ICANN

Moderator: Brenda Brewer
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8:00 am CT

Leon Sanchez: Well good morning, everyone and congratulations on surviving Work Stream 1. Almost.

Mathieu Weill: Don't jinx it.

Leon Sanchez: And welcome to this face to face meeting from the CCWG Accountability in Marrakesh. And as usual we will be going - doing the roll call with those attending the AC room as well. So please log into the room, log into the room. Remember that we use the room to handle the queue so it is important that even if you are personally here that you log into the AC room so we can handle the queue.

And also I remind you to kindly state your name before speaking, which I didn't. I am Leon Sanchez. So I remind you to please state your name before speaking for transcript records and also I believe it's important for everyone to actually get to know who is speaking.

And we might have of course remote participation so at this point I would like to call for anyone in the phone bridge that is not in the Adobe Connect room, to please say their name so we can add them to the roll call.

Okay so it doesn't seem the case. We have no one on the phone bridge that is not in the Adobe Connect room although I see many people here that are not in the Adobe Connect room so please log into the Adobe Connect room.

((Crosstalk))

Leon Sanchez: Are we having problems with...

((Crosstalk))

Leon Sanchez: Okay so some seem to be having problems with the Adobe Connect room. And could we please paste the URL for the Adobe Connect room so that anyone has it handy at the top of the agenda? Thank you.

((Crosstalk))

Leon Sanchez: Okay so - one important thing for this day is that we are not engaging in any substantive discussion on our final report. The word "final" is exactly that, it's final. So please let us not get into discussions about the final report as it has already been sent to the chartering organizations and we are just expecting authorization and approval from each of the chartering organizations.

We remind you that we have long established a rule of maximum two interventions per person per topic. And we also have a clock and we know how to use it. So if participants begin to be excessive, as has been leveled, we

will begin using this two-minute timer to manage the queue and interventions from participants and members of course.

And our main goal is to have a party by the end of this meeting of course but we also want to have a clear view on how we're going to implement our Work Stream 1 recommendations and how we are going to plan our work forward for Work Stream 2. So with no further delay I would like to hand to the floor to my cochair, Thomas.

Thomas Rickert: Thanks very much, Leon. And good morning to all of you. This ICANN meeting in Marrakesh and there has been a lot of complaints about transparency over the last couple of months. And I think that at the moment the only thing that's not transparent is the sky. And hopefully that's going to change. But our report is all done, that's excellent news so let me also use this opportunity to thank all of you for your constructive discussions over the last couple of weeks.

It has been a painful process at times, we understand that. We've all been suffering I guess but I think that the work product that we now have in front of us and that hopefully will be approved by the chartering organizations in the next couple of days is really something that we should all be proud of. We certainly haven't managed to make everyone happy but I think, and that's part of the exercise, we've managed to make everyone equally unhappy.

And so if you frown or your group's frown upon certain recommendations look at the package. Look at what we've done in order to make ICANN do better place. To make ICANN the role model for the multi-stakeholder model and try to convince those that don't like individual aspects of this set of recommendations to look at the whole package that we've brought together

and that others are unhappy on other aspects of the proposal and let's just all say yes to what we have on the table.

So the main purpose of this hour is to repair for this week. As Leon said, this is not the place to re-litigate or re-open debates on substance but we would like to discuss with you how to best engage with the community. We are all knee deep in all of this but we need to make sure that we take the whole community along with us. And I'm not sure whether we have the slide deck to be used in the engagement session ready. There have been some issues because Hillary, who is the master of all this, had some problems getting to Marrakesh. So I'm virtually looking or physically looking at staff whether we should or whether we can bring that up. Otherwise we're going to save that for later.

((Crosstalk))

Thomas Rickert: Okay, so what I'd suggest we do then is do a quick tour le table for representatives of the chartering organizations to see whether there is anything that they would like to bring up with respect to their approval process so that all of us are on the same page with respect to what we expect and when to expect breaking news during the week. So if I may I would like to start with the ccNSO, so do we have a ccNSO member in the room that could potentially...

((Crosstalk))

Thomas Rickert: So, Mathieu, conveniently sitting to my left so I think that's -- you're going to decide that amongst yourselves but, Mathieu, you get the first bite at the apple.

Mathieu Weill: So thank you very much, Thomas. Mathieu Weill speaking, ccNSO-appointed cochair. The ccNSO is planning two or three sessions on the IANA stewardship transition during its regular face-to-face member meeting so it's on Tuesday and Wednesday.

The first session is on that Tuesday morning and it's going to include an update on the report but also each of the ccNSO-appointed members is going to provide a very summarized view of whether or not they recommend approval. There will be some question and answers and debates. And another session on Wednesday about the next steps.

As the ccNSO as the practice of taking the temperature of the members before going to the council meeting where decision is to be made upon supporting our recommendations, and the council meeting where that will take place is scheduled on Wednesday at the end of the day, I think it's around 5:00 pm local time. So that's the plan for ccNSO.

Thomas Rickert: Thanks very much, Mathieu. Let's hear SSAC and let's all congratulate SSAC for being the first ones to send their letter of approval to us. I guess that's excellent. If you look at the CCWG wiki page we have a visualization of the approval status for the respective groups and you have a check mark on it so let others follow that excellent example. So I'm not sure whether you want to say a few words. I didn't want to skip you that just shot out that you've been great.

Julie Hammer: Thank you, Thomas. Julie Hammer speaking. Yeah, just on behalf of SSAC, this wasn't rushed through by any means. Lyman and I have been keeping the SSAC up to date with what has been happening within the CCWG, the various proposals. And we certainly considered the issues that affect SSAC in some detail.

And in reality that is only a few of the issues, and many of the issues, as you well know, we believe are not within our remit. So when the final report did come out we explained the changes, we put it through our normal quite extensive SSAC approval process and all the members were quite comfortable with our recommendation that we approve it. So thank you for that. But it was not rushed through, it was certainly put through our normal very deliberate process.

Thomas Rickert: Thanks very much. I guess nobody would have expected you to rush the process. We all saw you with us in the room over the last year. We know that you've actively follow the process. But I think we've all been very impressed with you being the first one to lead on the approval process.

So RSAC. Is there someone from RSAC in the room?

((Crosstalk))

Thomas Rickert: I shouldn't have asked RSAC in the first place because they're not chartering...

((Crosstalk))

Julie Hammer: Yeah, there is someone here from RSAC wondering why you asked that question.

Thomas Rickert: This was just attached whether you pay attention to what I'm saying.

Bruce Tonkin: Does RSAC want to become a chartering org right now?

Thomas Rickert: You can take all the glory.

Bruce Tonkin: Can we discuss that? I think we need to talk about that for about three hours.

Thomas Rickert: I do apologize for the (unintelligible). So let's move to the GNSO then. Steve, do you want to speak?

Steve DelBianco: Yeah, I don't see James in the room at this point. This is Steve DelBianco. The GNSO working session over the weekend as two hours dedicated tomorrow, from 1:00 to 3:00 pm for the discussion. The GNSO has posted a draft motion and the motion, while it is only a draft, suggests adopting and lists all 12 recommendations but I'm sure there will be a full throated discussion tomorrow between 1:00 and 3:00 pm in GNSO leading towards their Wednesday consideration over the motion.

Thomas Rickert: Thanks very much Steve. Is there someone from the GAC in the room? I know this is a rhetorical question but I thought - who would like to speak on behalf of the - Olga?

((Crosstalk))

Olga Cavalli: Good morning everyone. I don't know if our chairs in the room. No? Okay. Thank you for giving me the floor. The GAC is planning five sessions to review the document. And we would finish by Tuesday, that's the idea. We still have some issues to talk about and discuss, you know. But that's the plan. I don't know if you have further questions. Thank you.

Thomas Rickert: Thanks very much, Olga. So we have (unintelligible).

((Crosstalk))

Thomas Rickert: ASO. ASO. I saw - Izumi? Athina? I'm not sure who wants to speak.

Athina Fragkouli: Good morning. Athina Fragkouli on behalf of the ASO. So the ASO had no issues with the third proposal. Also we shared the supplementary final report and we don't see any issues also with the community we shared it. The only issue we had was explained in our minority opinion but had nothing to do with the substance of the report. It was just a matter of implementation because our accountability we based pretty much on the SLA for the numbering function.

So we don't expect any issues read we have given our positive feedback as ASO liaisons and it's just a procedural matter to have a final approval by the (unintelligible).

((Crosstalk))

Athina Fragkouli: Yeah, we expect it around the 6th of March. Thank you.

Thomas Rickert: Thanks very much, that's very helpful. And last but not least, ALAC. Alan.

Alan Greenberg: Thank you very much. Before the ALAC's statement I'll suggest the GNSO representative arrange for the transcripts to be changed, there was a minor typographical error in the transcript that described your motion as a daft motion.

((Crosstalk))

Alan Greenberg: And - correct or it could be left alone. The ALAC has been working hard on this. We have four hours of two two-hour briefing sessions for ALAC and other At Large members over the last week. We have an extensive amount of

time allocated, which I dearly hope we will not need over the weekend. And we hope to finish our process this weekend. Should something come up they will be done - finished our wrap-up on Wednesday but we are optimistic that it will be done prior to that, at least I am optimistic.

I have a question. There are some people who are suggesting that in addition to ratification should we ratify that we may provide a statement. What would be done if we did such a thing? It's not a minority statement because it's too late for that but a statement along with the ratification. Obviously if we don't ratify we will provide a statement.

((Crosstalk))

Thomas Rickert: Yes, we wanted to speak to that anyway. I guess the answer is this, we have our report. Ideally we would expect a yes or no to the whole package. We would strongly dis-encourage you to combine your approval with conditions that will put us in a very bad situation. We know that some are considering exploratory notes or clarifications on their understanding of certain aspects of the report.

Certainly there is no way for us to prevent that from happening but let's just say that each and every language that you add to your approval might add ambiguity and cause confusion as to whether the approval is conditional or not. So we would like to encourage you to be conservative with any additional language that you might consider. Tijani, your hand is up.

Tijani Ben Jemaa: Thank you, Thomas. I don't think it will be conditions but they might be, how to say, remarks about the implementation and bylaw drafting. So I think it is useful to have something like this.

