OLIVIER CREPIN-LEBLOND: We can proceed and start the call, start the recording and start the call, please.

TERRI AGNEW: Thank you, Olivier. We'll begin at this time. Good morning, good afternoon, and good evening. Welcome to the At-Large Ad Hoc Working Group on IANA Transition and ICANN Accountability Call taking place on Wednesday, the 10th of February, 2016, at 20:00 UTC.

On the call today, we have Alan Greenberg, Tijani Ben Jemaa, Gordon Chillcott, Kaili Kan, Cheryl Langdon-Orr, Olivier Crepin-Leblond, Leon Sanchez, and Avri Doria.

I have no apologies listed for today's meeting.

From staff, we have Heidi Ullrich and myself, Terri Agnew.

Our Spanish interpreters today are Veronica and David.

I would like to remind all participants to please state your name before speaking not only for transcription purposes, but also for our interpreters. Thank you very much, and back over to you, Olivier.

OLIVIER CREPIN-LEBLOND: Thank you very much, Terri. I'm Olivier Crepin-Leblond. Have we missed anybody in the roll call by any chance? I don't see anyone shouting their name out so the roll call is complete. Today's call is going to be dealing primarily with some more work in the CCWG Accountability. Prior that,

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we'll have just a few minutes looking at the last call that took place on CWG IANA. That's the call regarding the budget work and the progress on budget.

That's the agenda for today. It's all listed out there. Are there any amendments or additions to the agenda? Okay. So the agenda is approved and listed.

Next, we have a review of our action items from – and I was going to say last week, but it's only been barely 48 hours since our last call. The second action item is the IANA Issue Working Group members are to submit a wish list of what to discuss during Marrakech.

The wish list should be clear. It should be of clear expectations, put on the table for CCWG accountability to consider and take into account as the plan [inaudible] for Work Stream 2. That's only a couple of days old. Just a kind reminder, I don't think we would have any progress on this, but so far, that's where we are .

Now any comments?

ALAN GREENBERG: Excuse me, excuse me, Olivier.

OLIVIER CREPIN-LEBLOND: Alan Greenberg, go ahead.

ALAN GREENBERG: We do have progress on it. We have an agenda item on today's agenda.

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OLIVIER CREPIN-LEBLOND: Fantastic. Thank you for this, Alan. That's the first progress in a long list of progresses today. That's great to hear. And I thought we were not going to have any progress. There you go. Super.

So any other comments on the progress? No further comments. Thank you. Then let's move on to agenda item three. That is first looking at any update on the IANA Coordination Group activity.

I do not note either Jean-Jacques Subrenat nor Mohamed El Bashir on the call. I gather from what I've seen as an outsider of that Coordination Group that there hasn't been any meetings since 48 hours ago, so that's pretty much the update on the IANA Coordination Group on the IANA Stewardship Transition.

There was a call yesterday regarding the budget with some feedback from some participants asking primarily about the question of whether there should be a budget with additional years put in escrow or some kind of a way to save IANA operations in case… Well, for the time when PTI is created. We're looking at PTI, so PTI naming operations being funded in case the budget is not voted, in case of all sorts of unknown unknowns regarding the budget. That's what I took from that.

There was a good discussion on this point, and I guess I can let Alan Greenberg provide some of those feedback on what he saw yesterday on this topic. Alan, you have the floor.

ALAN GREENBERG: I wasn't at the meeting so I was waiting until you finished and was going to make a comment.

OLIVIER CREPIN-LEBLOND: Okay. Then I can certainly finish.

ALAN GREENBERG: Please.

OLIVIER CREPIN-LEBLOND: Or complete this summary by saying that there was an action item that was taken. The conclusions of the call were that there should be a multi-year funding and implementation – that would be taken up the implementation effort. So really, the CWG wouldn't have to make any significant changes to its proposal, but the implementation effort would need to take into account the fact that there should be a multiyear funding, there should be some kind of a process for budget approval in relation to ICANN budget approval, and with regards to having multi-year funding.

It's also suggested that the CWG and DTO Group – and DTO is the sub-design team within the CWG IANA that deals primarily with budget issues. In fact, that deals only with budget issues. It was suggested that DTO group addresses the question of inclusion of IANA budgeting processes into the bylaws.

Anyway, the discussion is ongoing. This has all now been passed on to the co-chairs of the CWG. After the call, I have forwarded some details

of discussions that DTO had over a year ago in June 2014 about this issue. No, in June 2015, so not over a year ago, six months, or nearly a year ago, anyway, whatever, a while ago. In June 2015 about this issue and that we might have lost something through the cracks in that DTO did respond to some comments that were made by saying that it would recommend a one year in escrow.

So one year's budget, IANA budget in escrow, and maybe another. A second year also in some kind of a high value account of some sort. This could all be taken up during accreditation phase.

Anyway, that's the summary and now the floor is open for comments, questions, etc. Alan Greenberg?

ALAN GREENBERG: Thank you. I'm just a bit fascinated by… I happen to be the person who had originally suggested that we have multi-year funding and that it be held in escrow so that should there be some sort of problem, including bankruptcy, that the money is available. I mean, should ICANN, for whatever reason, file for bankruptcy, all the good intentions of the world go out the table, go out the door, but money is held in escrow for PTI is in fact PTI's money at that point.

And I thought I had made a strong case for it but it ends up being effectively rejected, and I'm delighted it's back now. It's unfortunate, if it's done as implementation, there's no requirement for a future board to keep on doing it, whereas if we have been part of that recommendation, it would have been a lot solider, but I'm glad it's at least being discussed again. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you very much, Alan. And you mentioned that this concept, this idea, had ended up being rejected. Now there were two things yesterday, which I felt – the first one is that I had forgotten completely whether this had been rejected or not, but I certainly felt as if I was living a Deja vu because the discussions we were having were exactly the same as the discussions of DTOs about eight months earlier.

Looking at the… Tracing back the paperwork, it looks like there wasn't any rejection when the working group presented it, so when DTO presented it to the CWG. Then when was it rejected? I can't remember when. I asked everyone and nobody remembered.

ALAN GREENBERG: My recollection is I don't remember if the one year was rejected. I think I had suggested one or more years allocated and some put in escrow, which isolates it from ICANN during bankruptcy or things like that.

I recall that I was told that it could not be more than one year because the amount was so high that allocating that amount out of ICANN's budget and putting it aside would do horrible things. Now the numbers I had seen, there was no indication that 9 million or 10 million or whatever the number was going to be would be so outrageous, but that is what the answer is.

And I honestly can't remember if the final recommendation even had the one year or not, so that one I can't remember, to be honest, but I know the overall concept was sort of poo pooed and said it's far too

high and, besides, we'll never have a financial problem, so we don't care. That was certainly the message that I got back. I'm not saying that's verbatim, but pretty close.

OLIVIER CREPIN-LEBLOND: Thanks for this reminder, Alan. And, yeah, I can't quite comment. I don't know, as I said, the follow-up was I sent something to DTO, Chuck forwarded it to the co-chairs – so to Lise and to Jonathan – and did mention that this was an important thing, and I haven't seen any follow-up on that so far. I hope this doesn't get dropped again because I have a feeling that this was dropped through the cracks to start with, which is a bit unfortunate.

