

**ICANN**  
**Moderator: Brenda Brewer**  
**October 30, 2015**  
**10:00 am CT**

Leon Sanchez: ...for this small group. And I sent yesterday the proposed agenda. And I also sent a couple of documents which then were reviewed by Greg and returned to the list with some amendments. And we will be discussing those documents on this call. And I don't know if we already have Paul in the call – yes we do have Paul in the call. So the first point in our agenda would be to have Paul explain the practical steps involved in changes on TLD operators focusing on ccTLDs. And for this I would like to hand the floor to Paul. Paul.

Paul Twomey: Thank you. Can you hear me?

Leon Sanchez: Yes we can hear you.

Paul Twomey: Good. Thanks much of the time. And I want to just share with the group some observations or concerns that I have really more about our discussions about the Ruggie principles and in particular, as I have indicated on the list, the extent to which – in particular Principle 13 but also Principle 19 could be used or interpreted in the ICANN operational process.

Let me be very clear, I'm someone who's in support of the idea of the application of human rights to ICANN's process of dealing with its other

members of the community, with the process of how voices can be heard inside the policy development processes inside ICANN, within the way in which staff operate. All those issues I'm supportive of.

What I am concerned about – consistently concerned about is I am worried about the Ruggie principles as they seem to apply to related business partners and the activity of related business partners as is described in the principles as to how open or constrained we interpret that and it applies then to ICANN.

And I'm using as an example ccTLDs and I'm not wanting to reopen at all all the good work that's gone on around the processes and by delegation – well what used to be called delegations and revocations and other things take place. I'm not at all talking about that process or the principles behind that at all. But I am trying to use a few examples just to ask the question how far do we wish to have ICANN accountable for human rights tests.

So in the operation of the IANA function deals with top level domains everyday. It receives requests from top level domains for the changes to things that look like they're quite prosaic such as, for instance, please change the following secondary name server record; please change the following record for the telephone number for the technical administration contact; please amend our A server records because we're making some shift.

So first of all the point is that there is interaction with all the TLD operators, with a lot of the TLD operators on a daily basis. I don't want to say it's every one but there's a constant interaction so that's the first point to make. The second point to make is that there are times when there are requests come through for there to be amendments to who is the TLD operator.

This tends to take place more often in the ccTLD environment or has taken place more often in the ccTLD environment, although now with many gTLDs in place and with some of those I suspect not being sustainable in their business models in the long term that we request those changes take place as well.

That's what all the various work done by the FOI WG has focused now. Now I don't want to get into that process, I just wanted to make this observation, that the – I can think of examples, and I'm going to give some without necessarily giving the countries because I don't think that's useful.

But I can certainly think of real cases where in – since 2003 the IANA function was involved in changes where for instance I think of one in North Africa and I can think of one in East Asia where there was a specific move at the country level to pass legislation which said the operator of the CC should be the following entity and we want the following entity to be able to do the following interventions to keep records of exactly who's registered and be able to respond to government requests when there are, you know, basically – it was sort of, quote, clearly implied political surveillance is required or we need a name – we need a domain name taken down in the case of – to maintain national harmony.

And I can think of several CCs where that sort of legislation took place and where the requests were made for changes where new entities became the operators, where the existing operator conceded that the law was that and went ahead with it. And now you have a situation where it was stated clear the CC, you know, you could make an argument that freedom of expression had been now limited by the way in which this was now going to operate.

I can think of two other examples where requests were made, one in Africa, one in the Pacific, where it was reasonably clear that one ethnic group or one – yes, one ethnic group had now come to power vis-à-vis another ethnic group and wanted the TLD to be changed – ccTLD to be changed now managed by someone of that same ethnic group. And in some cases that was sort of fought against, in other cases it was conceded. Again, you can see potentially this is their human rights issues around freedom of nondiscrimination on the basis of ethnicity.

So I'm just giving some – just wanted to give some examples of – to make the point that the IANA process is a constant operation – operational process. That people are interacting all the time. And that changes do take place particularly at the ccTLD level. But I would also say at the level of gTLDs now that are covered by national laws, for instance, the Chinese government is looking at changes to law related to data localization for registries operating in Chinese which could be applicable, I suspect, to some of the big registries – big gTLD registries as it is to anything operating in China.

But they're all – down at that level, I'm not wanting to make a particular point about China, but at that level you could end up with operators doing things that they're required to either because the law has required them to or that's been – they're now the body in charge of it. Which are potentially interpretable as being contrary to human rights as the Ruggie Principles would put them.

And my question is how far down do we wish to make ICANN accountable for that. And the – because it's not just – we just can't say well it's sort of subsidiarity, to use the European term, it's down in the CCs we don't worry about it in the context that the IANA process is constantly interacting with

those bodies. It's not that the IANA process won't continue to interact with such an entity which may or may not have a human rights issue.

And I am concerned that the Ruggie Principles, as my reading of them, say you are – Principle 13 says you are accountable for the actions of your business partners. And then Principle 19 says if you can't get it resolved one of the solutions is you stop dealing with that business partner.

ICANN can't do that, in my view. You cannot – you cannot ask the IANA function to not interact with a TLD. If you do that the IANA function is not the IANA function. So, you know, it actually has to serve all of the TLDs.

And, you know, during my period as CEO as we actually, for instance, activated delegation for North Korea which was clearly under all sorts of sanctions, all sorts of rules and yet never less because it had requested for the delegation to be activated in the principle of the IANA serves the whole world, of course we had to implement it.

So I'm just – I'm just trying to point out that we – I would be comfortable – I would be more comfortable if we're quite clear about where the boundary is going to apply here and that we don't – that we don't put at risk the IANA's necessity to deal with every TLD in the world as it operates.

I'll make one final observation, which I think it as a secondary level of concern but nevertheless people may want to consider. If we would apply all the human rights rules to all of the operations of entities affected by ICANN, which include the gTLD registries of course, and that's a question mark because it hasn't been thought through, I would expect that the existing rules in the TLD registry agreements, etcetera, concerning the protection of intellectual property rights will result in people who are, you know, having

disputes around intellectual property rights will find the issue of freedom of expression will now be raised in those disputes.

I don't know whether the IPC and others have thought this through. But that, to me, strikes me it'll be another issue that'll emerge out – if we apply the Ruggie Principles all the way down that we'll now have freedom of expression as an argument that ICANN should uphold freedom of expression when it comes to those sorts of disputes.

I haven't got a view on it, I just think it's something – a consequence we should consider. So they were the points I just wanted to make.