Thomas Rickert: It's certainly a thin line. If you speak to matters of implementation we know that there is always an issue between implementation and policy. So if you are requesting things to be done during implementation that might change the policy recommendations that we are making. So I would just advise to be conservative with any additional language that might cause friction. Just imagine, we have all the chartering organizations, you know, the first has set a precedent by sending an unconditional very straightforward approval letter. But if everyone else comes back to us with additional narratives on how they understand and construe the recommendations and how they want them to be implemented that might cause some issues for the process to come and the approval as such.

Mathieu.

Mathieu Weill: Thank you, Thomas. Mathieu Weill speaking. I think I'm very much in line with Thomas. Even statements that would be felt in good faith as purely implementation run the risk of creating some conflicting interpretations between different chartering organizations. And we would be in a very bad situation if we had to resolve this between basically Wednesday 7:00 pm and Thursday 1:00 am, something like this, right?

So I understand the need for also providing some flesh to the rationale for approving but maybe this flesh is better if it's considered as internal to the chartering organizations, the rationale for ALAC or any other chartering organization in its analysis of whether or not the recommendations can be approved, and not sent back as a statement great position to the chartering organization itself.

So it can help the ALAC or other organizations in the way it will oversee the implementation later. It certainly is a useful context element but I think it's

best if it's separate from what is being considered in our charter which is the approval or rejection of the recommendations. And I hope this helps and finds a way to accommodate your concern, Tijani. Thank you.

Thomas Rickert: Leon.

Leon Sanchez: Yes, this is Leon Sanchez. Tijani, one of our main objectives today is just to know how we're going to go forward and how we're going to implement things. So hopefully by the end of today we won't be needing to make any kind of clarification statements or side statements along with the chartering organizations' approval because hopefully we will find out how this is all going to work by the end of the day. So let's not anticipate any conclusions, just let's wait for what we have prepared for you.

Thomas Rickert: So what I understand from the chartering organizations is that there's going to be discussion, and it's good to have discussion even inside the chartering organizations. Not everyone has been following our process so closely as we were forced to. So everyone should need to know exactly what they approve ultimately. But it looks like we don't see any dark clouds coming up, there are no major issues which is a good sign. Otherwise I think individuals that just spoke would reflect that. Kavouss, you've raised your hand.

Kavouss Arasteh: Yes it was - good morning to all of you. Olga, as the representative, not (unintelligible) member of the GAC in CCWG provide information is very good. I as a participant of CCWG want to add some complementary information. We have discussed in our last call, which took about two hours, all 12 recommendations. Preliminarily we made the statement that we have no difficulty with 10 recommendations. That's good news.

There are two recommendations, because of the complexity, sensitivity and delicacy, we have to further discuss and several meeting has been envisaged. And you know that many of the government, due to several reasons, may not have been actively participating or follow all the discussions. So we need to discuss these two recommendations in our physical meeting and (unintelligible) wanting my experience that we should look into the world as it is, but not as it should be. We should understand each other.

There is no question on the table who is right, who is wrong. The question is that people should agree with each other. That is very, very important. We have to buy and we have to sell. We have to sell our ideas, if there are buyers, so far so good. If there are no buyers we have to try to make it in a way that could be bought by others. Never we should look into any idealistic, never into any perfections. One thing in the law is that letter and the spirit associated to the spirit of law is circumstances and environment under which that has been agreed.

When you have something, a text, a lot of discussion took place and the result of those is that is that. Does not need discuss in language but it is what is outcome of that meeting. Thank you.

Thomas Rickert: Thanks very much, Kavouss. That's very helpful. After this walk through the different chartering organizations I would like to invite Kavouss maybe again to speak to the process that's going to be used by ICG because delivery to the US government also has the component work done by ICG. And then I would like to turn to a board representative to speak to the process that the board envisages to follow during the week in order to achieve our goal of handing over the proposal on next Thursday. So, Kavouss, if I may put you on the spot?

Kavouss Arasteh: Yes, with the agreement of Keith Drazek with another liaison of the ICG. Our task in the last call that we had was quite simple. How to send our information to the NTIA. And this was discussed (unintelligible) NTIA or how we send it - we said that we send to the ICANN board and ask them to send it to NTIA within some period of time, 14 days. If they have any comment they could add to that, if they don't have comment. But they don't change the text.

We didn't have any other information in the ICG because we were prepared about six months ago so we just waiting. Our important point was that now we have a confirmation of CWG that all conditions and requirement of the CWG are met by the CCWG Accountability, that was important for us. And we have that guarantee from the CWG cochairs that conditions are met. So for us that is important. We are not dealing with the result of the CCWG whether there would be any addition or not because our main condition was CWG requirement must be met and it has been confirmed were met.

So ICG has no problem to send the information. And we have already prepared a draft letter and authorize the chair of the ICG to send it on 10th of March to the NTIA to ICANN or to ICANN to be sent to NTIA. Thank you. If Keith wants to add something.

Thomas Rickert: Yeah, I just wanted to invite Keith to add to that if you want to. No?

Keith Drazek: Okay, thank you Thomas and Kavouss. Keith Drazek. Now Kavouss summarized it perfectly well. I would just add that there was some discussion in the ICG about the possibility that it could send its report prior to the completion of the CCWG work because the CWG had in fact indicated that the key dependencies had been met. But the consensus agreement within the ICG was to wait until the CCWG work was in fact complete, approved by the

chartering organizations and ready to be transmitted as well as a package. So thank you.

Thomas Rickert: And let me just personally add that I very much welcome the wisdom of ICG to wait. I think it makes the whole proposal look more cohesive if delivery occurs at the same time. So thank you for that. Thanks, Kavouss. Thanks, Keith.

I'm not sure who wants to speak on behalf of the board. Bruce, do you want to speak as board liaison?

Bruce Tonkin: I'm happy to speak as board liaison. What would you like me to speak about?

((Crosstalk))

Thomas Rickert: Happy to do that. Bruce, after we've heard from the chartering organizations as to what their process is going to be towards approval during the week to come, we would also like to hear from the board what the next steps will be. You know, there are transition facilitation calls where the board has gone on record that they would appreciate a cool-down period between finalization or approval of the proposal and passing it on to NTIA.

Now things look like the chartering organizations will formally approve on Wednesday, at least some of them. Are we going to see issues with the timeline? Are there any other pieces of information that you would like to convey from the board in our journey towards submission to NTIA?

Bruce Tonkin: Yeah, thank you Thomas. Certainly the board has been keeping or having regular information calls. There was an all-day meeting yesterday of the board where recommendations were discussed. So the - certainly the

recommendations, as drafted in the current draft that came out a few days ago, there's no issues from the board so, you know, as long as things don't change I think we're on board.

And so more of the discussion is now about implementation so we're assuming that if the chartering organizations sign off and we get the final report from the CCWG that we would be able to process that report fairly quickly. And now our focus is changing towards what are the critical path elements to get the process complete.

One of those is bylaws drafting so we formed a team on the board that will work closely with the CCWG team to try and get those bylaws completed. And the aim obviously is to try and get all the bylaws published and reviewed by the community and then approved by the board within the next three months or so.

Thomas Rickert: Thanks very much, Bruce, that's helpful. So it looks like everything is on track, all the groups are working hard to make possible what some have thought would be impossible for this community to achieve so that's great news.

I think that the slide deck for the engagement session is not yet ready which is why I would suggest that we skip this particular point for the moment and get back to it later.

The - I guess what's important though is to speak a little bit to the expectations for the week. The slide deck that I've planned to show to you is the slide deck for the engagement session to ensure that we take the community along with us and explain the recommendations to the community.

We have a town hall session on Monday that's going to be used for that purpose.

Our group also has work to do on Work Stream 1 implementation and Work Stream 2. So by the end of this week hopefully we'll all have a clearer view on how we're going to organize our work for both of these areas, right. So even though the work will not have been kicked off in substantive discussions, we will start the discussion here and try to frame a straw man work approach for all the subject areas that need to be worked on in the months to come.

So hopefully we're going to have that by next Thursday before we have our big party, hopefully there's something to celebrate. And then I would suggest that we move to the next agenda item on Work Stream 2 and, Leon, you're going to take over.

Leon Sanchez: Thank you very much, Thomas. This is Leon Sanchez. And our next agenda item is planning for Work Stream 1 implementation, right? I sent you an email yesterday on behalf of my cochairs trying to kick start the discussion on how we see our work going forward, not only in regard to implementation of Work Stream 1 but also as to planning our work for Work Stream 2.

So in regard to planning our work for Work Stream 1, we have been discussing a way forward. And this way forward could be that we have two teams that would be working on implementation. The first one being the IRP team which I believe would be led by Becky hopefully, I'm volunteering you.

Of course this is subject to discussion and approval by the group but I think that that will be great if you led that. And the other one would be an implementation oversight team. And this implementation oversight team would be comprised of the cochairs and the rapporteurs so far. And the

objective of this agenda item is to of course discuss with you whether you agree on this way forward, whether you have any suggestions on how we could proceed with implementation of Work Stream 1. And of course planning our path for Work Stream 2.

So in the mail that I sent you just the proposed way forward in which we would be breaking the different items for Work Stream 2 into small subgroups that would plan their work, they would schedule their calls, etcetera. And we would be establishing a coordination with this implementation oversight team that would be coordinating the efforts of all the different groups and would in turn be reporting to the wider CCWG. So this is the starting point for discussion, as I said.

And we would very much like to hear from you whether this is a viable proposal or whether you have any ideas that you could share with the rest of the group as to how we can move forward on implementation of version 1 and of course our work in Work Stream 2. So I would like to open the floor for any comments on firstly, how do we want to proceed with implementation. Let's remember we are proposing to establish an oversight team. And we are also proposing an IRP implementation team at this point.

Should there be a need to establish more teams we are open of course to setting up other teams that would implement other parts of our proposal. But so far these are the two main teams that we are envisioning. So the floor is open. And I see a hand up.

Paul Twomey: It's Paul Twomey. A clarification about the oversight process, a specific example. The subgroup I'm interested in is the human rights one. How do you see the approval of any language that will emerge working through that process? Do you see - I'm just thinking through - how does the bottom up

work here - does the subgroup work with language? Does the oversight team have the opportunity to change that language? Does the CCWG as a whole get to see the language? I mean, how do you see the approval processes working?