So we'll see. We'll follow up on that. Because at the moment, what I do see from the minutes is that my intervention or my points were not put in the minutes and I think I'll just keep a watching brief on this over the next week to see if there any movement on this front. If there isn't, I'll raise the point on the CWG mailing list rather than raising it on the DTO mailing list, which I think just has four people on it, including you, Cheryl, and I. So that's three out of the four.

ALAN GREENBERG: Yeah, and I couldn't make the meeting yesterday.

OLIVIER CREPIN-LEBLOND: We spent enough time on this. Are there any other comments or questions on this? Clearly, the critical path now is CCWG Accountability.

And that's, I think, what we're going to move into right now with Alan Greenberg. Agenda item number four. Alan, you have the floor.

ALAN GREENBERG: Thank you very much. There are a number of issues that I have on the agenda. One is to review what happened at the meeting yesterday, and there are five bullets under that. You'll note on the agenda, if you actually scroll on the agenda, it's quite fascinating. Oops, it just disappeared.

TERRI AGNEW: I was putting back up the actual agenda for today's meeting.

ALAN GREENBERG: Ah, meeting. Now this is really interesting. You'll note there are five bullets with a space between two of them, which confluences insisting on putting in. When I look at the agenda, the fifth item doesn't have a bullet on it, but yours does. Why? I spent 30 minutes today, most of it fighting with the editor. Anyway, that's just the fun part, okay.

Indemnification of people who say things about board members and what the implications of that are. If you pull up that document, the first one. Now I believe what is going to be on the screen is the black is what the Board proposed; the green and red, I believe, are what our lawyers suggested that it be modified to, and I don't think that was done. So if you undo those changes, I believe that is what we have.

The indemnification essentially says that the advisory committees and supporting organizations and their respective chairs and vice-chairs… Hold on, that is not the final version. Okay. I don't know where the final version is. I believe the final version says the ACs and SOs and their representatives.

The question was asked who are the representatives and the answer at the gate came back is essentially whoever we say are our representatives. So that implies that should we ever enter into a board removal action – and I seem to have an echo that's coming in – we would have to decide who is it that is speaking on our behalf on the community forum, and it could be the whole ALAC or it could be a subset, and identify them as our formal representatives for that particular task. I don't think that is particularly problematic, but the wording is sort of curious.

The other issue that came up on this is indemnification technically means you get paid back for it, which means if indeed a lawsuit shows up on your door, you're the one who has to pay for all the costs and then, if you can demonstrate that you did it in good faith, that you can get repaid for it.

I pointed out that certainly for the people involved in our group, that would be exceedingly problematic. And again, it would be a chilling effect, saying if we're not sure that we're free from harm, then we're simply not going to do it. So the answer was it should be considered but certainly the current word, not talk anything about upfront payment, although it was pointed out that that was quite a common characteristic in such indemnification.

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And that's where we stand. So I'm not 100% comfortable with the wording we have on the board, as you may recall, basically refused to accept any concept of a waiver. So where we stand right now is, in theory, we're indemnified, in practice, it may not be very practical to go through that process, which minimizes the chance that the ALAC would be participating in an actual activity to try to remove a director.

That doesn't mean we couldn't use our power once the decision was made to go forward, but putting forward causes for it and, therefore, of initiating the process, I think probably minimizes the chance we're ever going to do that.

We were never all that strong on the process anyway, so I'm not sure that's a reason for us to be overly concerned, but that is where we stand right now. Tijani?

TIJANI BEN JEMAA: Thank you, Alan. You said you are not comfortable. Neither me. Especially because it is not only about money. The reimbursement will be money only. So I am sure that the ALAC will not petition, will not initiating any petition to remove the board, to remove the member of the board, because we are not covered, we are not well covered. Thank you.

OLIVIER CREPIN-LEBLOND: Yep. Thank you. Really, all that means is… We've always said that it's not likely that we these rules will ever be used, but the threat of them is the incentive for the individual directors of the board as a whole to act

differently. If the director can feel with some confidence that they would never have the nerve to do it anyway for whatever reason, be it the indemnification reasons or other reasons, that just removes the threat.

We certainly had a fair number of people who said we shouldn't have the ability to remove our director anyway, so I don't think this changes our overall position to a great extent. Anyone else? No? All right. Let's go on to the next item, then.

TERRI AGNEW: Alan, I don't know if you were just pausing or if you lost audio.

ALAN GREENBERG: No, I didn't lose audio. I was actually responding to another message, and I lost track of where we are. The next item, we don't actually have a document for, sorry. The next one is human rights. The recommendation that is in the final report is essentially what the board requested. That is, there are some words that are changed to say instead of to mission it's in the core values.

There was some wording where it said the CCWG or another similarly whatever chartered cross-community working group, the parenthetical has been removed. However, that whole discussion was somewhat moot because in a bylaw, we are never going to refer to the name of a specific committee or working group which isn't defined within the bylaws, and certainly not within a subsection of a work stream.

So the bylaw is going to have to be written in a more general way anyway, so a lot of that discussion, I think, was somewhat useless because in the long term, the actual reference to the CCWG just can't show up in a bylaw. It just doesn't make any sense.

But in any case, what we have is a commitment to proceed with a framework of interpretation and the theory being that until that time happens, that for all intents and purposes, the bylaw has no impact other than to have sent out the message saying we care and we're working on it. Tijani, go ahead. Can't hear you, Tijani.

TIJANI BEN JEMAA: You don't hear me now?

ALAN GREENBERG: Now we hear you.

TIJANI BEN JEMAA: You don't hear me?

ALAN GREENBERG: Yes. Now we do.

TIJANI BEN JEMAA: Okay. Thank you. So I said two points. Two points. The first one, replacing the mission by the core value is a big problem for me because what was the fear? The fear was that some will try to make obligation,

the human rights obligation, applying to the content, which is out of the mission of ICANN. That's why we said at the beginning that within each mission, the Board wanted to change mission by core value. I do accept the core value, but I cannot remove the mission.

So for me, it is a big problem to remove the mission because this may make ICANN committed to human rights and something which is not in its mission. This is the first point.

The second point you mentioned that… The mention of the CCWG that is not correct in the bylaw in the long term, but this is an entering bylaw. It would change when the Work Stream 2 will be finished.

So I don't think it is only to be sure that the work we continue in Work Stream 2 and the CWG. That's all. Thank you.

ALAN GREENBERG: Thank you, Tijani. Two comments. Number one, I don't have a problem at all regarding the mission versus core value, and I'll tell you why. There already is statements in the bylaw saying we will adhere to our mission, so nothing can change that.

And if you look at what we're talking about, a mission is why we are here. Well, we are not here to enforce human rights. We are here to do a number of things related to the domain name system and associated Internet parameters and Internet functions.

It is a core value saying, as we do that, we will adhere to human rights. So I believe it's rightfully in core value and nothing in a core value

overrides something that is actually part of mission. So I don't have any real fear in that direction, and I think this puts it in the correct place.

In terms of the name, I'm not going to have a debate on legal issues. I'm not a lawyer and I'm not going to pretend I am. I've done a lot of bylaw drafting and a lot of reading, and in general, if you make reference to a group or a committee, it has to be defined and things like that within the bylaws. Otherwise, it has no specific meaning. So I'm just presuming that the lawyers, when they draft the bylaw, are going to have to use some more general words as opposed to Work Stream 2 of CCWG. That's all.

And it's my assumption, then, it will turn out as it turns out, so I'm not really perturbed over it. Tijani?