Leon Sanchez: Thank you very much, Paul. I think these are very interesting points. And many in the chat box agree into the concerns that you have raised. And I see that we already have a – quite a long queue for the group that's attending in the AC room so I will open the floor for comments to – from others to continue to feed in the discussion.

As I said in the chat box, it seems to me that this would be a discussion that we should be carrying out as part of Work Stream 2. I don't think that we would be able to actually close this issue as part of our Work Stream 1 work. But we should definitely make sure that this happens under Work Stream 2. So first in the queue I have Niels. Neils, could you please take the floor?

Niels ten Oever: Thank you very much, Leon. Also thank you very much, Paul, for this very detailed and (unintelligible) response both here and as well on email which I very much value. I would like to reiterate, though, that there has never been the case that – oh you hardly hear me? Sorry, let me see if I can – does it make it any better? Can you hear me?

Leon Sanchez: Yes, that works better.

Niels ten Oever: Okay. So let me start off again by thanking – thanks for the floor, Leon. I thank you, Paul, very much for your very informed and very detailed emails and presentation on this point, which I highly value.

I would like to reiterate though that there was never the decision or the consensus or the aim of either Work Party 4, nor of the cross community working party on ICANN's corporate and social responsibility to respect human rights to adopt the Ruggie Principles as they are and implement them.

What is very clear is that the Ruggie Principles are guidelines and that if one needs to implement them one needs to very carefully look at the specific context in which that's going to be done and develop a proper human rights policy for that. And I agree with Leon, and many others, that this is something that should be done in Work Stream 2. But I also agree with you completely, Paul, that this is definitely something we need to very thoroughly look at and very thoroughly think about how this can be done and how things also can be balanced.

Because stopping to interact with a specific ccTLD would also mean that one would hamper freedom of association in that specific country, right? So I do – I by no means think that ICANN should cut the relationship with a specific ccTLD but as Ruggie himself has said, these principles are there also very much to know and show what's going on, to make the choices that are made and the conflicts that are there to make them visible and by therefore make the decisions accountable.

So I think that's what we should aim for. But I would not like to go into the details of this case but leave that for Work Stream 2 where I'm very sure we'll have a lot of discussion about implementation of policy. Thank you.

Leon Sanchez: Thank you very much for this, Niels. I think we have Nigel on the phone so I will put him in the queue. I would kindly ask for him to wait for his turn in the queue. Next in the queue I have Kavouss but it's noted that after Tatiana we will be listening to Nigel. So, Kavouss, could you please take the floor?

Kavouss Arasteh: Yes (unintelligible) to your presentation and to (unintelligible). I think we are mixing up the ICANN with the United Nation Committee for the Human Rights which is in Geneva. I heard in the presentation of Paul, he refer to certain countries. I don't think that at this stage we need to get into that level of detail in particular in relation with the movement of the ccTLD which is a result of any country who runs that ccTLD.

Perhaps some level of discussion may be required but not in that detail and not in the Work Stream 1. We have so many important issue and item to address and I don't think that this stage we should engage too much in that. However, I don't think at all we should go to the internal business of the any country or (unintelligible) member of the ICANN. This is our business and this is not our duty. And this is not the human rights committee for United Nation in Geneva. Thank you.

Leon Sanchez: Thank you very much, Kavouss. This is very useful as usual. And I do agree with you. And your opinion seems to be in line also with Martin Boyle's opinion that we should be very careful not to have ICANN become the human rights police and not to enshrine some kind of (unintelligible) to reality on ICANN's range in action. So your comments are very well taken. And of course will be taken into account.



Next in the...

((Crosstalk))

Kavouss Arasteh: Just one thing.

Leon Sanchez: Yes, Kavouss.

((Crosstalk))

Kavouss Arasteh: ...to refer to any country, we should avoid to refer to any country because the A, or B or C in the ICANN – the call which is open to the whole community. We should totally avoid. We should remain neutral and act professionally.

Leon Sanchez: Absolutely agree with you, Kavouss. Thank you. Next in the queue I have David McAuley and I see that Greg's hand was up but then it lowered so I will keep him on the queue for later. But, David, could you please take the floor?

David McAuley: Leon, hi. For the record it's David McAuley. I appreciate some of the comments that – in the chat and have just been made but I simply want to reiterate something I've said in a number of these calls. And the reason I want to is I recognize Niels point that it's never been the intent to adopt these principles in Work Stream 1 – or I think I have that right.

But the principles have been batted around in a number of contexts and so I simply want to reiterate my position on this, my personal feeling that we should be clear that what we're talking about in Work Stream 1 is a high level notion of respect, nothing about protection, neither ICANN nor its related

parties working with, under, through, whatever, in my opinion should ever have – or should ever be seen as a forum for sorting out or trying to adjudicate human rights claims. It shouldn't be open to those kind of claims or claimants.

And that only courts, national courts are able to deal with those as I see it. And so that's why I'm reiterating this. I think it's important and I'll be involved in Work Stream 2 and I think it will be important then. But that's something I thought was worth reiterating. Thank you.

Leon Sanchez: Thank you very much for reiterating this, David. I apologize to Tatiana which was after Kavouss but – well it's now your turn to speak and I thank you for also volunteering to reflect these points in our document and work along with Greg to reflect them. So Tatiana, could you please take the floor?

Tatiana Tropina: Hi. Hi all. Tatiana Tropina speaking for the record. I'm sorry, I lost connectivity and that's why my hand was lowered down and then raised up again. First of all I would like to, again to support intervention of (news). It has – I think it has never been any kind of intention to commit to Ruggie Principles. And as I wrote to the mailing list I think there was kind of confusion or misunderstanding which in my opinion is very good because it brought us to this very important discussions and the points that Paul raised on this call.

Two points, first of all I think that these discussions should really like in detail go to the Work Stream 2 that's why we are going to draft frameworks and see how the bylaw should be implemented.

On the other hand I do support Greg's point that this should be reflected at least briefly in the rationale document explaining the choice of bylaw language because we already had this discussion, maybe you remember it was

(unintelligible) in the mailing list with my emails about dangers of including Ruggie Principles into the proposed bylaw language. And I do think that this is a dangerous way.

I do think that Ruggie Principles should be considered carefully as a standard but there should be no blind commitment to them or maybe no commitment at all. So as I already said on the chat, I would like to volunteer for this maybe short summary or short explanation summarizing Paul points and highlighting some risks concerning Ruggie Principles and explaining why we are not including this option into the proposed bylaw language.

I think that's how the discussion actually feeds Work Stream 1. That's how it feeds what we are doing right now. Thanks.