Leon Sanchez: Thank you, Paul. I think that we're going to go into details when we discuss implementation of - well, I mean, our work plan for Work Stream 2. So I wouldn't want to go into details at this point. And I would ask for your understanding so we can get back to these when we are at that agenda item. Thank you.

Any other comments? Yes, Kavouss.

Kavouss Arasteh: Thank you, Leon. Are you referring to your email dealing with the working method strategies and so on so forth? As I heard you talk about having one group whether you call them a small group or whatever group or reflection group, deal with what we have to do and based on that we establish other small group with dedicated subjects. Is that also something that you refer to that or is it different from these two you are talking about? Thank you.

Leon Sanchez: Well I think they are linked to each other. One thing is the implementation oversight team and the other one is of course the IRP team. And we will also be breaking down all of our Work Stream 2 subjects into different small groups that we will coordinate along with the implementation oversight team. So they are linked, they are not the same. And they are not completely independent as we will be of course interacting and coordinating the different groups among them. And we have a queue on the AC room. And first on the queue is Alan Greenberg.

Alan Greenberg: Apparently in face to face meetings only physical hands count. What you described for the two subteams is generally acceptable to me. And I'm

certainly not volunteering to take on one of those roles. However, the drafting of the bylaws, and certainly in my personal case, a specific number of the bylaws is going to be really critical. We've made statements along the way saying we'll take this into account when we draft the bylaws.

If the first time that I as a regular member of the CCWG see the draft bylaws is after we've gone through the whole process sand they're presented to this group in a large swath if not all of them, it's really too late to make changes. The inertia that goes along with this kind of thing that my standing up to the floor and saying I have a problem with the wording of that thing is a voice in the wilderness.

So it's really important for those of us who care about the detailed wording of the bylaws to have an opportunity as they're being drafted to point out that there's something wrong that it doesn't meet what our intent was or what we said our intent was. So although I'm not volunteering to help draft all of them, there really needs to be some involvement, some way to get into the loop before they are presented as a almost fait accompli for ratification by this group. If not, I think we're going to have a lot of trouble. So certainly you're going to have some from me.

Leon Sanchez: Thanks, Alan. Mathieu.

Mathieu Weill: I think Alan's point is a very good one to - there will be areas where some directions will need to be provided, questions will be asked. But - and we've had a good discussion with our lawyers on that, a few days ago, I don't think the notes have been circulated yet because of the travels, but it will be. And there's strong recommendation is to - what they're saying is it's going to be more efficient and easier to discuss with the group if you give us some time to - their wording was in the initial drafting work in a dark cave, go into a dark

cave, draft the whole set of documents, ask for some questions and have an initial check with a small group and then go for the full group.

We need to make that process open and transparent for - so that everyone can see the different questions that are raised by the lawyers, the different answers that the small groups are providing and how they're - so that we can track what's been done in this process. But they are strongly cautioning us against a process that would be too iterative initially because in the drafting they're really cautioning us about the time it will take, the costs and for them the confusion that might stem from it.

So I think that's the balance we're trying to see here. And the openness and transparency of the review by these - who implementation team here - is critical. Many in this room have some topics or many topics they really care about in terms of implementation and I think it's good to write them down for each of us and know exactly what we're going to check. But it's compliance check we're talking about, we're not here to open any new question.

And I think letting the lawyers draft initially is certainly the best way to avoid that a group starts discussing actually new questions when the drafting occurs. So that's why we're trying to find this balance. But transparency yes, yes, yes.

Leon Sanchez: Thank you very much, Mathieu. Next on the queue I have Tijani Ben Jemaa.

Tijani Ben Jemaa: Thank you, Leon. Leon, if we can have those groups displayed here because I heard something about the implementation team about oversight team, I would like to see all those groups displayed with the composition you propose and with the mission they would have.

Leon Sanchez: Thank you very much, Tijani. Thomas.

Thomas Rickert: Yeah, just to be perfectly clear, in Work Stream 1, we're only having two tasks, two groups, that's the IRP and implementation oversight. All the other work areas are Work Stream 2. We're going to discuss that soon. So let's just focus on these two areas now.

Leon Sanchez: Thank you very much, Thomas. Next is Steve DelBianco.

Steve DelBianco: Thanks, Leon. The process you have on the slide up here speaks to what Alan was getting at in that when the bylaws come from our lawyers the first task is to compare them to the written proposal we are approving and that includes comparing it to the clarifications, all those notes that we added between the third draft and the final.

The purpose of that is to make sure that the bylaws have reconciled potentially conflicting clarification notes and understand that then we'd release them to the full CCWG for ratification. And hopefully, Alan, to your point about timing, I think one lump sum distribution would be difficult to digest and could potentially slow the timing down. So I would say that if we can as we get chunks of the bylaw from lawyers, we would quickly reconcile them with the recommendations and the clarification notes and then turn that around for CCWG approval as each section comes along.

The prior slide up there had said AOC bylaws. But AOC is just one recommendation. It's recommendation 9. What you're really saying is that all of the bylaws, other than IRP because IRP has its own Work Stream 1 implementation, it's so complex and it's really the crown jewels of what we're proposing so the IRP gets its own path. But the other 11 recommendations, 10 of them that affect the bylaws, mean that there are 10 chunks of drafting we'll get from our lawyers. We want to reconcile those and then publish them to the

CCWG. So I'm trying to clarify and support your notion of keeping it simple and streamlined at the same time acknowledging Alan's point like whether one lump sum is the right way to digest it. Thank you.

Leon Sanchez: Thank you very much, Steve. And, yes, the way that you have described it, this is exactly how we're trying to drive this. So thanks for helping us clarify our way forward. Next in the queue I have Malcolm Hutty.

Malcolm Hutty: Thank you. Yes, I share most of the views in the comments that were just raised both by Alan and by Steve by way of clarification. I think the label that you have on the slide there, CCWG approval, rather exacerbates the concern that I think Alan was raising, and rather tickles me as well, the idea that this would be presented too much as a fait accompli and there would be no opportunity for the plenary as a whole to check that they really owned the way that this was being implemented.

If it said something like review and approval I think it would give more of an indication that this was - it was understood but there would be an opportunity for the group to consider whether or not they were satisfied that the text had implemented what we had decided.

At the same time, I also feel very strongly and in agreement with Steve's comment there, this is not an opportunity for the group to reopen issues that have already been decided. The criteria for checking is whether or not the wording adequately implements what has been decided, not whether it does what is right. The objective has been decided in our report and supplemental report.

So I think it will be very important for the chairs there really to both ensure that there is a proper opportunity for review rather than bouncing this group

through the terms but at the same time, holding us very strictly to ensure that we don't reopen issues or principle that have now been decided and agreed upon and approved by the chartering organizations which will have happened at this point - we hope.

I do have one other question regarding composition, Leon, you skipped rather quickly past the issue of composition of the review teams. In particular, the IRP implementation review team, we had already chartered such group and it has - had a composition selected and it has met once. Are you proposing to close that group and replace it with a new composition? Or are you referring to that group as being this?

Leon Sanchez: Thank you very much, Malcolm. I am referring to that group. And we will also be calling for volunteers later on the agenda, we have an open item for call for volunteers.

((Crosstalk))

Thomas Rickert: Not for the IRP group is set...

((Crosstalk))

Leon Sanchez: Yeah...

((Crosstalk))

Leon Sanchez: ...I mean, other groups. But I was speaking about that group, Malcolm. And, yes, I think that maybe we should re-label CCWG approval with CCWG review, that seems quite (unintelligible). And one point that I really like from your intervention is that this shouldn't mean or this shouldn't lead us to

reopen any aggrieved issues but just rather check that what is in the bylaws does match what we have agreed. Thank you, Malcolm.

Malcolm Hutty: Thank you for those clarifications. I'm very satisfied with that answer.

Leon Sanchez: Thank you very much, Malcolm. Next in the queue I Jordan. Jordan Carter.

Jordan Carter: Thanks, Leon. Jordan Carter, dotNZ. So we're talking about Work Stream 1 implementation and there are two strands of work. One is the general bylaws drafting project and the other is the IRP implementation. IRP implementation group is largely sorted out already. We're talking about an iterative process for doing the bylaws and us suckers who have been stupid enough to be volunteers, rapporteurs and cochairs, helping make sure the initial draft of those bylaws is consistent with the report.

As long as all that's done transparently so like there's an open archive list, as long as there is substantive time for the group to review, identify any other areas that can be changed, so in other words as long as it's not fait accompli style stuff, I'm comfortable with that. I don't really see it as a implementation oversight team. That sounds too grand, it's more a kind of review function that we're doing for the group.

Leon Sanchez: Thank you very much, Jordan. We can always adjust the wording and the language that you're seeing in the slides so, yes, I think we are in line with what you just raised.

Next in the queue I have Kavouss.

Kavouss Arasteh: Yes. I think the part dealing with the written or writing the bylaw is very delicate part. And you said that this should be in compliance with

recommendation so we should be quite careful about that. One thing that I have to also emphasize that we need into the logistic that requires for the work a number of the call or any physical meeting or need for the legal counsel and in that we should we also look into the availability of budget that we have. So and the other thing is the way that we have organized the meeting in the past was (unintelligible) so many meetings in haste and not very well established and the number of the meeting required.

So we have to look at that one so we need first of all, distinguished cochair, if you kindly rewrite the document that you want to we further discuss. And of this - all of these issues and for the logistic also includes ICANN representatives in a more realistic way with their availabilities. Frankly speaking we have spent considerable amount of money for the first Work Stream 1.

We don't have that money or there is no that money available, number of the physical interpretations, something that we should look whether there is a request for particular interpretation or not but not providing all languages if someone doesn't want to speak in that language. So we have to make something. So every effort should be made to also economize the situation. Thank you.

Leon Sanchez: Thank you very much, Kavouss. And I apologize because I have had problems with my Adobe Connect room connection so apparently my queue wasn't refreshing and I may have altered the order in the queue. And as things stand I have next in the queue Sebastien Bachollet.