TIJANI BEN JEMAA: Thank you very much, Alan. Yes, the mission of ICANN is names and numbers. It's not the content. This is why I say that the mission is very important. When we added the human rights [inaudible] for ICANN, we have to apply it to the issues which are inside within its mission, which is different from the core values.

And the Leon answered me on the call saying, anyway, there are other places where we say ICANN should stick to its mission. It is not the same thing. Here we are talking about obligations on human rights, and there is tendency… My fear is there because there is this tendency to try to apply the obligations to the content and to say this string will not be delegated because it is applied for by someone who doesn't respect human rights. This is my fear.

ALAN GREENBERG: Thank you. Can you please be clear, though? Are you suggesting we not ratify this recommendation because of it? Because that's what it… We're getting down to the point where all of us did not have the wording exactly as we wanted. The question is, is this an issue – a redline issue – with the ALAC or not? Do you believe it is? And does anyone else believe it is?

No answer. It's something to think about because if indeed it is an issue, then we have to bring it up and bring it to the ALAC and see how other people react. If it's not an issue that is at that level, then at some point we have to move on, and I think that's… There's an item later on in the agenda of how do we go forward, and that really becomes the question on those.

TIJANI BEN JEMAA: Alan?

ALAN GREENBERG: Yes, go ahead.

TIJANI BEN JEMAA: Okay, thank you. Alan, any case [inaudible] point of view about this point. But [inaudible] because we might be [inaudible] our mission, extend our mission – not extend our mission, but apply the human rights obligation to something, which is not inside the mission of ICANN, and this is very dangerous for me. Thank you.

ALAN GREENBERG: Okay. I guess I don't see that. I see the mission as being defined and the statement saying we will stay within our mission on everything is, in my mind, an overriding statement. But clearly, we can all have different opinions. Anything further on the mission? On the human rights, sorry. We haven't gotten to the mission yet.

All right. Next item is mission, and there is a document here. It is a big document. The summary of this is everything that we had identified in our statement on the third draft proposal has basically been addressed. So we identified a number of concerns and they literally have all been addressed. We can go into the one by one if people want to, but we've gone over most of them in these calls earlier on.

The putting back where feasible in two clauses has gone back. The reference to the global DNS has been changed, not quite the way I believe it should have been, but sufficiently, and there's still one minor change that might go into it, and that will make it just better.

The whole issue of contracting is not a concern at this point in my mind. The board clearly also has in their agenda that we need to be able to enter into an enforced contract and have a level playing field, so the contracts that are going to be signed six months from now for the new gTLDs need to have the similar provisions in it.

The Board did not like the term grandfathering to make sure that the provisions, such as for PICs. Even if they were found to be against the mission, must continue to be used. And I have no problem with not using that word. They also made it clear that the worry we had, which

caused grandfathering to be included, is a worry that they have, too, and I have no fear that the ICANN lawyers, as we go forward, will make sure that the actual drafting of the bylaws covers the concern even if they don't use the term grandfathering, so I think we're okay there.

The one item we did not get change is one that was only brought up a week or two ago, that was not in the original concerns, and that is the use of the term policy development process, lowercase, and the bylaws used the expression in both lowercase and uppercase. They used it in uppercase in relation to the GNSO and possibly the ccNSO with regard to their policy development processes. It's used in lowercase in a more general sense in a number of different places in the bylaws.

And the reference was that if ICANN is to enter into essentially interfering in the open market, that it does so as a result of a bottom-up multi-stakeholder policy development process. And we had a little bit of fear that things like the African strategy could be deemed to be out of scope because although they were definitely developed with a bottom up multi-stakeholder set of activities, it might be hard to say it was a process as one that is well and carefully defined ahead of time in terms of the steps you take, and it's also not clear that the African strategy is a policy.

We use the term policy many times in ICANN but we never define it. But nevertheless, there was virtually no support anywhere else, and in retrospect, the terms policy development process are used within the bylaws in a more general sense. So I think we're okay. It's not perfect but I can't see anyone really claiming that we did not follow a lowercase

process in terms of the African strategy or things like that, so I think we're moderately okay on that.

Everything else pretty much we got, including the request we had saying they originally said ICANN, under no conditions, can address market issues, that the market had to stand, and we got that one put in exactly the way we wanted it, so I think we had significant impact and I think the mission and core values part of the bylaws will be better for the work we did.

Olivier?

OLIVIER CREPIN-LEBLOND: Thanks, Alan. And on the issue of bottom up policy development process – of course, I followed this discussion very closely, as well – I just wanted to ask one thing. We took the African strategy, the one example, but there are other strategies, which are currently being developed by staff such as, for example, the civil society incentive or some of the next generation program or some of the capacity building programs that are out there.

So there's NextGen on one side, there's the Fellows, there's all sorts of other things, which staff are working on. Yeah. How is that going to be impacted? Is there any chance that this might be impacted or…?

I tell you what. The reason why I'm asking the question is because I have heard from some corridors of ICANN that ICANN is just going in all sorts of directions doing all these things, and it should really go back to its core work and forget about everything else.

And, of course, as an individual and also as a member of the At-Large community, really value those programs, which staff are bringing up, especially when it comes to capacity building, have concerns.

ALAN GREENBERG: Well I think the way that it's going to be to address that is through things like the budget process. If we have items in our strategic and operational plan and budget for NextGen, as an example, and I don't know if there's a dedicated budget there, but I suspect there's something which is traceable to it, or there should be, then I think that's the level at which point you have to fight that if, indeed, you feel that's not good use of ICANN's money – or you feel it is good use of ICANN's money.

The particular item we were looking at was specifically introducing and promoting competition in the registry of domain names, where practical and beneficial in the public interest as identified through the bottom-up multi-stakeholder policy development process. So that particular one was really in the issues related to competition in the registration of domain names. So I don't think our civil society or NextGen programs have anything to fear over that kind of thing.

In the more general sense, the statements that we have added to the bylaws more and more the things have to be done with a bottom-up multi-stakeholder process, I think the fact that budgets go out for public comment bring those back into focus. That is, if the community as a whole.

And to be honest, it's hard to imagine things that the community as a whole objects to because no matter how much X person or AC/SO X objects to it, someone else is probably for it. So I don't think those kind of programs are in danger, and to the extent they are in danger, they should probably should be scrutinized carefully to make sure we're not wandering off in directions we shouldn't go on.

So yes, because we are pushing the bottom up multi-stakeholder process, perhaps, does endanger some things that staff are doing unilaterally, and that's probably as it should be, in my mind. Rebuttal? Tijani, go ahead. Can't hear you.

TIJANI BEN JEMAA: Yes. What will not [inaudible]the future is a new NETmundial?

ALAN GREENBERG: Well, you're making that commitment, I'm not that sure, but certainly, we are more sensitive to those things that we were in the past. I've seen too many things in life that I would think can't happen, but they happen anyway, so maybe you're right. Anyone else on the overall mission issue? I think we did okay there.

We picked a bunch of battles on this one and to a large extent, I think we… I won't say we got our way, but I think we convinced the group that some of these changes were in fact necessary.