Leon Sanchez: Thank you very much, Tatiana. Just a note for our hero volunteers on this work, that we have a deadline that is due by the day after tomorrow to deliver our work. So we would be of course, as usual, working a very short deadline. And I would just kindly ask you to keep this in mind so we can – so we can deliver this as compromised with the cochairs and the rest of the group on November 1.

And next in the queue I have Nigel waiting on the phone. So, Nigel, could you please take the floor?

Nigel Roberts: Is that a good quality?

Leon Sanchez: It is a good quality.

Nigel Roberts: Okay good. Thank you for that. Actually I think Paul's extensive rehearsal of what we're talking about was extremely helpful despite the good natured

exchanges we've had on the list. I actually think that we're not that far apart. As other people have noticed, or noted rather, the detailed examination of that part or to what extent the Ruggie Principles might form part of ICANN's accountability framework is clearly part of WS 2. It's got to be part of Work Stream 2.

And I think we're all in agreement, there is a consensus that there has to be a high level statement in Work Stream 1. Now I have three little bullet points written down here and it goes back to the early days of this work program where we have a bold statement that ICANN will respect human rights; reference to the universal declaration, that was bullet point two; and something to do with Ruggie is bullet point three.

Now we can eliminate bullet point three from Work Stream 1. But I have concerns and in some respects they're similar to Paul's concerns and they are effectively like a mirror image of them. I have concerns that a broad statement that ICANN will respect human rights is too unspecific and would allow all sorts of claims or suggestions of what ICANN should be doing, you know, arming a blue helmeted army and sending them into various parts of the world to make sure that the human rights of the domain name system is protected. Oh clearly, nonsense.

So I think in conclusion, that the middle option, the middle ground of making a high level commitment to respect, not to protect but to respect the principles set out in the Universal Declaration, is probably the appropriate way forward.

And just one final comment is that although Kavouss wants me not to mention any particular country by name, the country – one of the countries that Paul mentioned earlier, North Korea, is actually something that we need to pay

close attention to because ICANN is currently in the middle of some litigation regarding the ccTLD for North Korea. And we need to be extremely careful.

The protection of property rights is one of the human rights that ICANN should really be protecting. The question is what property rights and where do they adhere and so on is – remains entirely unclear and maybe we'll find out in due course what that might be. But in conclusion I think we need the high level commitment. Ruggie gets discussed in WS 2. And we need a reference to the universal declaration to avoid ambiguity and mission creep. Thank you.

Leon Sanchez: Thank you very much, Nigel. Just a reminder that on our meetings in Dublin we agreed that no reference to any UN declaration would be included in our next document and of course in our next proposal. So next in the queue I have Paul. Paul, could you please take the floor?

Paul Twomey: Thanks for that. And thanks for everybody's response. And I must admit I'm a little bit with David in that although we're now saying clearly Ruggie is not part of WS 1 it has floated in and out around the communications in a way that I think hasn't always been clear. So I appreciate the statements about it shifting as part of the analysis for WS 2.

I would just like to make the following observation, it carries off a little bit where Nigel was. And I just make the observation because I'm afraid I don't have a solution for it. But to pick up the points that Kavouss and Martin and others have said of don't make ICANN sort of the human rights police or it can't take the, you know, it can't take that sort of role, we need to be wise in understanding that the environment which ICANN operates as a nonprofit entity subject to the courts, not just of the United States but of many countries around the world, does not put it in the same status as a status in front the Human Rights Council.

ICANN will have to follow the rule of law and if there are judgments made by courts saying to ICANN you should do X or you should do Y, if ICANN, you know, can appeal those of course but eventually it is subject to the rule of law. And so we might say to ourselves we're not setting up ICANN as the human rights police. But we might find judges starting to tell us to do just that because we have made commitments around human rights.

And so I think we do – in WS 2 we need to be very careful about not just what we think our role is but also how could activists and others take this to the courts and make – and get the courts to make decisions around the wordings we use.

Leon Sanchez: Thank you very much, Paul. I note Brett Schaefer's comment not only in the mailing list but also in the chat box about adding these as Point Number 12 in the core values in the bylaws. And that could be I think maybe a very elegant solution and very simple solution that would be of course further developed in Work Stream 2. But let's discuss and let's also check with the legal team, the lawyers, if this could be possible and also with the team working on core values because I wouldn't want to reopen some debates on – that have been already closed in core values. And we should definitely touch base with the team working on that so we don't step into the toes.

Next in the queue I have Markus Kummer.

Markus Kummer: Yes, hello. Can you hear me?

Leon Sanchez: Yes, Markus.

Markus Kummer: I'd just like to recall that the board originally said in its comments it not agreed to have human rights included in Work Stream 1 but to deal with it in Work Stream 2 because it needed careful analysis. But then the board shifted its position in LA and agreed to a commitment however, not to a language.

Now I'm aware that in Dublin everything went rather quickly and we settled for the definition we have. But like Nigel I feel still uncomfortable with the definition as it is rather broad. And my opinion would need a careful legal analysis of exact impact is. I know there is a sense around this (unintelligible) mission and remit. But however, it's still a fairly broad definitions.

The board might come in and may have something to add but this is something under discussion. We simply just have not had the time to analyze it deeply enough. But I expressed early in – on my preference for a definition for a reference to the UDHR that based on past experience that was usually the lowest common denominator.

I'm encouraged the way the discussion went as regards to Ruggie Principles. That's fine to deal with them in Work Stream 2. But let's not overload the vote at this stage. And usually a reference to the UDHR might be something – might also be able to sell to the board as an acceptable way forward. Thank you.

Leon Sanchez: Thank you very much, Markus. And as I said when Nigel spoke, it was agreed in our meeting in Dublin by the whole CCWG that we would be going with the first option on the proposed language that we circulated for consideration. And that option does not actually refer to any documents. And the reason for this was that as we will be developing, of course, more work on this – under Work Stream 2 but the rationale and framework of interpretation would be developed under Work Stream 2.

So that is also why on the document that I circulated yesterday I am making a proposal that also Greg looked into it and I think that it tweaked it a little bit. And we will be discussing that in our next agenda item. So next in the queue I have Greg.

Greg Shatan: Thanks, Leon. And the downside of not calling on me at the point where my hand was originally raised is that I have a lot more points to offer so I apologize for that.

First to answer what you just said, Leon, after I saw that you made a statement similar to that in the document, I went back and looked at all the transcripts and I unfortunately have to say that the summary that you just gave of where we stand is inaccurate and does not reflect the work that we did in Dublin. All that was – this was only discussed in one meeting in Dublin which was the first meeting on Friday. And in that meeting all that was agreed was that the first – that the language – the more general language would be taken back and refined. There was no agreement to use that language. There was really no agreement at all.