Sebastien Bachollet: Thank you. No need to apologize, it's already very difficult to run those meetings and that's okay. I have few points here. But - and by your introduction you talk about Work Stream 1 and Work Stream 2. I know that

when the agenda, (unintelligible) sorry the (OIT), I don't know what this means for, but in French it's (unintelligible) and it's you were elected for a mandate of three, four, five years, and you will stay on the job for this time. It's great. I thank you for that because it's a very heavy job we are taking 1.5 year ago.

But joke aside, we need to have - we have two stream. And I understand fully that the first stream need to be taken care by the current team. I have no doubt about that. I have some reflection it's the (OIT) taking care and not specific group who will be in charge of the bylaw because there are some people with eventually some knowledge or some willing to be part of that specifically. But my point is that we need to have this group with some breath, respiration, whatever you want to call that, and to see if those such chartering organizations, the people participating want to stay on board or it's time to have new people.

And I have the impression that for the moment as we are doing two in parallel we are assuming that the same will play again. And if so thank you very much, but if not I think we need to ask the chartering organization and each participant, no each members, if they are willing to stay. And if it's not time to change few of them eventually. Thank you very much.

Leon Sanchez: Thank you very much, Sebastien. Mathieu.

Mathieu Weill: Thank you, Sebastien. I think your introduction you said there was Work Stream 1 and Work Stream 2 and indeed this is just designed for the finalization implementation of Work Stream 1 recommendations. And certainly when we come to discuss Work Stream 2 we'll have to discuss exactly how we organize work. And, yes, it is a probability that the team that was so involved and once again I think we had tremendous efforts from our

rapporteurs in Work Stream 1, might need to breathe and maybe new people might come up and take the work one step further with renewed energy.

And at the - so that's going to be discussed - when we discuss Work Stream 2. The second point you're raising was the relationship with the chartering organizations. And I think Leon went over this item quite quickly but it's certainly our intent just like the CWG did, to write to the chartering organizations to at this important point in our work, to ask for confirmation or maybe renewal of members if they find it appropriate and also to have confirmation of the role that our group is planning to play in terms of implementation. Because that's not specifically written in the charter.

It was not in the CWG Stewardship charter either. So I think there's an opportunity to use this meeting in Marrakesh to also liaise with the chartering organization on this aspect. And that would be if the group agrees one of the action items we would take out of this meeting so that they have this on the tables and can discuss it during the Marrakesh meeting or in the few weeks after Marrakesh. So thank you for raising these points, Sebastien.

Leon Sanchez: Thank you very much, Mathieu. And we have some people in the queue that are not in the Adobe Connect room and just so that everyone knows, next we have Eberhard then I will go to Chris Disspain, then I will go to Jonathan Zuck and then to Alan Greenberg. So if you don't see Eberhard and Jonathan on the queue it is not because, I mean, we're not jumping anyone, we're just trying to set the record straight. So next in the queue is Eberhard.

Eberhard Lisse: Eberhard Lisse from dot(NA) for the record. I'm not in the Adobe queue. I have heard what Alan says and what Steve says, and as you have noticed from some of my posts I find it difficult to read 385 pages, preferably as PDF, I need to study them in depth.

On the other hand, I realize we don't want to interfere with the legal team doing the actual work. But I find it very helpful if they publish often, they publish incremental and they publish to the list where the observers cannot post to. So whoever is interested can subscribe as an observer to the list, read this early and then we can if we have issues we can refer it to the cochairs and then you can take it sort of certified and vet this so that we don't interfere with 20,000 emails like we have done this time.

Leon Sanchez: Thank you very much, Eberhard. Sounds quite reasonable. Thomas, do you want to add something?

Thomas Rickert: We will do exactly that, Eberhard.

Leon Sanchez: Thank you, Thomas. So next in the queue I have Chris Disspain.

Chris Disspain: Thanks, Leon. Chris Disspain. Morning everybody. I just want to talk briefly about the implementation of Work Stream 1 and talk as a lawyer. I just got a little bell ringing in the back of my head that what I'm hearing, or at least I think I'm hearing, may lead to an issue. If you let the lawyers draft the bylaws and then you say we're not sure that this does what we want, that's going to be a problem.

The way around to do it is to make sure the lawyers understand exactly what you want and then let them draft it. And if they tell you it gives you what you want it gives you what you want. The concept of having lots of different people in this group judging whether or not what the lawyers have drafted provides you with what you want is very, very dangerous because they'll be using different reference points, different legal systems, etcetera, etcetera, different meanings of different words.

So I'd encourage you all to make sure that you - the key is to make sure the lawyers understand what you want and then let them do the drafting. Don't start word-smithing their bylaws, that just won't work. Thanks.

Leon Sanchez: Thank you very much, Chris. And I think that we couldn't agree more with you, that is precisely why we are trying to go with our lawyers to have them understand perfectly what we want them to reflect in those bylaws and then run the drafting process. So I think we're pretty much in line.

And next is Jonathan Zuck.

Jonathan Zuck: Thanks, Leon. Jonathan Zuck here for the record. And I would concur, Chris, word-smithing the work of lawyers is the best way to guarantee a good college education for their children. I see the way this is divided, one of the questions that occurred to me is the budget, for which there is in fact a bylaws portion but there's another part of the implementation as well that has to do with coordination with CWG, that has to do with the draft - the maintenance budget outline, what that would look like, etcetera. So it's more of a detailed part of the implementation but it's part of Work Stream 1 implementation we got to make sure we don't let fall on the floor.

Leon Sanchez: Thanks, Jonathan. Next on the queue is Alan Greenberg.

Alan Greenberg: Thank you very much. I think it was Jordan or somebody who made reference to the implementation group's email archive will be open. Eberhard made a comment and Thomas said yes we'll do it but I'm not quite sure what the "it" was so I'd like some clarification. Is the it saying there will be observers on this mailing list?

Thomas Rickert: The idea is that this interaction with the lawyers will follow highest principles of transparency so calls will be recorded, potentially transcribed, the mailing list is going to be archived. But what we want to avoid and this is what the lawyers have explicitly cautioned us not to do is have the lawyers interact with hundreds of people. So everyone can know what's being discussed, no problem about that, but we should channel the input to the lawyers through a few individuals. That's the idea.

Alan Greenberg: I'm requesting that you use push technology, not pull technology. I don't want to have to go to an archive to read it, I'd like to be on the mailing list and receive even if I can't send messages. Thank you.

Thomas Rickert: Let me just say that we've discussed this quite a bit when we prepared for this meeting. We want to make sure to keep the workload for all of you as low as possible. At the same time we do know that this group is very sensitive, that bylaws are not being drafted in a cave. You know, and somebody comes out Eureka, this is what we have and now you take it or leave it.

So everyone who takes an interest in this, whatever technology we deployed to make that possible should be able to get all information on what is being discussed, to flag issues and I think we need you guys to flag issues should there be any. But we have volunteered to accept the workload to do a sanity check that is not, as Chris said, to have a word-smithing contest with the lawyers. You know, they are the experts. But we can check whether the requirements established by our group make their way into the bylaws. So I hope that answers the question.

Leon Sanchez: Thank you, Thomas. Thank you, Alan. I see a question at the back of...

((Crosstalk))

Leon Sanchez: It's Mike.

Mike Chartier: Thank you. When you, just for clarification, when you say our lawyers are you talking about CCWG? Because I heard Bruce mentioned that the board also has a team. So is it going to be the case that our lawyers are going to do something and then it goes to the board's team and then Jones Day looks at it and we might get some of the dueling lawyer type things are they going to be working together? How is that going to work?

Thomas Rickert: Thanks for the question, Mike. The exact flow of information between the various teams involved is yet to be determined. There is going to be a kickoff meeting that we've accepted to hold on Monday evening. After that we will be able to shed more light on that. But this is certainly a collaborative effort between our group, our lawyers, the board and the board's lawyers. So let's be clear on that. But I think we're now trying to establish who's going to be on this implementation oversight team, to agree with this group.

And there seems to be a lot of agreement in this group that we can do as suggested by Leon. And I think that maybe by Thursday next week even when we reconvene we can give you more detailed more specific information how exactly that's going to work.

Leon Sanchez: Thank you very much Thomas. Bruce.

Bruce Tonkin: Yeah, just a quick follow-up on that on the board side. So the board has actually selected a subset of board directors to help be involved in facilitating the process particularly with respect to communication with the wider board making sure that from our perspective the bylaws reflect what's in the report.

There's no shortage of lawyers. So on the board directors team several, maybe a majority of those board directors are lawyers. I will be on that team and I can assure you I'm not a lawyer so sometimes it helps to not have lawyers there. And then we'll be using the ICANN corporate counsel, which is Jones Day, to help provide advice to the board.

And certainly our direction as the board is directing our legal counsel to work collaboratively with the CCWG lawyers. We don't want a conflict situation. We actually want a collaborative situation. So the goal of both groups is to come up with bylaws that reflect the report, that's the common goal.

Leon Sanchez: Thank you very much, Bruce. Thomas.

Thomas Rickert: Yes, and, Bruce, thanks for these helpful explanations. And let me just go on record by saying that the roles of the board and what this group has done doesn't change during the implementation. So this is still a process that needs to be community led with ICANN being the facilitator of the community exercise. And then the board certainly has its fiduciary role to exercise when it comes to by law drafting and therefore we need to make this truly a collaborative effort that maintains the spirit of the work that we've conducted over the past 15 months.

Leon Sanchez: Thank you very much, Thomas. Mathieu, do you want to add something?

Mathieu Weill: I appreciate Bruce statement and the fact that you are highlighting that we all share the same goal which is to provide a set of bylaws that adequately reflects the report and recommendations. And I just -- the question came to my mind when you were speaking about if the board already has clarity about the process towards bylaw prove all and some timelines that would be already

considered so that this can take place in a timeframe that is consistent with the IANA stewardship transition.

I think it would be extremely helpful for our group if we can have this in mind. As mentioned on the slide, we were operating under the assumption that a public comment might be needed on the bylaws and so if there is a plan, a project plan for that we really need to work on this very early on so that we ensure we have - we are all consistent with that and we respect the duty of the board to go through public comment on the bylaws and we can fit this altogether.

So it's not to be done here but certainly an area where further discussion needs to take place and transparency with the whole CCWG and the church ring organizations as well.