All right. Next item on the agenda is recommendation 11, GAC advice. I believe what we ended up recommending, and those who are more awake than I can verify, but I believe what we ended up recommending

was the quote "compromise" that was agreed to by the subgroup that met a few times last week. That is, to reject GAC advice, the board must vote at least 60% of the board, which essentially increases the threshold by typically one [part], depending on, depends exactly on how many people are present at the time, but typically says there has to be one more person voting for rejection than it would have been in the simple majority, and typically one less than it would be for a supermajority.

So in exchange for that, the GAC agreed to essentially lock in their current consensus method. That is, an agreement to make a recommendation to give advice in the absence of a formal objection from any countries. Country or countries.

That generated some very negative reaction from specifically within the GNSO, although there may well have been some in other places, and what was then recommended is a carve out, the expression was used, that says – let me get this right – that if the community attempts to take some action as a result of board action or inaction in response to GAC advice, that the GAC cannot participate.

That is, the GAC cannot be an AC for or against the action that is directly related to the advice they had previously given. So in other words, if they gave advice, the board did something because of it. The rest of the community says no, you shouldn't have, then the GAC cannot use their objection to weaken that community action and vice versa. They can't use their community support to strengthen the community action that something should be done.

There were claims that that essentially disadvantaged the GAC to a large extent. It certainly takes one bit of power away from them. The chance of it ever happening is exceedingly small because when you think about it, most GAC advice that is controversial has to do with gTLDs. It is hard to imagine that you would get strong support from the ASO, from the ccNSO, and from the ALAC, and three of those – or two of those at least – to support the GNSO and objecting to an action. So the chance of this ever happening is exceedingly slim.

The other implication of it is because at that point, for such an action, you only have four ACs and SOs, it lowers the threshold for certain critical ones from four supporting the action to three. That includes the removal of the entire board if the entire board was being removed because of an action related to GAC advice.

Again, I just cannot imagine in any real case that that's going to ever happen. The board also, if you remember, had objected to the concept of removal of the entire board with only three ACs and SOs. I suspect they are going to accept this one because it just is so far from the realm of possibility that that's just not going to happen.

There was some strong reaction to this by some GAC members and a lot of rhetoric essentially saying that GAC give advice at everything that means the GAC could never participate in any action. And I think that was pushing the matter. Clearly, not every action the board takes is purely in reaction to GAC advice, and because the GAC has given advice on certain gTLD issues does not mean that other action unrelated to GAC advice is not something they could exercise power on.

So there was a bit of rhetoric. The GAC is very divided on this, and I cannot see how the GAC is going to end up either approving or rejecting Recommendation 11 because it had some supporters within the GAC and some people objecting.

The potential downside of this whole thing, however, is that because of the carve out, it also affects Recommendations 1 and 2, and that may have moved 1 and 2 into an area where the GAC can no longer support it. So that's potentially a problematic on that. Thomas Schneider is going to have an interesting meeting in Marrakech, is all I can say. I don't envy him his position. And that's where I stand. Anyone have comments?

Olivier has a smiley face. Seun, did you say you want to speak?

SEUN OJEDEJI: [inaudible] is in the queue.

ALAN GREENBERG: Yeah, you're in the queue. You're the queue. Go ahead.

SEUN OJEDEJI: Okay, all right. Thank you, Alan. Thank you for the feedback from yesterday because I [wasn't in the meeting]. Can you hear me loud and clear?

ALAN GREENBERG: We can hear you. You're not very clear but I can sort of hear you.

SEUN OJEDEJI: Okay. How about now?

ALAN GREENBERG: That's better.

SEUN OJEDEJI: Okay, thank you. Yeah. I think it's quite unfortunate that the meeting that way yesterday because some of the justifications that we [inaudible] provided does not really match up with what we've done. For instance, if the current proposal the CCWG, the way it [inaudible] the policy that comes out from GNSO for advice. It requires that if there's going to be any board action on the policy requires institution [inaudible] SO or AC has to use committee power on such [policy], it [inaudible] an approval of the originating SO. So I really don't see why that [inaudible] this way, and I think it's an advantage that GNSO is setting [inaudible] because they know that it's difficult to get consensus within activity, and so [inaudible] on that to actually push their interest.

I want to say that, yes, you say that it's something that may never happen but the fact is it has been documented now and that documentation alone is going to be references that other governments are going to be looking at [inaudible]. So it's not about [inaudible] implemented or what is going to happen. It's the impression that this also to [inaudible] and also we are end user.

I think we are [inaudible] lose one of [inaudible] power from an advisory. I don't like this power that the GAC have. I wish ALAC has this,

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but the reality is that [inaudible] budget committee and they are the ones that for now can actually have… They have some level of [inaudible] against GNSO [inaudible] going right now.

And the only way GAC actually showed their, express their [inaudible] is through the advices. So if you say they cannot defend their advices, then it means that… Practically, it means that [inaudible], it means that they can do that anything because that is the only [inaudible] without wasting so much time, I'd like to suggest that ALAC really consider whether they want to support this particular recommendation.

Personally, I would say ALAC should actually consider the option of actually asking… I mean, really [inaudible] even if it's going to support the recommendation [inaudible]. Thank you.

ALAN GREENBERG: Okay. Just to be clear, I think what you suggested – your voice got a bit muffled. I think what you suggested is you said you feel very strongly about it and you believe it should go to a vote in the ALAC on whether we support the recommendation or not. Did I get that correct?

SEUN OJEDEJI: Yes.

ALAN GREENBERG: Okay, well, everything's going to go to a vote so there's no question about that. We have a queue. Tijani in the queue and then I'll give you my position.

TIJANI BEN JEMAA: Thank you very much, Alan. As you remember, the removal of the entire board was said there to as a stick for the board so that they know that it is possible to remove them only, but all the members of the CWG expressed their will that this will not happen, that hope that will not happen at all because removing the entire board will be destabilize our organization and may affect the [inaudible], etc.

It is like an earthquake, so we had a proposal before asking for lowering the threshold, even if there is one abstention, and we refused it for the board removal, we accepted it for the change of the fundamental bylaw. [Today] we come to same point.

I accept that the GAC don't vote, don't use, don't be the decision making group. If it is about something about its advice. I accept it but why we have to lower the threshold? Because the remaining thing is only the removal of the entire board. So why we want to lower the threshold? Why? We want the removal of the board be possible, more possible?

Think it on the other way. In this case, if there is only four participating in the decision making, and if we accept that three can remove the entire board, to prevent the entire board to be removed. We need to objection in this case. That means 50% of the [inaudible] or 50% of people of organizations who are participating in decision making. You see how weak we make this power – not the power. How possible now it is to remove the board easily. I am really concerned about that and I also, I will make a minority opinion for it. Thank you.

ALAN GREENBERG: Thank you very much. Olivier, I'll let you go first, and then I'll come in.

OLIVIER CREPIN-LEBLOND: Thanks very much, Alan. I have a concern very similar to Tijani's and I keep on remembering that we are having these community powers in cases things really go wrong. That's how this whole thing was marketed to start with. We need community powers if ICANN goes rogue. If the board goes rogue, if the budget goes rogue, if the sort of… It's a nuclear option in most of the cases there. If we remove a whole board, that's pretty serious. If we block the budget, that's pretty serious. I have concerns that if we start lowering those thresholds, it's not making it like the last solution. It starts getting people to think, "Hey, that could be one of the solutions that we use." Yeah, it's a concern.

ALAN GREENBERG: Okay.