You stated in that meeting that the – if there were, you know, opposition to it I suggested that we have a similar poll to the one that we did in our working party. You refused that suggestion and said that we would see if there was opposition to that in the CCWG meeting. And in fact several people spoke up in opposition to that particular language for various different reasons. Not to say that there wouldn't have been a number of people speaking up in favor of that. But the point is that there was no agreement, there was no convergence.

So I think we are getting into dangerous ground if we overplay our hand and if we overstate what is in agreement here in our rush to get things done. I think



that leaves this whole thing built on quicksand. And I would caution very strongly against that. And I think that if want this to be robust and defensible our process has to be robust and defensible. So I'm very concerned, frankly, with – I was not happy with the way it was handled in the meeting Friday. And then to double down and describe that as agreement I think is a very unfortunate turn of events.

I know we're all under pressure to achieve results. But we can't achieve results we haven't actually agreed to. Also recognize that we can't lose our commitment to having nothing agreed on in one single session but only in two sessions. So where I see us at with regard to the language is that we have one version of the language which we need to take back and refine and then bring back to the CCWG for further consideration. There was no agreement on that language unrefined.

So I think we need to be absolutely clear about the posture in which we are dealing with this. In spite of the short amount of time that we have we can't skip steps. So that's my first point. And I wish the facts were different but those are the facts. So – and I spent a considerable amount of time looking at all the transcripts to see exactly where this was or wasn't dealt with. So that's my first point.

Second point, what we need to do in Work Stream 1 is to engage in issue spotting, as lawyers call it. We need to raise the issues and recognize that there are specific issues that have been raised such as the application or not or the nuanced application of certain aspects of the Ruggie Principles.

We need to acknowledge that this conversation is happening. We need to acknowledge that this issue has been raised. We don't need to resolve it now. Resolving it is a Work Stream 2 issue. Recognizing it, acknowledging it is a

Work Stream 1 issue. Doing anything less would be sweeping it under the Ruggie, so to speak, and we can't do that. That would be not transparent. And we would be accountable for failing to acknowledge issues around this bylaw. And I for one do not want to be accountable for that.

Third, we have, you know, I think it's important to capture the particular issues that Paul raised. They are exemplars, they are not exhaustive. There are clearly similar issues that can be raised with contracts with registrars and registries. And fairly soon, perhaps, with accredited privacy proxy providers and others.

So that's, you know, a clear and specific issue that needs to be raised with regard to Ruggie and not just put in an envelope to be opened in Work Stream 2. I think even the no and show aspect of Ruggie with regard to aspects of things that may be human rights violations by contracting parties with ICANN is problematic.

You know, demonstrating and holding out a contracting party as a – or a ccTLD as a human rights violator, even if you're not going to do anything about it, is already probably a bridge too far at least it needs to be very carefully considered and the issue has to be raised now, not later. We'll deal with it later but it needs to be raised now.

One of the reasons why I think this is very important is that if we are going to enact a bylaw right now unless we're going to say that that bylaw is not effective until the work of Work Stream 2 is done and it's not entirely clear what the proposed transitional bylaw that Leon drafted would accomplish, unless we're going to say that this is basically a bylaw in waiting until its formal interpretation is made, it will be available for use, misuse, abuse,

overuse, mission creep, intended consequences, unintended consequences, noble causes, ignoble causes, immediately.

And without any way in which to be interpreted or implemented, it's going to be open season. And that's troublesome. At the very least we have to recognize the issues that would result. This is why I believe that we need to have as robust a rationale and explanation as possible in Work Stream 1 and that has always been my kind of fundamental linkage in being willing to see this bylaw in Work Stream 1 is that we have to have a rationale, an explanation.

We cannot postpone that to Work Stream 2. This is – again, not talking about anything highly lengthy, not talking about anything that resolves all issues but that at least, you know, puts a kind of an interpretive language that can be understood as to what the heck is actually going on here. Because otherwise it will go all over the place.

And as Paul mentioned, you know, there is the chance, and it may be the intention of some, it may be inadvertent that this could be used to denigrate intellectual property rights, which are also important rights, legal rights, in many cases human rights. If all this is intended to be is a Trojan horse to rebalance conversations around intellectual property rights I'd be very disappointed.

And that would be a great concern and that would also perhaps effect my support for this overall. But as a supporter of human rights and as a supporter of the work that we're doing here I really do hope and believe that we're doing much more than that, that this is not a single issue project masquerading as a broad human rights project. So I think that needs to be clear as well in Work Stream 1.

Finally, and I'm glad – you're probably glad to hear the word “finally.” The word “respect” has been used a couple times in this conversation. As I get to know more, and I admit, I'm a relative novice in this area to those who spend a lot of time in it and have spent a lot of time in it, respect is not just a warm and fuzzy word, respect is a word with at least in the Ruggie Principles, has very, very significant meanings and it comes along with a number of obligations.

You know, it's what we in the law would call a term of art. It's packed with meaning. And to unpack that meaning you need to look at the Ruggie Principles. And if we don't intend respect to point to the Ruggie Principles as its implementation then we need to be very clear about that or we need to consider another word that conveys the same positive attitude toward human rights commitments but that does not have the fretted meaning of respect.

So let's keep that word respect in mind that it is not just a matter of how you might respect your teacher or respect your boss or not. It's a word that conveys an entire set of tasks. And, you know, if we are going to use that word we either need to – we need to admit that it has a meaning here and we need to convey what our actual attitude is toward the potential and application of Ruggie. And I think Tatiana expressed that fairly well.

You know, this is, at best, nuanced. And, you know, comes with a number of potential, you know, deep concerns that several have raised here. So overall I don't mean to go on but I think that is what we need to do. And as far as Ruggie Principles being guidelines, once you agree to adopt the guidelines then they are obligations, then they do become commitments, they become part of how you exercise your commitment.

So, you know, I think – there's a short video that I saw while I was in Dublin. I think Neils brought it to our attention. I think we should all take a look at it because I think it does, in less than four minutes, explain fairly well what respect conveys when it's used in this context.

So I think we need to be honest with ourselves and be honest with our readers as to, you know, where we are going, be honest with the community and flag the issues so that we don't end up with a pile of unintended consequences and a bylaw that has no meaning so it can have any meaning that anybody wants to attach to it until Work Stream 2 does its work, you know, a year or two down the road. Thanks.

Leon Sanchez: Thank you very much, Greg. That's (unintelligible) for the thoughtful comments. And, well, the first point is that yes, the transcript shows that the point that got more traction was Point 1 which is the current – the current wording that this in the document in the screen. But it also points that we would be going back to this working party and refine that language.