Bruce Tonkin: Yeah, I think that's right. I think to give a timetable with locked and it is difficult until we actually know that the chartering organizations have signed off and the board actually receives the report. But certainly, Mathieu, yeah I think by the end of the week we would aim to give some sort of timetable which we would work on, you know, with your group as well. It's really got to be a shared timetable. I don't think we can direct it, but you are correct, my feeling is that, you know, our normal process for approving bylaws is that the bylaws are available for the whole community to review before the board finally approves them.

Leon Sanchez: Thank you very much, Bruce. Thank you very much, Mathieu. And so just to recap our discussion, we will be setting up a list so that everyone can observe this process. And we have agreed to these. We have some refinements and we will be also having the IRP group plus the leadership group that would be

coordinating the efforts between the different groups. And I see Kavouss, you raised your hand.

Kavouss Arasteh: Yes. I have one small question. In the first box we are referring the bylaw or draft the bylaws. We said that asking directions, what do we mean by directions? Is it advice? It is clarifications?

((Crosstalk))

Kavouss Arasteh: From whom we ask this advice or directions?

((Crosstalk))

Kavouss Arasteh: Yeah, thank you.

Leon Sanchez: I think that asking for directions means what we were just discussing, that we need to tell our lawyers what we exactly needs to be reflected into the bylaws according to our proposals, so that is what we meant by asking for directions if need be. If the lawyers have some doubts on what they are drafting they should come of course back to the CCWG and ask for that direction, whether they are reflecting what we are actually needing to be reflected into bylaws, so that is the meaning for that. Mathieu, you want to add something?

Okay so does that answer your question, Kavouss? Okay. Anyone else? No? Okay so Mathieu.

Mathieu Weill: Just to take stock of this discussion, so the overall process set out here is going to be our direction with some refinements to the CCWG approval which will be review and ratification rather. So the initial drafting is going to be directed

to the CCWG independent counsel primarily but working in a collaborative manner with ICANN Legal.

We are going to continue with the IRP group that had been set up so far and use the current rapporteurs and cochairs as the small group overseeing the drafting for the rest of the bylaws. And both of these groups will operate under the same standards that were already set up for the IRP group, actually, which is a transparent mailing list. People can subscribe. And it's archived in everything. Okay?

And we know that what is at stake here is ensuring we have compliance between the report and the bylaws and no new issue is to be opened. And finally, we heard from Bruce that we will get some key milestones from the process that the board is drafting for the final approval obviously and that is going to certainly drive our project plan as well and that's going to be a subject of discussions in the next few days, maybe - we have a meeting on Thursday so maybe we will have more details by then but if not it doesn't matter, it can be a few days later.

So that the stock we can take from this discussion which has been very productive because I think we now have a way forward to deliver as soon as the chartering organizations have approved the Work Stream 1 recommendations. And with I think you're next...

((Crosstalk))

Mathieu Weill: Okay. The composition of IRP, I don't have it by heart but I know Becky is the lead and I think an answer is coming your way, Avri, with probably even the documentation - I think there's a wiki page on it great that there is always a wiki page on something. So we'll find it. We'll find it.

((Crosstalk))

Mathieu Weill: Becky, would you like to say a few words on the IRP group?

Becky Burr: Yes, the IRP group that we have up here includes Chris Disspain, David McAuley, David Post, Greg Shatan, Malcolm Hutty, Robin Gross, Samantha Eisner, Tijani, (Ahren), (Marion Georsla), I do know that pronounced her last name right, Avri...

((Crosstalk))

Becky Burr: Sorry, Avri. Olga Cavalli, Kavouss Arasteh, and then a variety of liaisons so it includes lawyers and non-lawyers. And Avri...

((Crosstalk))

Becky Burr: ...if you didn't know you were on it. My apologies.

Thomas Rickert: So can I ask staff to bring up the slides for the engagement session? We had skipped those earlier today. Just give me an indication, it's not handy at the moment we can do something else. Okay.

((Crosstalk))

Thomas Rickert: So what you see in the remote participation room is the slide deck that we plan to use for the engagement session, the town hall session on Monday. And again this is a slide deck meant to educate or to inform the community as such about what we've been doing. So I'm not going to deliver this presentation to you because that's all information that you're already aware of. But I would

suggest that we go through that briefly so maybe staff can just slide through those.

So that's an overview of the process and where we are. Then we talk about, you know, some statistics, composition of this group, the volume of emails exchanged. Work Stream 1, Work Stream 2. Then an overview of the proposal, you know, how it's structured with the core document and the appendices. We would speak to the CWG dependencies. And then we're going to go through the recommendations. And as expected we would speak to the changes from the third draft. So that's basically a quick run through of the recommendations and the timeline and next steps.

So, I mean, that's something we can - you can digest if you want to what is being sent to them list. But that's just to let you know that, you know, there won't be any surprises or any new facts but that's basically what we have in our report with a specific focus on the changes to the third report that's been put out for public comment. Okay, are there any questions on that or do you have any suggestions in terms of topics that might be of special or particular interest to the community?

Doesn't seem to be the case which allows us to move on with the agenda. Actually, we're ahead of time. I think this is the first time in CCWG's history that we are ahead of time. But that doesn't mean that there is a lot of work to come so can we go back to the face-to-face slide deck please? And to the - skip that - yeah.

So this is to discuss Work Stream Number 2. As you know this is a kickoff. We have requested travel support for this extra day. And we would like to thank ICANN again for making it possible for us to meet on Friday, you know, because that wasn't so easy. That took some debate because there is

enormous costs involved with that. Also it's an administrative nightmare to add a day to the ICANN meeting. So thanks so much to ICANN staff. And I'm not sure whether Nancy is in the room - Nancy, can you stand up for a moment?

So I guess we should in return evidence to ICANN and the rest of the community that this money is worth spending. And we would like to kick off the Work Stream 2 discussions.

As you know, we have a couple of topics to be discussed during Work Stream Number 2 that just to refresh your memory that's diversity, that's human rights, that's jurisdiction, SO/AC accountability, staff accountability. We have transparency. And this is going to be covered by an interim bylaw and the subject of the ombudsman. Do we have Chris LaHatte with us in the room today? Not yet so. So we will try to reach out to Chris because he has scheduled a session during this meeting to discuss the role of the ombudsman in the post-transition ICANN. And certainly that will be relevant to our Work Stream 2 discussions.

You will see here, and that's just by way of introduction, that there are certain links between the items to be discussed in Work Stream 2. And I think we need your wisdom to make sure that we organize our work in a way that avoids friction duplication, contradiction between the outcomes. Also, and we will speak to that later when staff gives a quick introduction to how ICANN has dealt with other implementation related projects. We should discuss what aspects of our work would potentially fit in nicely with the ATRT reviews, because those are related topics.

And we need to make a decision as a group whether we want to try combined efforts with work underway in ATRT. Let me be very specific that there have

been concerns in this group that if we add things to ATRT that this could be putting them on the back burner and burying them, de-prioritizing them. That is not the intention, let's be very clear amount. This is under our control. We're just trying to inform the group about synergies that could be used, volunteer resources, professional resources, staff resources - not that staff's not professional but you know what I'm saying. We might need legal advice on those efforts as well.

The we want to make the best out of the resources we have and we need to discuss whether some of the items can maybe be combined amongst themselves, maybe we can put something into the ATRT effort without giving a signal to the community that this is not going to be prioritized. And we have a wealth of ATRT expertise in this room that we would like to hear from when we organize our work.

So the projects that we need to work on our on the screen. You might, in your imagination, add time to that. So ideally what we would do is we would work on all these seven projects in parallel. Work Stream 1 implementation we must do so that the transition can take place. So this is something that is on our plates for 2016. So those two bars, if you say that beginning of 2016 is on the left and end of 2016 is on the right or end of the IANA functions contract is on the right, that's something we must do.

The question is what can, want and must we squeeze in for Work Stream 2 at the same time? Is there a topic or are there topics that you want to let go first? Do you want to work on all those topics in parallel? Do you want to work on them sequentially which I think would not be a good idea. Do we do a combination of sequential and parallel?

So I would suggest that before continuing we hear some views on that. Maybe someone has an idea. We're going to have another session in the afternoon where we're going to have like 10-15 minutes per Work Stream 2 item collecting ideas on what needs to be done. Maybe that will help this group get more clarity on how big the task far. Take jurisdiction as an example, that's so multifaceted. You can have different sub teams working on that only. And the same would go for other areas of work.

So I think we need to understand collectively what's involved with these tasks for Work Stream 2 and then be wise about how we allocate our resources, how we allocate time, how we help our lawyers plan their time in supporting us. We might not need lawyers for all of this. But when we had our call with the lawyers a couple of days back, and you can go read the transcript, they say it will add to costs if we want to do too many things at a time. Because they need to have big teams fully up to speed with what we are doing and that incurs costs.

Also, if we crunch our work and force them to work 24/7 and what have you, that will add to costs. So ideally after this week we would like to have an agreement with you where we have a strawman project plan, and we think that we can pretty much tap on what we've done with the CCWG, just thinking out loudly, but that could be first phase of work regardless of what the topic is it's create an inventory of what we have already as we did with the CCWG.

Then you would establish requirements of what should go into a report of the sub team. Then you would put the lawyers to work to help you produce a first draft. Then you would do two feedback loops to get towards a final report. Maybe you want to do a public comment period somewhere in the middle. Maybe you just want to do one at the end. Maybe the group wants to deliver one cohesive report on all Work Stream 2 aspects.

Maybe we want to throw them out as they get ready to make it easier for the community to respond to solicitation of public comments. This is all up to us to define now. But I think we would be well advised to have a strawman to say, okay, you need to come up with your inventory, with your requirements, with the first draft within let's say three months. Then were going to have a phase for lawyers to review so that we can phase out the work irrespective of when it starts in a comparable manner for all these work items and thereby help spread the workload over let's say a 12 month period of time or a 15 month period of time.

Are there any views on that? So let me just go to my Adobe and see whether there are hands raised. And in fact there are. There's a big queue forming. Olga, you're first.

Olga Cavalli: Thank you, Thomas. I have many questions that some comments. I think the different issues in Work Stream 2 are very important. The fact that a single group could follow all of them it's very improbable. We would focus on different things. So my comments would be you've made a point about having public comments for example, every now and then. So that would be important to have a vision at a plenary level, for example, if some people is focusing in diversity and jurisdiction and then not focusing so much on human rights it could be good at a point to all of us have that view of what each of the different groups are doing.