OLIVIER CREPIN-LEBLOND: I don't know whether this is a redline issue for us or not, but I can certainly see that any lowering of thresholds for these community mechanisms is not going to enhance ICANN accountability. It's going to enhance the risk that those powers are used. If ICANN really does go rogue, well, at that point it's going to be a bit like the Board, isn't it? It's not going to be a split vote. All the communities will want to do something, and all the communities will say yes. So then there's no issue of the threshold. Thank you.

ALAN GREENBERG: Yeah. I think you're right on that. If indeed things are going so bad, changing the threshold from four to three, if we're saying the GAC is not allowed to participate, doesn't really change the overall thing. But remember, these are only in regard to actions directly related to the implementation of GAC advice. So we're not changing the threshold universally.

Now, if you accept the concept that – I'm giving you the logic behind it, not defending it – if you accept the logic that the GAC should not be able to try to override killing its advice – essentially, they shouldn't be given a second kick at the can to force their advice through – then we only four ACs and SOs left, and we had established a principle – perhaps a wrong principle, but we have established it – that unanimity should not be required to make any decision; thus the lowering of three to four.

Now, remember, Tijani implied it was only the removal of the Board that's left. That's not so. Four is also required right now for overruling budget and planning issues and overruling IANA issues. So if the GAC makes advice which essentially endangers IANA and this eventually goes to some Board action and the community objects to it, this says the GAC should not be able to participate to try to reverse that decision, to try to force that decision through.

Now, I'll give you my overall position. This is not something I would have invented if I were doing it from scratch. I think this is a visceral reaction from the GNSO, and I don't think it was particularly called for, and will

likely result in the GAC refusing to either ratify or object to Recommendation 11.

The other alternative was a virtual certainty that the GNSO would reject Recommendation 11. That I think had a set of problems associated with it which were quite critical. So as a compromise to get the GNSO to not reject 11, that's what the CCWG decided. Whether it's the best thing we could have come out with, I don't know. Doing it in the timeframe to actually get this approved – and for all we know, the window has already passed and it's too late for a transition to happen right now, but we think it just might still be able to happen.

So to make the timeframe, this was the compromise. It's something that I can't personally accept, and I would not not ratify the recommendations because of it. It's certainly not optimal, but there's many things that are not optimal in what we've done. That's the nature of the compromise and the multistakeholder process that we all so greatly love. So, not optimal, but I don't think it's dangerous. Certainly some people in the GAC are going to object to it strenuously, but there are other people in the GAC, other countries in the GAC, that are strongly supporting it. So it's not trivial to understand what the net effect is going to be.

Any other further comments? Seeing nothing. Hearing nothing. We will go on to the next item in the agenda, which is – I've lost my agenda. It is in here.

SEUN OJEDEJI: Hello? Can you hear me? Hello? Hello?

ALAN GREENBERG: Yes, Seun, go ahead.

SEUN OJEDEJI: Yeah. Sorry, Alan. I just wanted to know: what is the recent work on this particular item you just [inaudible]

ALAN GREENBERG: Lucky me. What is the way forward? In the CCWG?

SEUN OJEDEJI: No, no, no. Within ALAC.

ALAN GREENBERG: We'll be talking about how we go forward later.

SEUN OJEDEJI: Oh, okay. Thank you.

ALAN GREENBERG: The next item is the IANA CWG requirements. I honestly don't know – maybe Leon has a better handle than I do on exactly where we are. My recollection is there were still some things that required some word changes and stuff like that, but essentially we believe we have met all the requirements. But there is still some details to be resolved. But that may not be correct. Leon?

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LEON SANCHEZ: Thank you, Alan. I have a little bit of background.

ALAN GREENBERG: That's okay. [inaudible]

LEON SANCHEZ: [inaudible] But otherwise I will be providing [inaudible]. Where we are traveling right now it's that we have Recommendations 1, 2, and 3 finalized. We have Recommendation 6 also finalized. We have Recommendation 8 also finalized. Recommendations 10, 11, and 12 are finalized. We are pending with some small details, either waiting to listen from ICANN Legal or from our lawyers or from other third parties, on Recommendation 4, Recommendation 5, Recommendation 7, and Recommendation 9. So we're mostly done with all recommendations.

The timeline for it [inaudible] on Recommendation 4 tomorrow, February 11th. Then we will be reviewing as the Leadership Team in the CWG the complete package of recommendations between February 12th and 13th. On February 15th, we will be incorporating the edits from the Leadership Team and the lawyers, our pair of lawyers, to these documents. We will then forward these final versions to the list of the CCWG, and we will provide a window of 48 hours [inaudible] by the CCWG.

In the meantime, we are also calling for minority statements to be filed, and minority statements should be filed on February 17th at the most. That is the deadline for filing minority statements. We are also calling for the Board [inaudible] to confirm. We're asking them to confirm whether the GACs that they have raised or envisioned have been

properly addressed by this last version of the proposal. And of course, well, they are also entitled to file any minority statement they see fit.

Then on February 18th, we will be sending the finalized package to the charter organizations. This will of course include the publication on the CCWG's website. There will be of course also a public announcement on this publication.

As I said, these will go to the charter organizations, so each of the charter organizations will be able to make their final assessment and [inaudible] of approval for this final document.

Hopefully, we will be expecting to have approval from the chartering organizations before Marrakech, or at the latest, in Marrakech, so we can have a final [inaudible] on March 10th, which would be the handing over of the proposal by the ICANN Board to the NTIA.

So this is more or less where we're standing right now; the plan timeline that we have so far and mission at this point, Alan.

ALAN GREENBERG: Thank you, Leon. I have one question for you, but I'll defer that for a moment. Perhaps we can go back to the question I actually asked you. The question that was on the table at the moment was not the process going forward, but what is the status of the satisfaction of the CWG requirements?

LEON SANCHEZ: We are waiting to listen from the CWG chairs. We are expecting to have their final by February the 25th, I believe. So far what I can tell you as a

matter of the coordination calls that we've been having, I feel like all of the CWG [inaudible] have been addressed. But of course, it's a process that the chairs of the CWG need to run within the CWG itself, and then come back to confirm. So we would be expecting confirmation from the CWG on February the 25th.

ALAN GREENBERG: Thank you. The question I have on the process going forward: we have been working with all [inaudible] the annexes. There's also the court document, which I presume is being updated or has been updated or will be updated in line with the changes in the annexes. When will we see copies of that? Because we haven't seen any drafts at all of those.

LEON SANCHEZ: Of the final versions, you say?

ALAN GREENBERG: Yeah. Not of the annex, but of the core document. The part before the annex.

LEON SANCHEZ: Oh, yes. Okay. So if I'm not mistaken, that should happen on February the 18th.

ALAN GREENBERG: Okay. It would be really useful if, as those chapters are completed, those chapters are sent out so people can look at them. That's a big document, and we need to make sure that everything was tracked

properly between the annexes and that document. So to the extent that we can get chapters out earlier, we shouldn't have to wait for the 18th and it literally being frozen before we see our first drafts of that.

LEON SANCHEZ: Yes, Alan. I agree with you. Actually, I think that staff has been sending the final locked versions of the different recommendations to the list. I believe we have been providing a window of 24-48 hours, I guess, for any final comments. So I guess that should be – yes.

ALAN GREENBERG: I don't think I've seen any of those. Maybe I'm wrong. I thought all we've seen are annexes.

CHERYL LANGDON-ORR: Alan?