So, yes, as you said we can't skip steps even though we are under a slight pressure by almost everyone out in the world to conclude our work. But, yes, so we should be going through any refinements as soon as possible. And I would of course appreciate any volunteers to overtake the task of refining the proposed language with what we have been discussing so far.

Other point is that I too would be very disappointed if this was an effort to undermine intellectual property rights. I don't think that this is the case. I do believe that intellectual property rights are encompassed in human rights so as a believer and defender of not only human rights but also intellectual property rights I would also be concerned to actually leave a hole that would allow

undermining not only intellectual property but any other human rights as a consequence of any language that we include into ICANN's bylaws.

And those would be my first reactions to your many points. And I might be missing some general more points of our intervention but those are the two that I think were most important to me at least. And next in the queue I have Niels. Niels, could you please take the floor? Niels, can you be on mute?

Greg Shatan: It's an old hand.

Niels ten Oever: It's an old hand.

((Crosstalk))

Leon Sanchez: It's an old hand, okay. So I have two hands that I'm not sure if are old hands or new hands. My take is that they are old hands but I just want to double check. Kavouss and Tatiana, are your hands old hands or new hands? And I see Kavouss is typing so, Kavouss, would you like to add something? Kavouss, okay so they're calling back Kavouss.

Okay so I think that to summarize what we have discussed, I think that there is clear inclination to continue the debate as a matter of Work Stream 2. We need to fine tune our proposal for the next document that we will be delivering. And I would suggest that we focus on first, refining the bylaw language that we would be including into the bylaws, which was something that was left from our Dublin meeting.

Then the second point that I think we should be focusing on addressing is the explanatory note which, as Greg suggested, doesn't need to be a 300-page document, a 299 document will do I think.

And finally, maybe we'll – this will come after concluding our discussion in the next agenda item. But also assessing whether transitional bylaw that would put on hold the bylaw until a proper framework would be enacted this should also be a point that we would be – or that we should be focusing. And when I mean the bylaw language, this of course the guideline that our lawyers would be following to draft the actual bylaw language.

And I don't know if Kavouss is back on the phone. Kavouss, are you back with us? And would you like to make a comment? And, yes, Tatiana, we will be having a public comment – public comment period.

Okay I see Kavouss might not be back on the line but I also see that Tatiana has her hand up. Now it's lowered. So, Tatiana, would you like to comment?

Tatiana Tropina: Yes, thanks a lot. Tatiana Tropina speaking for the record. I have basically two questions. First of all, how (need) these documents should be (unintelligible) will go to the CCWG, then we will have public comment period and then we will have to summarize comments again. And, I mean, the same process. Am I right or not?

Leon Sanchez: You are right. You are right, Tatiana. And, well, of course the aim of – the aim of this document that we would be delivering would be to actually be the final proposal. Although it will be of course run through a public comment period so there would be a chance for the community to comment on what we are proposing that's the final to be proposal, if I am...

((Crosstalk))

Leon Sanchez: ...as well. And then we would be running again the process of going through the public comments received and if there were substantial comments received we would go back and of course take them into account and modify this part as accordingly to the comments received. And then we would be issuing a supplemental report for the chartering organizations to review and of course vote on the proposal as a whole.

Tatiana Tropina: I was asking because it's really tough now, I mean, for example, I cannot participate in drafting because it's such a short time before the deadline so I was just wondering if there is a room for refinement. Because what Greg told – he actually raised very complicated points that we will not be able to solve until tomorrow. I mean, there is no – in any case I mean, some of the points will not be solved until Work Stream 2 and that's a bit on the one hand, frightening. And on the other hand, I'm sorry, (unintelligible) because we have to (unintelligible) the job somehow and submit the document. This is my first point.

Secondly, I said already on the chat and I want to have on the record that I do disagree with Greg, unfortunately, because I would kind of like to have an agreement in this group. But I do disagree with Greg, that just word respect in the bylaw language will mean that we are committing to the Ruggie Principles.

I mean, I do believe, as a lawyer, that unless there is a clear commitment in the bylaw language which will mention Ruggie Principle, there is no clear link. It would be a big flaw in argument of anyone who will just speak the word respect. I mean, it's a normal usual word. It's a bylaw language is not – it's not a mind reader. It's not something that you read between the lines. And point out the Ruggie Principles because I believe that the word respect might appear in many of the documents, not only in the Ruggie Principles. So I do



find this link and this concern a bit artificial. So this is just a point I would like to make. Thank you.

Leon Sanchez: Thank you very much, Tatiana. And I do agree that we are working under very tight timelines. But I would also remember or remind everyone that our focus is to suggest bylaw guidelines for our lawyers to actually draft the bylaw language that would be proposed – as part of Work Stream 1.

We can't and we won't be able to solve the issues that are related to human rights in Work Stream 1. That is why we are pushing further discussion for Work Stream 2. And that is why I am proposing a transitional bylaw that will ensure that this discussion will happen in Work Stream 2. And as Greg said, the aim of this transitional bylaw would be to actually put on hold the bylaw that we would be adding or amending into the bylaws of – into ICANN bylaws.

And then we would have all the time that we need to undertake this discussion with all the details and of course all the players involved. And this would of course allow us to get things done in the right way. But so far I don't think that we could deviate the discussion into covering more issues than those that we have already covered. So I would urge to – for us to focus on actually refining the bylaw language that we would be proposing, drafting the rationale for that and considering whether adding a transitional bylaw would be a good idea to also include in our document.

And I see Kavouss, your hand is still up. Do you want to comment or something or is that an old hand? I just don't want to skip you. Okay so I don't listen to Kavouss. I can't hear Kavouss. And I assume that that is an old hand. So next in the queue is Greg.

Greg Shatan: Thanks. Just briefly, and I kind of put the same point in the chat. If – I’m still fairly convinced having, you know, looked at what I look at in the context of, you know, how business deals with human rights accepting that ICANN is essentially business, that respect here is a term of art. If we’re not intending to telegraph that the second pillar of Ruggie is where ICANN should find its way then I think we need to state in our, you know, rationale explanation that the use of the term respect is intended to be general and not intended to indicate a potential, you know, a desire to put Ruggie Principles to work, you know, that it’s neutral in that regard.

And that’s an issue to be considered essentially in its entirety in Work Stream 2. And, you know, subject to the issues that are being raised here in Work Stream 1. And again all I think we need to do here in Work Stream 1 is raise issues and show where we are going. We’ll get there in Work Stream 2 and, you know, hopefully expeditiously assuming everyone has bottomless amounts of energy and time for yet another year or so.