This is a comment just for my own impression. Sometimes I have seen in this process groups doing some text and then it's written in stone and nobody else can ever put it down. So that, for the GAC especially, that we have to consult in capitals and it takes some time. It's very important to have a vision at the

plenary level of the different, what each group is doing in each of the subject.
Thank you.

Thomas Rickert: Thanks Olga. Good questions and it's up for us to find answers, certainly not everyone can work on everything. So we need to form sub teams. And that goes hand-in-hand with the note that Leon sent out yesterday. It goes for the leadership team. We can't possibly work as hands-on as we did for all these topics as we move on so we need to find caretakers, people that want to take responsibility may be jointly with others on those topics.

The next in line is Sebastien.

Sebastien Bachollet: Thank you, Thomas. Yeah, first of all I think it's very important that we do that with taking into account what has already done within ICANN on those topics. That's for example jurisdiction, we have already a large amount of documents from the presidential review team to some other discussion within ICANN, then it's important to take that into account and maybe to ask that people who are participating to those discussions at that time who are still participating to the ICANN work to help with bringing to the (memory) what they have done at that moment. And maybe we can also ask the president at that time who it is in this room today to help us without specifically.

The second point is that, yes, subgroup is a must. And I hope that subgroup will be real subgroup, not the same people shooting again in the seven or six or seven or eight, whatever subgroup. We need to have here also diversity in each group and diversity in the whole area.

The third point is that we need to take into account for example what ATRT is doing and what are the current remit of them ATRT because maybe we want to change those remits to add them some possible items to do the work. For

the moment it's just 9.1, 9.2, 9.3 on the AOC, with the limits of the ATRT. And that's a question we need to take into account.

In my fourth point is that do we want to - how to outsource to another group some work. To take two examples there is already a human rights working group. Do we want to give them to work or do we want to have this group embedded within the CCWG framework?

And the second it's, as you say the ombudsman is already organizing some consultation on the what he will do in the future. It is a right way to go, it's not the CCWG to do this work. I am a little bit puzzled to have the ombudsman who is working on this, his future work definition. But nevertheless, we need to take that into account. Do we want to ask him to do the work with a group of people or do we want to take that in our responsibility and having him included in this working group and not the reverse. So that's a few comments. Thank you very much.

Thomas Rickert: Thanks very much. And I suggest we not speculate what the intentions by Chris work for this group. I think we've all been surprised to see the announcement on the list. But I guess it's excellent that he reaches out to the community to discuss maybe what community expectations are. But nonetheless this is a Work Stream 2 area of work for this group and not necessarily only for the ombudsman himself.

Next in line is Tijani.

Tijani Ben Jemaa: Thank you, Thomas. As you know, we need to finish the IRP implementation and the bylaw drafting in six months maximum so that the transition can happen. So I think that this work has the absolute priority. I am not saying that anything about the Work Stream 2 must be put aside but at any time and in

any case if we have two choose between those two - the Work Stream 2 completion has the absolute priority. Thank you. Work Stream 1, yeah.

Thomas Rickert: Understood, Tijani, thank you. Next in the line is Steve.

Steve DelBianco: Thanks, Thomas. Steve DelBianco with the CSG. In the very beginning of when you introduce the slide I believe you did mention the ATRT or Accountability and Transparency Review Team in the context of some of these Work Stream 2 measures. And I wanted to sort of take it that because I'm guessing that we need to start the next accountability and transparency review team probably a year from now, beginning of 2017.

And it looks to me like on the Work Stream 2 items, the last four look as if they address items that are pretty close to the remit of an ATRT. And that could be good, right, it could be a logical way of organizing things. And timing wise it might even be fortunate if they were able to get Work Stream 2 recommendations through the process so that they could be handed to the next ATRT or seeded into the process.

And then on regarding working methods, I realize there's been some discussion on the list after Leon circulated an email. And any normative way of what we should do to organize our work I would ask us to step back for a minute and be descriptive and remember how we did organize our work 15 months ago, November of 2014, that's when we started. And we started with a bang before there was much staff support if you recall.

And instantly we had Work Area 1, do you remember we used to call it Work Area 1, Work Area 2? We did an inventory of all the comments and quickly distilled where there was the most support for accountability measures that would improve the community. I mean, it's too far back in the archives for

anyone to remember but if you were to dig back to November of 2014 you'll see that we had already started surfacing the idea of IRP and reviewing bylaws and budget.

That work occurred without any significant discussion of working methods. And I love working methods. But we actually had a method of just doing the work. The working method was get the work done. And there was about 25 folks who volunteered. Staff supported us on a few calls but we did an awful lot of our initial document prep through emails and that is why by the middle of December 2014 we are ready compiled a seven or eight page inventory organized by area of accountability.

And I realize we've had to build on that substantially since then building upon it in terms of consensus and details. But a lot of the working methods can be - let's not debate too much about how it is we're going to get it done and spend a little bit more diving in and getting the work started. And those documents I think will suggest the working methods that could emerge.

Thomas Rickert: Thanks Steve. Kavouss.

Kavouss Arasteh: Yes, thank you Thomas. I have a few points to make if you allow me perhaps I missed the point, one, is the timeline of doing this work taking into account that the beginning there was no favorable consideration by ICANN Board with respect to this Work Stream 2 but finally they agree to some sort of compromise. So timelines.

Then estimation of the required resources. This is what I said before I want to put in particular for this Work Stream 2. Then one point that no one has referred to is membership from the chartering organization. Perhaps you ask them whether they retain the same membership where they have a different

membership, different lot, different ideas and so on and so forth. So we have to also look at that one.

And working methods, I think there are some comments about working methods so we have to review the working method. Another issue is that we have to avoid totally duplications and we have to use available information, available documents, available practices and so on so forth. And we have to also see to what extent we want to go to the things so deeply or whatever really required. So we have to minimize the number of the things that we have to do. So these are the things that have not been yet discussed and we would like to discuss in particular estimation of resources for doing this work. Thank you.

Thomas Rickert: Thanks, Kavouss. On timeline there is none at the moment. We know that we need to deliver on Work Stream 1. We know that we had in our planning that we would commence work on Work Stream 2 as soon as Work Stream 1 recommendations are ready. But we need to organize exactly that. So I guess that's a point that hopefully we get more clarity on during this week. Erika.

Erika Mann: Thank you so much, Thomas. I have few points on my list. I think it will be relevant this time that we have maybe from the very early phase a clear understanding about the budget ceiling. Because I think there are two things which will frame or three things which will frame probably Work Stream 2. So one would be the budget limitations. And we have to have and get an understanding together as early as possible about this.

The second is the timing. I think everything we do we will have to come back from the endpoint when we want to deliver Work Stream 2 results. And the third would be probably the process and how we organize it and legal limitations related to it. So my hope is that we have together that we can

identify maybe a process which will make it as easy as possible for everybody engaged to organize their own workload and whatever we have to do which is already immense in such a way that is easy as possible to follow and to influence the debate and the discussion.

And my last point coming back to the legal. What I would love us to have a little bit more systematic approach this time with regard to the topic so that in an ideal - I'm sorry, again, I have to say I'm German so I apologize for this - for the systematic ways of recommending to have a systematic approach that that we each time clearly identify the common situation, the common legal situation and that we then from there extend what we want to achieve. And so that will frame then our debate probably in a more systematic way. Thank you so much.

Thomas Rickert: Erika, it's good to see you trying to be systematic for once. Thanks. Thanks for that. Next is Eberhard.

Eberhard Lisse: Okay. Eberhard Lisse from dot(NA) for the record. I am - from my profession, a firm believer that you cannot avoid your attention when you do important things. It's also difficult to divide responsibilities but that's a separate measure. We have no time limit as far as Work Stream 2 is concerned. We need to deliver Work Stream 1 and that means the implementation. And when that's done we can - I think then we should start with Work Stream 2.

Erika - I do not agree with Erika that we should work backwards from a fixed date by when we have to deliver because the charter is clear these items can wait, we can do - I agree with her on one thing, we can do this systematic, we can do one at a time, sort it out, get it done, get it approved, put it in place. Then we can work on the next one.

I agree with Steve DelBianco, we can - but sort of the other way around, it's not that we maybe need to feed in what the ATRT says, maybe we could - would take what the ATRT team says and take this into our consideration so we don't have so much background.

The process that we have done so far suffered a lot from this events workload and from doing too many things at the same time. I have always advocated that we should do one at a time and do it right. Work Stream 2 has no limit on this. We can start with diversity, approve it, write the bylaws and then we can start with human right frameworks or - in whatever order we want. As long as - because it can wait until the position is settled.

So I would really urge strongly to get Work Stream 1 totally finished and then start on Work Stream 1 and do this - take one or two topics at the time, not more than that so that we can do them right, get them done, get them sealed and delivered and then we start until we have fixed this.

Thomas Rickert: Thanks, Eberhard. I guess that those are the questions that we as a group should try to find answers to. Are we working from a delivery date for one package of Work Stream 2 report or are we going to roll out those as individual projects?

I guess those are excellent points and I hope that she will discuss those during the coffee break so that we can then try to reach agreement on those. Next is Olga then Jordan and then Sebastien. Old hand? Okay let's - Jordan.

Jordan Carter: Thanks. Jordan here. I sort of agree and disagree with Eberhard which is as usual I guess.

Eberhard Lisse: Well that would be a first.

Jordan Carter: No, it's more common than you might think. As much as I love working with you all I won't be all that upset when the script is finished. So I don't think we should necessarily try and spin it out. I also don't think -- where there are other really clear community driven processes that are happening so like ATRT would seem possibly a natural home for transparency stuff, kind of SO/AC accountability.

I don't think that we should hesitate to take an approach that might be something like almost a submission or a set of thoughts about those topic areas being our work output as a transmission, a letter, a submission, if you like, to the ATRT bringing the CCWG's thoughts on those topics.

I don't think we should assume, in other words, that the work output in all of these threads is going to be bylaws changes or something huge and dramatic. And the only other thing I'd offer is that I don't mind if we start this stuff a bit later to allow us to complete Work Stream 1. But I don't want us to have an open-ended process. And I don't want us to be using our lawyers as inefficiently and ineffectively as we did at times in the Work Stream 1 work.