ALAN GREENBERG: Yeah. Go ahead, Cheryl.

CHERYL LANGDON-ORR: The annexes are the primary places of change of text. The change of text to the [inaudible] precursor part of document in Draft Three are being attended in parallel, and that's what Leon is referring to. So staff and I think the party raiders are going to go through it as well, doing their very best to make sure that everything is captured across. So there should be minimum change, in fact, to the big lump of document.

The important part and what will be coming out soon as the Is are dotted and the Ts are crossed and we've got the big stack from the third parties and legal advice that Leon just outlined will be then into a separate and new section of text, which is being written and has been seen written along the whole process, and that is the "This is what has changed [inaudible]. So there will be not an executive summary – nothing so [inaudible] of that a specifically new section added to what you're familiar with in Draft Three that says, "And here is all the change that has happened."

So it should make the task far less insurmountable than I think you fear. Thank you.

ALAN GREENBERG: Okay. Sebastien, go ahead. Can't hear you, Sebastien.

SEBASTIEN BACHOLLET [?]:   I don't know if you can – the connection is very bad, and maybe [inaudible]

ALAN GREENBERG: Yes, we can hear you. It's obviously delayed, but we could hear you.

SEBASTIEN BACHOLLET: [inaudible] of mails say that the full CCWG will receive – okay, it's too difficult. I will not talk.

ALAN GREENBERG: You're cutting out. I'm sorry. Anyone else have any comments on what Leon told us about the plan going forward? We'll then go on to our plan going forward.

Okay. Next item, then, is: is the ALAC going to handle this process? I did send out a message a little while ago that all of you should have seen. The overall intent is still the same. The details have changed a little bit, however. I believe we need to go through this recommendation by recommendation. What we need to produce is a concise statement for the ALAC for each of the recommendations – essentially each of the annexes – as to what we have said were the issues we saw, what were the changes that were made, and our summary or analysis of those – that is, the summary or analysis of whoever's trying to summarize it – and then have those go out for comment to the ALAC.

So there's no way we can try to tackle on this in Marrakech in parallel. There just won't be enough hours to do that, so we have to really do it on the list and try to at least air and get out in the open any issues that we still have that will then need to be discussed in Marrakech.

I did ask for volunteers on who will volunteer to do some sections, and we had one volunteer from [inaudible] on I think human rights, but I don't remember for sure. I'm still looking for other volunteers.

Now, I had hoped that the job would be made a lot easier because I was presuming that there was a redline version that showed all the changes in the annex from Proposal Three to the current version. So although that would be a noisy redline because there's a lot of just editing things where the substance wasn't changed but the text was fixed, but it would also identify all the areas.

It turns out that there is no such redline, so we don't have the luxury of looking at the definitive redline of the changes in the text. Therefore, we're going to have to rely partly on the list. There is a section in each annex saying what has changed from the third proposal. Whoever's doing each review is going to have to take responsibility for comparing – not holding up to the light, but going through the original Version Three and the new one and identifying anything else that might be of interest to the ALAC that is not explicitly identified in the high level list of changes.

So the intent is to try to get those out as we're going forward. As Leon said, we have eight of the twelve sections that are finalized right now or will be finalized very shortly – I don't know if they've all been distributed yet – and we need people who are going to go through those one by one and identify for the ALAC what the changes are and what issues should be brought to the attention of the ALAC for discussion.

So that is how I'd like to go forward. I don't have the bandwidth to do all twelve, however. I will certainly do some of them. I'm looking for volunteers, people who have a good understanding of each of the other recommendations, to identify what the changes are.

I see Tijani has his hand up, though.

TIJANI BEN JEMAA: Thank you, Alan. I agree with you [inaudible], but I don't like it to be respective to the list to be the [inaudible]. I do prefer that we have more calls before Marrakech.

This is a very important issue. We will ratify something that will have a big impact on the governance of ICANN in the future, so everyone of ALAC will vote or will give his voice and should very well the implications, sometimes the hidden implications, the not-seen implications. So we have to explain, and we have different points of view. We have to explain all the points of view so that each member of the ALAC took his or her position with good knowledge about everything, including things that are not explicitly said. Thank you.

ALAN GREENBERG: Okay. Thank you, Tijani. That really means that that would have to be done on the week of the 22nd of February since we're not going to get the sections of the report until, for all intents and purposes, this weekend, within the next couple of days. It's going to take a day or two for people to start doing the summaries. We perhaps could schedule a call starting around the 17th or 18th and go through the next week.

But the question is, how many hours are you talking about? We have twelve recommendations. If everyone is going to voice their views on each one, we're potentially looking for an awful lot of hours of ALAC meetings. Do you really think we could do that with reasonable attendance? Because without the reasonable attendance, there's no point.

CHERYL LANGDON-ORR: Alan, we'd need five to six hours, by my guesswork.

ALAN GREENBERG: That would be about what I would say. Now, some of the recommendations are going to go simply. We didn't have much comment on them, and there hasn't been much change. But –

CHERYL LANGDON-ORR: But I think you could do it in two dedicated topic calls of two to three hours each.

ALAN GREENBERG: What's the will of this group? Is that what we want to do?

TIJANI BEN JEMAA: I agree.

CHERYL LANGDON-ORR: Or it's the will of the ALAC. This group has [inaudible] bloody hardball. It's your ALAC who are not fully constituted within this group who needs [inaudible]

ALAN GREENBERG: No, but my question is, is that the recommendation of this group to the ALAC?

CHERYL LANGDON-ORR: Seeing it's the only way they're going to get it done.

ALAN GREENBERG: Sebastien? Sebastien, you have your hand up. I'm not sure if you're trying to talk or not.

SEBASTIEN BACHOLLET: Yes. I tried to talk. It is possible – can you hear me?

ALAN GREENBERG: It is working. Yes. Well.

SEBASTIEN BACHOLLET: Okay. I'm on my mobile now. It's maybe [inaudible]. First of all, I wanted to say the last discussion that the CCWG may receive the full document on the 12th and then not just have 48 hours to read the [inaudible] all the changes that [inaudible]

I really regret that we were not able to have the scheduled face-to-face meeting. I understand that, with the time we have now, it's almost impossible, but I still consider that this discussion must be done face-to-face.

Therefore, my suggestion is the following. We spend all the time possible, and even all the time prior to the date of the decision [inaudible] the proposal by the co-chair by the 8th of March. On the 8th of March, some of us will be at the university. Therefore, we need Saturday, Sunday – there's no meeting on Monday [inaudible] So we can spend the time on just that issue and to be able to discuss and be sure that everybody understands what we are talking about. I talk about the ALAC member, of course, but the other will be interested, too, I hope.

I know what part of your question will be, but we will not be able to do [inaudible] ALAC is supposed to do during the meeting. Therefore, my suggestion is that we request an intercessional meeting face-to-face after Marrakech to do this important work of ALAC but to concentrate on during the face-to-face meeting on Saturday and Sunday on that issue.

I think it's the best way to be sure that everybody is on the same page, that we agree or disagree, that we know why we agree and why we disagree. It's a so important issue that I don't think that doing so by a conference call – not saying that people are having trouble with the understanding of the discussion, because if we are to go to present the situation, we here in this group are not – it's not understandable by somebody who didn't follow closely the situation than [inaudible] to be very careful on how we talk and what we would say. Therefore, that's my proposal [inaudible].