So I think that’s, you know, we can’t, you know, I think we just need to have kind of clarified one way or the other because I’m sure I’m not the only person, you know, who is looking at Ruggie in the, you know, the intense focus it puts on the word respect and the fact that we’ve chosen the word respect out of all other possibilities for the bylaw. I’m not a big believer in coincidence. Thanks.

Leon Sanchez: Thanks, Greg. I’m not sure if I’m getting what you’re trying to get clarified here. But I think that, as I said, this is a discussion that needs to happen as part of Work Stream 2. And if we need to signal that Ruggie Principles are not included in the work that we’re doing now we could do it of course in our document. But I do believe that we have spent a fair amount discussing whether we would be committing or including Ruggie Principles as part of our

work and the bylaw language that we would be proposing. And I don't think that's the case.

I mean, for me the Ruggie Principles are completely out of the scope at this point. And it would be to – it would need to be discussed and fleshed out as part of Work Stream 2. I don't know if that clears out what you wanted to clarify.

Greg Shatan: I guess just to respond briefly. I think that would, we just need to make sure that's clear to our readers and not just to those of us who have, you know, been engaged in Work Party 4. So that's a concern that needs to be raised. But we have, you know, about 90 minutes to draft this between now and Monday or something like that. I'm just kidding.

You know, I'll be able to turn to this on Sunday and maybe sometime tonight. And hopefully other people will be able to join in when they are not, you know, on planes or otherwise as I look forward to the comments especially I know that Tatiana and Neils want to comment in there. So I think we've beaten this carpet enough. Thanks.

Leon Sanchez: Thank you very much, Greg. And I appreciate those who have volunteered to undertake this task. And I think that since we will be flexing the deadline that was for November 1 until November 3, I would suggest that we actually hold a call on Monday, which is November 2, to actually go through the work that has been – the work that has been undertaken by the volunteers and all those that can join the work.

So if you agree we would be holding a call on Monday, November 2, at this same time. Are there any oppositions to holding a call on Monday at this same time? And of course the aim of our call on Monday would be to go through

the work that the volunteers would be undertaking from today until Monday of course and finalize our document and forwarding it to the larger CCWG. And I see that Niels is asking if we can do a little bit earlier. Well, in this case I suggest we fill in a Doodle poll that has some options for consideration.

And I would also – I would only ask you if you could fill in this Doodle poll as soon as possible as soon as you get it into your inbox so we can – I mean, staff can arrange everything so we can hold our meeting on Monday. So staff, could you please circulate a Doodle poll with a couple of options for us to hold a call on Monday? And our call today was of course at – what hours UTC, that's 15 UTC.

So I suggest that the options for a Doodle poll could be maybe from 13 UTC to 15 or 16 UTC on Monday. And that way we will have a couple of options for everyone to select and we can accommodate those who are asking for earlier times. So that would be the task for staff.

I see that we have Neils and David on the queue. Neils, could you please take the floor?

Niels ten Oever: I'm looking something up. Please let David go first.

Leon Sanchez: Okay so, David.

David McAuley: Thank you, Niels and thank you, Leon. David McAuley here. Oh, what I wanted to ask, Leon, is I've seen a number of Google docs in order for people to be able to volunteer somewhat, you know, more coherently, could we point to the – the document that we want to use as a baseline for what we're doing, what we're agreeing to do now?

In that context I'll mention that if – I saw a very recent document from Greg and another one from you, if we could just choose and say to the group this is what we're working on it would really be helpful, at least for me. Thank you.

Leon Sanchez: Thanks, David. So okay I feel like we could agree at this point on the call and save time on Doodling. So why don't we go with – if I see that many are suggesting 13 UTC. So would you agree on having the call on Monday at 13 UTC?

Greg Shatan: Trying to figure out what time that is in New York given that we're switching back to standard time from daylight on Saturday.

David McAuley: I think it's 8:00 am, Greg.

Greg Shatan: Eight am, Eastern so 7:00 am Mexico City time?

Leon Sanchez: That is correct.

Greg Shatan: Okay well thankfully we don't have video call because I'll probably do it from home. But I can do 8:00 am.

Leon Sanchez: Okay good so then let's lock that time slot for us to meet on Monday. That would be Monday, 13 UTC. Please, staff, make sure that we get calendar invites so we can schedule accordingly. And, Greg, do you want to add something? I see your hand is up.

Greg Shatan: I've severed my hand.

Leon Sanchez: So okay good. And, Niels, you wanted to comment but you asked that David go instead so would you still like to comment or have you...

Niels ten Oever: I would love to because I'm afraid that even though I – so I would really like to have a bit of guidance or a small agreement within this group on how we're going ahead with drafting because right now the document is still a bit in a draft shape and building on what we've done. And I think it would be good if we would agree on where we want to go. So and I say that we – it would be great if we of course start off with a – with analysis of the public comments.

But right now it seems we're also going a bit into defining human rights versus fundamental rights and these are – these could be relatively long discussions to do them exhaustively. And I would really like, as we've done in previous documents, to be really short, concise and precise so that there is not that much room for interpretation so that all our lawyer hearts and brains can rest assured.

So therefore I would like to propose a bit of a format which is that we then first would go to go into – so you would explain the language and then go into explain why we're having a broad scope and that we're – secondly that we're excluding specific human rights and so that the discussion about not picking particular ones like freedom of expression or privacy but – so not the cherry picking.

And thirdly, the focus on the mission to exclude enforcement so that we have a really clear paragraph that we want to stay within scope and mission why we think that this language will help us stay within scope and mission and that is also – really our strong intent that ICANN remains within its scope and mission.

And then fourthly, focus on respect to exclude protection so again within the remit and then other smaller things. So I would say if people would agree with

this kind of breakdown of the discussion then that would give us as drafters also a bit of guidance and mandate to feel as we're not working in the blind.

Leon Sanchez: Thanks, Niels. I don't have any opposition to the proposed way forward so long as it doesn't derail our work and the progress that we've made. I wouldn't want to change lanes at this stage but I'm of course happy to take the suggestions on board so far as the people volunteering to actually draft the document are okay with going along with the suggestions that you've just made.

And I see Tatiana, Greg and Kavouss are in the queue so, Tatiana, could you please take the floor?

Tatiana Tropina: Tatiana Tropina speaking for the record. I want to support Niels's point of view. I was always insisting that this rationale, this explanatory doc should focus exclusively on the bylaws language and just explain why have we chosen this point or another point; why did we go for broad language, why did we mention the mission, why did we use the word respect and not the word protect.