Thomas Rickert: Thanks Jordan. Sebastien.

Sebastien Bachollet: Thank you, Thomas. I agree with Jordan that not all the working group will deliver bylaw changes. It might deliver some new way of doing things and that's not embedded in the law or in bylaws but in the way we are working.

I think that some of the items, from my point of view, are more important than Work Stream 1, but Work Stream 1 was a mandatory step to go there because it was for the transition to be done and that was the time frame. But some of

the issue of Work Stream 2 are very important for the whole community and for ICANN in general. I really think that the SO and AC accountability now that we tried to fix the accountability of this organization we talk about the board and some other part but not really on each and every SO and AC. And that's a topic we need to take into account right now.

For the question of the ombudsman, also it's important because we put in the Work Stream 1 that the ombudsman will play a certain role and we need to define that I guess quite quickly. I'm not saying that we need to rush but at the same time we need to have some idea when we want to deliver. The idea to have some of those were delivered for the next ATRT team could be a good idea to take into account.

And as you know last but not least or the first here I really think that diversity must be taken into account and we need to find a way to have that done. It seems that we need to have some discussions. And if we can handle that quickly because it's important for each part of the other work to embed diversity in what we deliver. Thank you.

Thomas Rickert: Thanks very much, Sebastien. Alan.

Alan Greenberg: Thank you very much. In the real world it's sometimes useful to have competing groups working against each other to see who comes up with a better plan or better project or things like that. I'm not sure we can afford it or want it here. So things like let's do human rights and have the human rights group working in parallel with us may be self defeating.

On the other hand it's not clear that we have the right to delegate to some other group and force them to do something specifically with ATRT when it is convened the ATRT and the CCWG may want to get together and decide to

have an allocation but we're certainly not in a position to mandate to some
future ATRT that they must deliver some work products.

So as we go forward we don't want to replicate a lot I think that we have to be
very careful in making sure how we do any subdivision if indeed we do it.
Thank you.

Thomas Rickert: Thanks very much.

Alan Greenberg: And I support doing it but we have to do it carefully.

Thomas Rickert: Thank you. Roelof.

Roelof Meijer: Thanks, Thomas. I think it's crucial that we finish the work on Work Stream 1
first before we start working on Work Stream 2. And then I kind of agree with
Eberhard that there is no real time pressure. And I think we all would agree
that some of our work in the first phase suffered sometimes from time
constraints.

So I would say that we should divide this work in subgroups but have no more
than two or maximum three subgroups working at the same time and set a
deadline just for internal purposes because we also know that as soon as we
move the deadline forward we used all the time we created for ourselves. And
this will also happen if we don't set a deadline or set deadlines very far away
from us.

So I think before a subgroups start we should agree on when it delivers its
work just to make sure that we don't consume too much time. But on the other
hand I don't think it would be good if we have all the subgroups working on

all the teams at the same time, that's just putting a lot of pressure on ourselves and it's not necessary and it will have negative influence on the quality.

Thomas Rickert: Thanks very much, Roelof. So the queue is clear.

((Crosstalk))

Thomas Rickert: Jan.

Eberhard Lisse: Sorry, I said he must stop agreeing with me.

Jan Scholte: Yeah, Jan Scholte. Sorry, I'm having...

((Crosstalk))

Jan Scholte: ...Adobe list. But no I'm just reminding it's not necessarily to say this is right but I'm just reminding that an earlier status of these people said there should be a 12-month limit on Work Stream 2 in order to make sure that the issues were addressed and that they were given the seriousness and not strung out and let go on for ages and ages because they had an urgency to them that they need to be addressed with the same kind of priority as some of the Work Stream 1 issues. Not saying that we have to - that we can't change that position but I think that was the agreement at an earlier time.

The other - and this is not special pleading in my own direction but I'm not necessarily signing up for this but I think a number of these Work Stream 2 issues are ones where some advice from people with experience from other settings could be helpful. So, for example, on the human rights framework, there's been a lot of work on incorporating human rights into other global government frameworks and there's no need for this group to invent things

that other people have spent years already developing in other settings. So I think on things like human rights, transparency, SO/AC accountability. There's a lot of expertise outside there that could be helpful here. Thanks.

Thomas Rickert: Thanks very much, Jan Aarte. That's very helpful. We are still ahead of time and I think the ideas that some of you have shared with the group are great. What we suggest doing is break for coffee now, do a 30-minute coffee break instead of 15 minutes, and ask all of you to discuss these questions so that we can come to an agreement in this group on some basic questions such as do we want a joint delivery date for all the Work Area 2 items?

Are we going to work sequentially? Are we going to work in parallel on some of these items? Eberhard, your hand is up.

Eberhard Lisse: Can we have a two hour coffee break and then report back to chair?

Mathieu Weill: I second the proposition.

Thomas Rickert: So please also discuss whether you want count backwards from a delivery date, whether we are going to start working on Work Stream 2 items now in parallel with the implementation of Work Stream 2 or as suggested by Roelof, pause starting working on Work Stream 2 until we have finished Work Stream 1. These are fundamental things that we should try to get an agreement on as a group. And before we break for lunch there's - for coffee - there's breaking news. Some of you have read it in the chat already. ASO has sent its approval letter so let's give them a round of applause.

And we will reconvene at 1030 for the remote participants. Thank you for being with us. And talk to you soon again.

So thanks, everyone, for taking your seats. And this thanks is limited to those who took their seats. Can we get the recording started again please?

Coordinator: The recordings have been started.

Thomas Rickert: So actually I'm - I'm Leon Sanchez for the transcript now, which is good, so I can say nasty things.

((Crosstalk))

Thomas Rickert: Okay so we would like to reconvene our discussion on how to conduct our Work Stream 2 work. We had started our discussion on this before the coffee break and we got some very good questions and suggestions from you. Ideally we would like to take stock and get answers out of this group that we can record on how we're going to go about with Work Stream 2.

Nonetheless we think that we should offer more information to this group on how we could use other working methods that have been deployed in the ICANN community previously on ATRT, on design teams by the CWG. So why reinvent the wheel if we have things that we can build on.

And in order to give us some insight on what can be found in terms of working approaches in the ICANN world, we have invited three ladies to the table whom all of you know. It's Larisa, Margie and Glen.

((Crosstalk))

Thomas Rickert: Karen. Karen. And we would - I think that Larisa, you will go first won't you? And Grace has also joined so we're going to hear from them. And after that

we're going to discuss and see how much of their insights we can incorporate into our thinking. So over to you.

Larisa Gurnick: Good morning, everybody. I'm Larisa Gurnick, Director of Strategic Initiatives, or Multistakeholder Strategy and Strategic Initiatives Department working with Theresa and Margie and others.

My involvement and the reason that I'm excited to be talking to all of you today has started - had started with ATRT 2 so I was one of the staff facilitators for that process. And since then I've done several other review-related activities specifically the GNSO review and kicking off the At Large review. So my frame of reference comes from both AOC reviews as well as organizational reviews.

So I thought that we would start by sharing some lessons learned information that we've observed through the review process, ATRT 2 and the various other reviews, areas that might be useful for all of you to consider as it you're tackling these topics.

So to start, the topics that are outlined in Work Stream 2 are really the essence of continuous improvement in accountability and transparency. And from our view that work does not have an end point so it's continuous improvement because we're always striving to get better. And that in itself is not the project, it's a mission if you will.

Having said that, how we do that really contains discrete projects such as implementation work from ATRT 2 and various other projects that tend to have a direct scope, a start, a middle and a finish so that's an important consideration that while improvements are ongoing the way we get there is

through discrete projects and tasks that end. And then it's important to evaluate to what extent that work has been effective.

So additionally, as we learn from ATRT 2 and other reviews, it would be very helpful to have a shared understanding between the board, community and staff of what exactly the desired outcome should be and how to measure whether that outcome is being accomplished.

A good example of how that's being implemented as a process improvement as we speak is in the work of the GNSO Review Working Party, who went through a very extensive process of analyzing recommendations, prioritizing them, considering feasibility and has generously committed to volunteer their time to work with staff to define what a successful outcome would be or at least how we should think about what the successful outcome will be before the implementation process gets kicked off.

I also think it's helpful to consider what constitutes a useful recommendation. And there are certain parameters that we look at as a measure of a recommendation that can proceed successfully through the process. Clarity being at the top of the list. Is it clear from everyone's perspective what the intention of the recommendation or the initiative is?

Another attribute is prioritization. As I mentioned the GNSO Review Working Party is applying back as we speak. And that's really useful to understand in order of priorities what is more important than other things given that resources are limited.

Actionable, is the recommendation something that can be acted upon where project plans and timelines and action items and deliverables can be decked against the recommendation. As well as measurable because another

important lesson learned certainly is that in order for improvements and implementation work to have the buy-in from everybody that pitches in to do the work, there has to be some direct and clear outcomes that can be quantified and communicated to the community. In order for that to take place the recommendation itself has to be measurable. There has to be a way to measure whether it's being successful or not down the line.

And of course another attribute of a successful recommendation is one that considers resources. And by resources I certainly mean hard dollars required to implement as well as volunteer time as well as staff time so I'll resources combined. So that -- I would say that highlights the important lessons learned. As we look at the future of this work a couple of questions came to mind that I'd like to share with you and see if perhaps these questions would be something that would be helpful for you to consider.

One is how should a shared understanding of what constitutes a successful outcome be reached. So thoughts and ideas on how to frame that would be very helpful. And another one is what framework or tools would be useful for framing the desired outcomes? How should the various teams including Work Stream 2 look at that and define what constitutes a successful outcome so that can be measured and can be implemented.

So I know that you have discussion before the break about how all this relates to various other work and specifically ATRT 3 so I think it may be helpful to bring up on the screen the next slide please. So this is a picture that you probably have seen and will see a great deal of throughout this meeting. It's a bit of a busy slide but what you see kind of in the middle of it is ATRT 3 which is scheduled to kick off in January of 2017. And of course everything else that you see on to slide, the blue is the AOC mandated reviews and the orange is the organizational reviews that are mandated by the bylaws.