I want just to remind one last thing, and it's important. The rules are providing the document to be discussed during an ICANN meeting. [inaudible] explained that the documents will anyhow come late of the meeting in Marrakech. [inaudible] should be ready for that because I think there will be people who would say a disagreement on that. But it's [inaudible] the time, and maybe we cannot also [inaudible] on conference calls prior. But I suggest once again face-to-face used for that. Thank you.

ALAN GREENBERG: Thank you. To be clear, you're suggesting no discussions about any other At-Large issues, no meetings with other people? Just focus on CCWG?

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SEBASTIEN BACHOLLET: At least prior to the date of decision. As I read, the date of decision needs to be done prior to the 8th. [inaudible] the 8th is the –

ALAN GREENBERG: 8th is the Tuesday.

SEBASTIEN BACHOLLET: Either Tuesday, therefore [inaudible] any ALAC meeting. On Tuesday, some of us will be at the university. Therefore we will not take any decisions this afternoon. I suggest that at least Saturday and Sunday we can concentrate on that issue and allow us for decisions at the end of Sunday. And we don't leave the meeting room before we take an ALAC decision. Thank you. Yes, it's my proposal.

ALAN GREENBERG: What I have told ICANN management is our intention is to ratify by the end of Saturday or not ratify, but whatever; to make a decision. But it might not be done until our meeting on Wednesday. That is what I've told them, and that still stands at this point.

I'll go ahead with the next people before I have some comments, but I do have some comments.

Tijani, go ahead.

TIJANI BEN JEMAA: Thank you very much, Alan. I agree with both Cheryl and Sebastien. First of all, I support to calls prior to Marrakech at least to begin to explain, begin to discuss with the whole ALAC members. We have to tell them that it is compulsory for them to attend those calls.

Then in Marrakech, we start by this issue. We may defer the other issues to Tuesday and Wednesday if possible, but all our discussion about the accountability should be done, in my point of view, Saturday and Sunday. We don't have to leave the room before having a decision, but a decision based on a very good understanding of every ALAC member of all the implications of our decision. Thank you.

ALAN GREENBERG: Anyone else have any comments? What is being proposed is to redo the agenda for Saturday and Sunday, taking off all visitors, all meetings with other people, and any other items on our agenda, and just focusing on accountability.

Nobody has any comments?

SEUN OJEDEJI: Hello. This is Seun. Can you hear me?

ALAN GREENBERG: Sure. Go ahead.

SEUN OJEDEJI: I was just thinking that perhaps it would be not [inaudible] efficient and [inaudible] maybe.

ALAN GREENBERG: Sorry, Seun. I can't make out what you're saying. Try louder.

SEUN OJEDEJI: Hello? Can you hear me now?

ALAN GREENBERG: Yes.

SEUN OJEDEJI: Okay. I was saying perhaps a [inaudible] you just mentioned now because I think it's also important [inaudible] to ask some of the [inaudible] agenda, but to also add the memo [inaudible] communique. But I was thinking maybe if we do [inaudible] Thank you.

ALAN GREENBERG: If I heard correctly, I think you said that you think it's important for us to do some of the other things, too, and that we should do the CCWG work in a day or two days. But we only have two days total.

SEUN OJEDEJI: Then maybe [inaudible] not to do. [inaudible]

ALAN GREENBERG: So a single day instead of two days?

SEUN OJEDEJI: Yes. Thank you.

ALAN GREENBERG: Okay. Heidi, go ahead.

HEIDI ULLRICH: Thank you, Alan. Just a comment that if the decision is made that Saturday and Sunday is purely for discussion on CCWG issues, then some of the ALAC will not be able to be at the sessions on Tuesday, where we would then need to move the discussion with other groups and senor staff. I just wanted to make sure everyone is aware of that. Thank you.

ALAN GREENBERG: Olivier?

OLIVIER CREPIN-LEBLOND: Thanks, Alan. I support having some webinars or conference calls before Marrakech. I think it would be terrible if ALAC members arrived in Marrakech with their hands in their pockets and felt, "Oh, I know nothing about accountability. Tell me about this."

                          If we do that, I would say – and I hope that we would need just one day rather than two days to explain this – we could shuffle. That's again just

a big question mark as – I'm sorry – I haven't focused on this ALAC stuff. I'm not ALAC. I'd hope that there would be the ability to do that final discussion in one day so we only have to shift one day's worth of things over to the Tuesday afternoon. That's the thought. And when we're talking one day, then it would be like a long day. Yeah.

ALAN GREENBERG: All right. Anyone else want to weigh in?

All right. Let me tell you my thoughts on this. I agree to the webinar –

OLIVIER CREPIN-LEBLOND: [inaudible] again. Sorry? I think Sebastien's got his hand up again.

ALAN GREENBERG: Is that a new hand, Sebastien?

SEBASTIEN BACHOLLET: Yes, Alan.

ALAN GREENBERG: Go ahead.

SEBASTIEN BACHOLLET: Thank you, Olivier. Thank you, Alan. Yeah, I agree that having a call will be useful prior. I would like just to be sure that we can spend time to

explain the situation during the call with interpretation. But we need to have the discussion face-to face.

Maybe one day will be enough. Never sure. On that topic, I really don't want to be in the situation where you say, "Okay. You have [inaudible]. That's it." It's a very important topic. We need to have time. We can try for one day. That's your call, but I would like to urge you that we need more time to have more time. Thank you.

ALAN GREENBERG: Thank you. Anyone else before I make some comments?

No? All right. Sebastien, that is an old hand I assume? Okay.

I agree with the webinars. The concept saying it's mandatory and everyone must attend? We say that about ALAC members and you know what the net result is. So, yes, some people will attend. Others will not.

The timing is going to be such that – well, you understand. It's not going to meet everyone's times. That obviously influences things. Plus conference calls on short notice? People have jobs and lives. To pretend everyone will be there I think is not realistic. We can certainly try, however.

I don't believe we will change things in two days that we can't do in one day. My personal preference would be to schedule a number of hours on Saturday and then Sunday with the understanding that the rest of the time on Sunday could be repurposed if necessary, depending on how far we get on the Saturday. We can always cancel meetings with

other people, and we can redo our own agenda as necessary, but I would tend to put a gap in between, if only because both people's attention span and their ability to focus is limited if we're going to push people too much in indoctrination of this.

We have been discussing this for a year, and hopefully it's not all new to everyone. But I'm not sure we can absolutely control that.

Olivier, I see a new hand. Would you want to speak before I finish?

OLIVIER CREPIN-LEBLOND: Yes, please, Alan.

ALAN GREENBERG: Go right ahead.

OLIVIER CREPIN-LEBLOND: Thank you, Alan. If you're going to chop this day into two parts, which by the way I would support – I think it's a good idea indeed to change people's minds; they would probably fall asleep after three hours anyways, so we do need to chop this – may I also suggest that members of this working group who are in the know – and they're all here – are offered as mentors to specific members of the ALAC? We basically take, I don't know, Alberto and Leon to be mentors for XYZ – pick the people in the ALAC – so after the first session, if these three people have any further questions or want to discuss the thing further over a beer or something, then there could be something like that happening.

I don't know. It's just a thought so that we don't end up with these people just sitting there, not doing anything, and then being there afterwards the next day and nothing having happened in between those two sessions. Sometimes it's good to talk in smaller circles. Thank you.