And what is good for drafting is that Niels and I actually already did lots of this work before because when we were analyzing public comments before because when we were analyzing public comments we were coming up with a broad analysis. So these points have already been highlighted. I know that they have been excluded from the final document but maybe we can reuse these because we have already some explanations, some references, links and so on.

And I think that maybe it would good for drafting, I don't know. But I do believe that we have to use the structure will guide the reader through our

choices which were made for the bylaws language. Because I remember that when this doc which now is in the proposed draft appeared there were many comments about the definitional of human rights like why we're using this or that definition, why we're defining them at all.

And my question is, do we really have time to redefine these? Do we really have time to reflect all the broad discussions on human rights? Do I believe that one point might be missing in that structure? I remember that we had some discussions about human rights versus fundamental rights versus fundamental human rights. Maybe this can be also reflected as one of the points. Maybe Niels can know this in this structure.

So, I mean, I am just trying to remember what else was discussed on the calls and in the group. But I do believe that we go with this simple structure which will guide the reader through our choices of the bylaw language it might – it will be much easier for us, it will be much easier for the readers to understand this explanatory doc.

So I fully support Niels's point of view. And thanks very much, Niels, for coming up with this structure.

Leon Sanchez: Thank you very much, Tatiana. And you were one of the volunteers that I was waiting to listen to. And now we have the second of the volunteers that I wanted to listen from. So, Greg, you're next in the queue.

Greg Shatan: Thanks. It's Greg. Just to point out, as I mentioned, that the part of the document where Niels is discussing, you know, came from the earlier document that we had been working on which still exists as a separate Google drive doc. What I tried to do was to take into account as many of the comments as possible. So for instance the definition of human rights sitting



there now is the definition that Matthew Shears suggested which comes straight from the Office of the High Commissioner and is not, you know, a reinterpretation or creative writing version of it.

And there are a few places there where, for instance, Stephanie had some very good comments but as I was moving stuff around I just ended up throwing her comments into the paragraph on which she was commenting. So, you know, this part of the document is still, you know, very much in flux. And the document that it was taken from was even, you know, more raw. I tried my best, you know, in a relatively short period of time to give it some organizational structure and flow. But I'm definitely open to seeing it, you know, organized in different fashion.

Definitely we need to, you know, beef up certain parts, you know, maybe drop certain parts, you know, make the points we need to make. We don't have the time to write something, you know, lengthy nor is that our goal. We need to just – we need to make clear the things I think we've been discussing over the course of this call. So with the link you have – and I can circulate that link again if needed – it's in an email that came just before this. Everybody has a suggest rights, which basically means anything you put in will be in track changes with a note on the side and everybody can make comments.

So we'll just work collaboratively on this and boil it down. And has been pointed out to me that in order to create the – kind of the short form consultation document this really needs to be done by the 3rd. So I think with a call – with some work over the weekend in whatever crevices of time we can find with our call on Monday I think we should be able to produce something decent by Tuesday. So I think we have, you know, several dedicated folk and we will get there.

Leon Sanchez: Excellent. That's the spirit. Thank you very much, Greg. And well so we're talking about two different documents, the first one being of course our finalized public comment analysis which I think it's already done. And the second being the one with the structure suggested by Neils, and that we would be discussing in our call on Monday. And hopefully sending it that same day or at the latest on Tuesday. So next in the queue I have Kavouss.

Kavouss Arasteh: I emphasize three times, and I just emphasize we should be precise, concise, professional, technical without getting involved in any political discussion, any political orientation, any political motivation and so on so forth. We should devise something which is not interpretable in a different way, which did not give rise to any misunderstanding and which should be implementable and we should have any criteria to assess. Otherwise it remains empty words. People should not use your working party as a free tribune to attack particular countries. I have heard today there was something we should totally avoid that. Please, tell (unintelligible) not to pointing any particular country. Be general, professional and technical and non-political. Thank you.

Leon Sanchez: Thank you very much, Kavouss. Next in the queue Tatiana.

Tatiana Tropina: Sorry, I'm sorry, I raised my hand but then I realized I have nothing to say so I'm going to lower it.

Leon Sanchez: Okay thank you. So I think that we are on the same page. Thank you for the volunteers that will be shaping this documents for our call on Monday. And well we have the next agenda and we have some 10 minutes for that. And I think that the document that is on our screen is what we would be calling our finalized analysis of the public comments – the public comments that we're receiving in the second public comment period.

And there was also another document that was sent by Greg in which it reflected the suggestion that I made I think on the transitional bylaw. I see that my suggestion is in the last page of the document that we have on our screen.

And if I may read the text it finalizes the document saying further work remains to be done as part of Work Stream 2, specifically the development of a framework of interpretation for this bylaw must be one of the tasks undertaken in Work Stream 2 in order to ensure that appropriate framework be developed it is proposed that a transitional bylaw is also included as part of Work Stream 1. This transitional bylaw would guarantee that proper work is done to develop the required framework of interpretation in Work Stream 2.

The proposed transitional bylaw would convey the following. Bylaw XX will be implemented in accordance to the framework of interpretation developed by a cross community working group chartered by one or more supporting organizations or advisory committees and tasked with that matter. Said group should develop an appropriate framework of interpretation no later than one year after Bylaw XX is adopted.

And the reason for of course setting a deadline for this working group to develop the framework is that we wouldn't like or we wouldn't want to set on hold the proposed bylaw of human rights forever. So this is the way forward that I would be proposing so that we can of course conclude our work in Work Stream 1. And ensure that as part of Work Stream 2 we will be holding further discussions and we'll be carrying out further work that would allow anyone who's to implement the bylaw of human rights to actually have a framework that will enable a correct implementation of the bylaw on human rights.

Are there any comments on this proposal on having a transitional bylaw? This would of course form a part of would be included in the text that we would be including in the proposal for the third public comment period.

David.

David McAuley: Thank you, Leon. David McAuley. I recognize that a year sounds like an infinite amount of time to us now but it just seems unwise to put that in a bylaw. And if there is to be a transitional bylaw, and I think it might be better put in terms of we'll work as expeditiously as possible or something like that. Thank you.

Leon Sanchez: Okay fair enough. Greg.

Greg Shatan: I think this looks pretty good. I mean, I agree with the issue about a year but it think it says should rather than must or shall. Should is a soft word but if that's not explicit enough, you know, essentially it's, you know, best efforts toward a year, act as if you only have a year. But, you know, if it's 13 months that's okay. If it's 27 months that's not okay. You know, should to my mind at least is a soft stop, not an absolute hard stop. But as discussions, you know, have indicated uses of will, shall, must, may, should, might can go on infinitely and are best done with beer. But I think should works.

