you want to give a bit of a brief on that. I think the meeting last night, for those who aren't familiar, was the Plan B meeting with Kavouss and Steve and Jonathan and maybe others meeting with the lawyers. Steve, your hand's up. Go ahead. And let's try and keep it snappy and finish in the next 10 minutes.

Steve DelBianco: All right, this will be less than 1 minute since it involves the whole CCWG and not just WP 1. Kavouss, Jonathan Zuck and I met with our attorneys from CCWG. We explained that that one page proposal, which includes Plan B, and asked our attorneys to (unintelligible) of the five powers in IRP and tell us about the varying enforceability mechanisms we get if we settled for the

board's MEM on the left, if we went to a designator - single designator in the middle and if we went all the way to a single member on the right.

That's their first analysis. And they believe they can pull that together from work they've already done. But we're asking them to put it in one table. The second part of that is that once they have selected - once we in the CCWG have selected our minimum level of enforceability to consider whether to add the Plan B as I described it on Tuesday.

And Plan B is the structure of a governance review that could be invoked by a consensus of ACs and SOs with the opportunity to recommend moving all the way to member because we found the enforceability to be unsatisfactory. And that recommendation, while it could be denied by a 3/4 vote of the board, would naturally trigger a board recall with the intent of electing board members that would move to membership. That's what Plan B was all about.

So that we will get from the lawyers sometime early next week, some additional analysis and probably 1000 questions that (unintelligible) and I hope that we have more to say on it next week.

Jordan Carter: Great, thank you, Steve. And thank you for the briefing there. I'm not going to propose that we discuss it here because it is for the CCWG as a whole. But I appreciate the update and I'm sure others do as well. Are there any other items of AOB? Any other business? Because if there aren't guess what? We can finish early.

Cheryl Langdon-Orr: Wow, early.

Jordan Carter: And that isn't a hand is it, Alan? It's a clapping motion which I appreciate. Hey, thank you everyone. This has been a good bit of work. I knew that we'd

need one more call and we did but not quite all of it. And thank you for your efforts. For those of you who are writing up documents please recirculate them as soon as you can. Please do that in a Word format and the PDF format or if you're using a Google doc a Google doc link and a PDF copy of it.

And I'm not going to be doing anything more on this for about 10 hours but then I start heading to Europe and so on after that. So see you on the email list, see you on the Adobe room and maybe see you in Dublin. Take care and thank you for a good meeting.

Cheryl Langdon-Orr: Thanks, Jordan. Thank you, everyone. Bye.

Greg Shatan: Thanks, Jordan. Thanks, all.

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