ALAN GREENBERG: I don't disagree. In answer to Avri's question on the chat of "Weren't the ALAC involved in the comment periods that we've done? We've now responded to three draft proposals," the answer is yes. But we don't give tests afterwards, and there's clearly some belief among people in this group that, although everyone who was exposed to this stuff and voted on it, they may or may not have understood it. That's clearly the message we're hearing, which is probably true.

All right. I don't think what you're proposing right now, other than the seminars, is radically different from what we were looking at. I will point that there almost certainly will be time limits and restrictions on how much people can talk. There's just no way to go around the table and give people an opportunity to talk if the conversation is dominated by phone numbers of people. So I think the onus will be on people to try to be concise and say what they're trying to say. I don't think we have any choice but to do that. At least experience shows that.

Anyone else have any comments?

CHERYL LANGDON-ORR: Alan? Cheryl here.

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ALAN GREENBERG: Go ahead.

CHERYL LANGDON-ORR: I'm quite [inaudible] of both the mentoring up aspect and the small group activity. My only hesitation with mentoring is that we need to both match it up and mix it up. If we match it up in terms of – let's use the example of Leon and Harold – just so we don't have clones of each other happening, which is not what I would call full, frank, and fearless decision and discussion making. As Olivier suggested, some small group activity is done on the Saturday, so you'd have the Leon/Harold clone set down with one or two other sets of clones. In other words, split your ALAC into two if not three with their mentors and have small group discussions so you know that things have been thoroughly and fully discussed and explored because the Tijani/Seun clone or the Tijani [inaudible] clone might have been particularly quite different than the Leon/Harold. Or indeed they may have looked at something in greater detail than the other one. So if you mix it up properly, I think it's doable.

ALAN GREENBERG: Yeah. I'm not quite sure how we'd handle the logistics of breaking up into groups and things like that and at the same time do what has been requested; that is, we have an open discussion with the whole ALAC. I'm not sure we can do both.

CHERYL LANGDON-ORR: Well, you can. It's just a matter of time, and you might need a little adjustment on your scheduling. I'm certainly happy to help you with that.

ALAN GREENBERG: Yeah. Certainly the cloning part I have a problem with. You – please. I don't know why we suddenly have echoes these days.

OLIVIER CREPIN-LEBLOND: Alan?

ALAN GREENBERG: Yes? Yes?

OLIVIER CREPIN-LEBLOND: May I speak?

ALAN GREENBERG: I would like to try to something first myself, but we seem to have a problem. Have we figured out where the echo is coming from?

UNIDENTIFIED FEMALE: Hey, Alan, this is [inaudible] I'm checking each line.

ALAN GREENBERG: I will keep on talking until the echo goes away. The echo seems to have gone away.

What I was going to say is, yes, I do have a bit of a problem with the clones. That is, I counsel somebody or other, and therefore they simply end up repeating my personal positions. That's potentially an interesting situation and not necessarily one we want. The whole idea of general conversations is to expose everyone to the range of positions. Although I support mentors to answer questions, I'm not sure I support mentors to be the briefers because I think then you end up with person being mentored getting a narrow perspective of positions.

Sebastien, is that a new hand?

SEBASTIEN BACHOLLET: Yes, Alan. It's a new hand.

ALAN GREENBERG: Go ahead.

SEBASTIEN BACHOLLET: Thank you. I think – I guess that Tijani opened his line and we have an echo now.

ALAN GREENBERG: Go ahead.

SEBASTIEN BACHOLLET: I would like to suggest that if we do the calls before the webinar or whatever we want to call that, the explanation will be done at that time. We need to maybe be able to give some more explanation to people.

My experience since I joined, again, the ALAC was that I was requested to answer questions in the native language. Therefore, if I have to split the group, I would split to allow discussion in English, one in French, and one in Spanish.

I would suggest not too much to do it during the meeting, but maybe the idea could be breakfast, lunch, and dinner together, and they're able to exchange around those points in an easier language for them.

I think the goal will be also that it's not for the mentor to be talking about their positions but to try to give the positions, the valued position, on the table. It's not always easy, but I guess it's possible. And like that, we have a better discussion in the whole group. Thank you.

ALAN GREENBERG: Okay. Thank you. Any other – oh, I see we have Tijani. Go ahead.

Cannot hear you. Tijani?

TIJANI BEN JEMAA: Alan, I am sorry. I was muted and on the line there was an announcement, so –

ALAN GREENBERG: It's okay. You're on now. Go ahead.

TIJANI BEN JEMAA: Okay. Thank you. I am [inaudible] stating the group and small groups because it will be an influence of people who know more and don't have their own mind. They will influence the others. I prefer to have all of the [inaudible] for all people. So what you can do? You can ask everyone of this group to express his point of view and to answer any questions inside of the whole group. So you will have different answers for one question because there are different points of view. Thank you.

ALAN GREENBERG: Thank you, Tijani. Olivier? Please mute Tijani's line.

OLIVIER CREPIN-LEBLOND: Thanks very much, Alan.

ALAN GREENBERG: We're well over time at this point, so I'd like to wrap it up. Staff, are we still okay with the interpretation?

OLIVIER CREPIN-LEBLOND: Well, if you'll let me speak, Alan, I'll let you know that we have another four minutes.

ALAN GREENBERG: Thank you very much.

OLIVIER CREPIN-LEBLOND: That's what I wanted to intervene for.

ALAN GREENBERG: Thank you. Go ahead.

OLIVIER CREPIN-LEBLOND: I was going to suggest to you that we would actually not discuss this and finish this today. We can continue the discussion in our next call, which takes us to the last agenda item of Any Other Business, which is: when do want our next call? Hopefully in the last four minutes of this call we can decide when we want our next call.

ALAN GREENBERG: Leon, is there another CCWG meeting next week?

LEON SANCHEZ: Yes, Alan. We do have a CCWG meeting next week. Let me just check. That's going to be on Tuesday.

ALAN GREENBERG: What on the agenda?

LEON SANCHEZ: It hasn't been defined yet, I think. I need to check on my notes, but I don't have it fresh. So I don't have a –

ALAN GREENBERG: Will we likely need a meeting after that, or should we try to do the meeting on Monday?

LEON SANCHEZ: Well, I would say that it would be a good idea to have it after because let's not forget that on the 8th of this [inaudible] the final document is going to be submitted to the [inaudible]. So if we have the CCWG call on Tuesday, then we could have a call on Wednesday of this group so we can discuss the things as they stand after the call of the CCWG and plan ahead for the Marrakech meeting and of course for the approval process that we should be undertaking in regard to the final document.

ALAN GREENBERG: Okay. We'll try to schedule a meeting for Wednesday, Olivier, if you could ask for that. That's going to be far too late to decide on our way forward, though. The Marrakech meetings and if we're doing any conference calls are going to be lined up well before that. So we will do a meeting on Wednesday to do any cleanup at that point. But the decisions will have to be taken before then on the things like agenda.

Olivier, back to you.

OLIVIER CREPIN-LEBLOND: Thank you very much, Alan. So next call by Doodle to be set for Wednesday, the 17th of February, 2016.

I'd like to thank our interpreters, Veronica and David. I suggest that the call discussions continue on our mailing list and perhaps also on the Skype chat.

With this, I'd like adjourn the call. Thank you. It's been very, very interesting and very productive today. Thank you and goodbye.

[END OF TRANSCRIPTION]