Leon Sanchez: I definitely agree on beers. And I'm sorry, I think that I interrupted you, Greg.

Greg Shatan: I'm done.

Leon Sanchez: Have you finished Greg? Okay, thanks.

Greg Shatan: Yeah, I'm done. I always have more to say but I'll save it for another time.

Leon Sanchez: Okay thanks. So yeah, I do agree with you that should might be a soft word and this would of course be forwarded to the lawyers so that they would develop the actual transitional bylaw text that would be included in the bylaws if approved. Next in the queue I have Paul. Paul, could you please take the floor?

Paul Twomey: Thanks. I think we should just also be honest with ourselves in following this pathway forward is that I'm not sure there's an alternative available to us at the moment but we are placing ourselves at risk of at least a 12-month window in which other parties will do the interpretation for us.

At we should not be surprised if we find litigation in courts during that 12-month period where people move to try to have the judges interpret what their obligation is versus what we say it will be.

Leon Sanchez: Thanks, Paul. Well actually the aim of the transitional bylaw would be to put on hold the – what is worth enactment or force of the bylaw language on human rights until the proper framework of interpretation is developed. So we would include the language in the bylaws already but it wouldn't be in effect until the proper framework is developed.

And that should of course, in my mind, restrain whatever actions would be brought arguing an interpretation on the bylaw that we proposed. But I might of course be mistaken. Greg.

Paul Twomey: Okay.

Greg Shatan: Thanks.

((Crosstalk))

Greg Shatan: I do share Paul's concern. And I did mention that earlier. I agree. I think that the transitional bylaw needs to be more expressly drafted to clarify that this hold status exists so that it's clear that the risk of having others interpret it for us and attempt to implement it for us without, you know, guidance much less acquiescence or agreement by the community needs to be shut off. Otherwise it's like giving somebody keys to the car and saying next year you're getting driving lessons but until then have fun. I don't recommend that. Thanks.

Leon Sanchez: Thanks, Greg. And I'm sorry, Paul, I didn't let you quite finish properly so if you want to add something please do.

Paul Twomey: I agree with all those points.

Leon Sanchez: Okay good. So who would be refining this language to clearly state that – to clearly state that there would be a hold on actually having the human rights bylaw into force. And we would be specifying that this would not – this would not happen until a proper framework of interpretation is developed. And I see that Brett has been commenting on the chat box in regard to adding this as a talk point in the core values.

And I – as I said it might not be as easy as it seems to just drop this into the core values because it might have some implications on, for example, IRP processes that would be – or that might be carried out by arguing that ICANN did not respect human rights in X or Y situation and that would of course be – or lead us to the situation that we're actually trying to avoid. So as I said I would be reaching out to the working party working on core values to analyze the different consequences or unintended consequences that this inclusion might have. But I do think that it's not as easy as it seems.

So next in the queue I have Neils.

Niels ten Oever: I completely agree with the comments that have been made. We need to go forward very carefully and in very detailed way and ensure that there is no – not open for multiple interpretations. I would just like to maybe add a bit on the tone of voice and say on the record that human rights are not this revolutionary new idea which might lead to change – that will change the world overnight.

These have been signed and adopted in 1948. A lot of large corporations and companies have signed up to it amongst of which also in the IT sector. And there has been a lot of – there has been quite a lot of discussion that we keep on coming back to about risk of – about risks of court cases and within a year ICANN might – there might be a power grab because of human rights.

It would be great if we could see some more examples of this because right now it sounds like maybe the risks that are implied might be – might be there or might not be there. I have not actually seen a lot of evidence that this might actually be the case. But nonetheless I'm very happy to go on very cautiously and I'm sure we're going to come up with a commitment in Work Stream 1 and then we'll have quite some time hopefully within a year, maybe a bit longer, to come up with a proper human rights policy for ICANN.

Leon Sanchez: Thanks, Neils. And yes, that is actually the aim of this transitional bylaw. And I see that Brett is commenting that wouldn't any bylaw be subject to IRP? Yes, that is correct but while we also include this transitional bylaw language that would set the bylaw on hold until the proper framework of interpretation is drafted or developed by this cross community working group then we

wouldn't open the door to the risks that have been discussed by many in this call.

So we're reaching the end of our call. And we will be going through finalizing the documents that we need to forward to the cochairs and the staff so we can include it in our next report. We will be holding our call on Monday and reviewing both documents. I think that as I said earlier, our public comment assessment is pretty much closed already. I think that we can say that we have finalized this work. And we would also be drafting and reviewing the second document which would be what would be actually included into the next proposal.

And for this we already have volunteers but I do encourage all those who can dedicate a little bit of your time over this weekend and the first hours on Monday to actually jump in and contribute to develop this document. And I see that Greg, you have your hand up. And I think that that is a new hand. I just want to check, do you want to add something?

Greg Shatan: Yes just a process question. Assume that we have a stable draft that WP4 is ready to contribute on Tuesday, which is the expectation. When does the full CCWG consider that draft considering we're only a working party?

Leon Sanchez: We would be forwarding this to the list of course. And this could be a point in the agenda on our call on next Tuesday, that's why we would be needing to finalize the document on Monday so that we could of course forward it and have it as a point in the agenda on Tuesday. But however, we would be also forwarding in parallel to staff and to the cochairs so that we achieve our deadline and we deliver as we are expected to.



Of course, should there be any amendments or any modifications suggested in our call on Tuesday, we could be able to build those modifications into the document really fast and of course update staff and the cochairs on whatever updates we build as a consequence of our Tuesday call. Does that answer your call, Greg?

Greg Shatan: Yeah, I think so. I note that the call on Tuesday is scheduled for 0600 UTC which is I think 1:00 am New York time so basically we have from, using my calendar, 9:30 in the morning on Monday until 1:00 in the morning on Tuesday to do any additional changes and then get it out to the list in sufficient time that people have some chance to review it. So anyway that's the worst possible time for a Tuesday call to be is at 1:00 to 3:00 am on Tuesday since basically don't have any of Tuesday to work with. But c'est la vie. Bye.

Leon Sanchez: Good. Well thank you very much, everyone. We have reached the end of our call. I thank you for your attendance, for your contributions and for the very constructive discussion that we have held today. Thank you, Paul, for taking us through the details on the issues that were also discussed in the mailing list. Thank you, everyone, and thanks of course to the heroic volunteers that will be undertaking the task of finalizing the drafts for Monday. So this call is now adjourned. Thank you and talk to you soon.

END