And this is the current schedule so it's a busy schedule indeed on top of the GNSO, the second GNSO review still wrapping up, CCT having just started and At Large review about to get kicked off in April.

So with this in mind the process would be that ATRT 3 would get kicked off in January 2017 and it would start with a call for volunteers, similar process that transpired for CCT just recently. So there would be an outreach, a broad outreach to get people interested in participating in the review, collected the applications and go through the process of selecting the review team which generally takes 3 to 4 months until the review team has been appointed. And then the review team spends time on planning out their work and that generally takes a month or two. And then the work begins.

We've been using the framework of a 12 month review process as a starting point so the review from the time they get kicked off, from the time that the review team is assembled actually, generally would last for a period of 12 months. When the review is finished final report and recommendations are issued.

And according to the AOC mandated as it stands currently the board has up to six months to take action on the recommendations, which also means that after the final recommendations are published there is also a public comment period that goes out for the community to offer another opportunity - another opportunity to provide feedback on the final recommendations. And this is in addition to at least one or two other rounds of community feedback through public comments and various other interactions at the review team would normally have with the community throughout the review process.

Once the board takes action on the recommendations then the implementation work begins. And one of the process improvements that we've been discussing for the past year or so is to have some continuity from the review team, several members of the review team to participate with staff and board in the framing of the implementation work, the projects for implementation, to ensure clarity, to ensure the shared understanding and to help get started with the implementation such that it takes care of the intent of the recommendations.

So I will pause at this point I let my colleagues at whatever I may have missed.

Margie Milam: Hello. This is Margie Milam. I'm Senior Director in the department with Larisa. I'm responsible for the AOC reviews generally and in particular I'm leading off the CCT review right now.

One of the things you might want to think about, as we look at what's going on with the CCT review is that there was a lot of preparation work that went in before the CCT review team actually kicked off. And for the last two years or so, as many of you have been involved, there was a concerted community effort in identifying what issues they wanted to be addressed in the review team so that there would be sufficient metrics and data that would support the review team effort.

So even though we've just kicked off the process, you know, we've convened the review team for the very first time, you know, they had their face to face meeting in February, they're starting their work with a tremendous amount of data and information and issues to address and that's something that was, you know, came from the community.

And as we think about what you can do in terms of some of the issues that are crossed over between what you're looking at and what could be looked at in ATRT 3 you might think about that as helping feed into the preparation process for the ATRT 3. And so I just thought that would be something for you to think about.

And also Karen, on my right, is going to be responsible for the SSR 2 review team. And so, Karen, I don't know if you share some of the preparation you're doing for that.

Karen Mulberry: Good morning. Karen Mulberry. I'm a Director of Strategic Initiatives. And one of my key responsibilities right now is kind of doing the preparation for the SSR 2 review, looking at what has happened in the first SSR review, the recommendations where we stand with implementation, and then using that as kind of a guide for how I, you know, want to frame what needs to happen in terms of preplanning for the - in essence my timeline.

We're going to announce a call for volunteers in June. And what does that mean. And then from there hopefully all of you will consider volunteering and then tying into some of the work that the CCWG has done on security and stability of the DNS into the work of that review team.

Thomas Rickert: Thank you so much. Any clarifying questions on their presentation? So we have a queue forming. Erika, is that an old hand or a new hand? Old hand. No worries. Roelof, that was an old hand too, right? Sebastien.

Sebastien Bachollet: That's a new hand. Even if I have old. It's a clarifying question or - in the work of the CWG we talk about those reviews and we discuss about some new framework or new timeline for those reviews. Does it change something in this presentation if we take them into account for the future? Thank you.

Thomas Rickert: Larisa.

Larisa Gurnick: So the scheduling that you see - the slide - is based on the current mandate. As you may recall in last year there was a board action and a resolution in July that in response to community's concern about bandwidth and a very busy schedule, some of the reviews had been pushed out. So what you see here is the schedule as it's currently mandated by the AOC as well as by the organizational reviews certainly with the recognition that as the work of CCWG continues that may have an impact on the schedule. But at the current moment based on the current mandates this is the schedule that we're looking at. Does that address your question, Sebastien?

Sebastien Bachollet: I guess it will be interesting to take into account the inputs of the CCWG and to see what change will it bring to the schedule because I guess we talk about not doing it each three years but each five years, and we talk about who will be selecting and when it will be done. Then there is some ongoing work even if we are not yet with the new bylaws we need to take that into account, at least to show what will be the difference between the current situation with hoping future one because it depend of the vote of SO and AC during this meeting. But if we take as it will be done how it will be done? Thank you.

Thomas Rickert: Thanks very much, Sebastien. Kavouss.

Kavouss Arasteh: Yes, thank you very much, for the presentation. I agree in many areas of what you said, for instance, improvement. We can improve forever. In one, some years ago one top level world economic says that I am development country. When you ask if you are development, yes, because every day I developed. So that's that. You cannot exclude me from developing country. It was one of the most developed country (unintelligible).

Improvement, enhance and all of these things is continued thing. One thing as I said, I once again repeated here, we should avoid any duplications. That is one of the important issues. And second, we should look at the resources. We don't have unlimited resources. Resources are very limited. (Unintelligible) to say that ICANN was very generous. ICANN board putting so much energy and so much money on the first work stream. It may not be available for the second one so there is a limitations.

But third and most important is that there are ongoing activities that they will go and they will improve the situation. We do not need to repeat that. However, if at Work Stream 2 we find that there are area need more let us say improvement or something that missing or some shortcoming, and if we are able to identify and after listening to the reasoning given that still it is a short come then we have to put the finger on that. Otherwise, we should avoid anything is - as a ongoing activities and so on so we should concentrate on those things. We are not in the ongoing activities. Thank you.

Thomas Rickert: Thanks very much, Kavouss. I guess I'd like to highlight two points that you made: avoid duplication and be careful of resources. And I think that's something we need to take to heart when discussing how we move on. Steve.

Steve DelBianco: Thanks. Steve DelBianco. Sebastien asked about the impact of the bylaws changes we would make per Recommendation 9. Recommendation 9 regards the Affirmation of Commitments reviews. And I think Sebastien gets to a key distinction. If in fact those by laws for AOC are nearly done, I think the lawyers did them first, we could have those bubble up through our process of CCWG review long before SSR begins in June potentially.

We did call for four major areas where the AOC reviews were changed. The first, as Sebastien indicated, is a five-year interval instead of a three. Right? And that may - I know the board has already delayed by one year but it may make it possible that if those bylaws are taken into account or respected by that there could be a delay of as much a year on something like an SSR 2. And if in fact that would benefit the community overload and volunteer burnout as well as staff burnout, let me be sensitive to that, then we could consider that.

So this is a parallel track. And let's be flexible about where we are in those bylaws because if they're ready they would give you the opportunity to delay one review or two review for as much as a year. The second is the review teams are opened up to accommodate more from each AC and SO so up to two 21, not a fixed number of 21, but up to 21. That's a small increase from where we ended up on the current - I think you were at 17.

Another is document access. We've written an entire paragraph of how each AOC team, particularly ATRT, would have access to internal ICANN documents that it can use in doing its ATRT work without publishing the actual documents outside of the review team. And then finally there's some new parameters, ATRT, we've added two or three small areas in which their scope is different from what the Affirmation in 2009 was.

So you're all aware of that, right, what the changes are. It's real easy to see if Recommendation 9 I can focus you on that. And as you're doing your scheduling it's so key to understand where we are because if we're close to having those bylaws ready to go and they could be adopted at about the same time you're about to start, it's great if you can start early but you may have the opportunity to delay for up to a year.

Thomas Rickert: Thanks Steve. Olivier.

Olivier Crépin-LeBlond: Thanks. Olivier Crépin-LeBlond speaking. In the previous cycle of reviews, SSR and Whois took place before ATRT 2. And that enabled ATRT 2 to review the implementation effectiveness of the previous two reviews. Now that they're working together or concurrently, does this mean that ATRT 3 will not be reviewing the implementation of SSR 2 and Whois 2?

Steve DelBianco: Thomas, I could answer that. One of the changes in the AOC..

((Crosstalk))

Steve DelBianco: ...is that each team, Olivier, reviews the implementation of its prior team's recommendations. Instead of saddling one team, the ATRT, to do all of the four threads, we have made that change in Recommendation 9. So if that's approved this week, as we hope it will be, then each team will look at the prior review as opposed to jamming it all on ATRT.

Olivier Crépin-LeBlond: Yeah, I'm not saying it's a bad thing, by the way, because ATRT 2 was overstretched in what it had to do.

Thomas Rickert: Thanks, Olivier. I think we should, you know, it's an interesting discussion but we shouldn't go back too much in history to see what happened during the previous reviews. But I guess the question for us now is whether our group would like to link our work to the upcoming ATRT effort. As previously stated there had been some concerns that referring work on some of the Work Stream 2 items would be putting - would mean to put important items on the back burner which certainly we don't want to do.

Yet we need to ensure that we don't duplicate efforts and that we're sensitive to spending resources and volunteer time. So can we hear some views what

you think about, you know, linking our efforts to ATRT 3 efforts. Is that something that this group would be open to or are there concerns with it? I see Eberhard's hand is up. Kavouss, you wanted to speak too. Olivier, I think that's an old hand, right? So let's hear some views and then try to take stock. Eberhard.

Eberhard Lisse: My question is - and I don't have a concern really. Do we wait for ATRT to finish or do we work - do our work, give it to the ATRT or which way? My view is we should basically finish Work Stream 1 and then choose one or two items that we can do and get them - see them to the end. So if we know that ATRT time is going to take some time we can say, look, we can just agree on waiting for what they come up with and then discuss it and make our own decision. If they - it will take time for them then we can put our - given them our baseline as a base to work from. But in the end we have to make the decision for our group, not the ATRT team can make a decision.

Thomas Rickert: I guess that's an excellent point, Eberhard. And I guess that's exactly what we need to get clarity on. And I hope that we get this clarity as a group on how we want to go about whether do we want to feed and inform the work of the ATRT, which is only going to start in a couple months time? Or are we going to let them do their thing, analyze the outcome and see what needs to be added? So there are multi ways of potentially approaching this. Eberhard, you have a follow up?

Eberhard Lisse: Or both.

Thomas Rickert: Or both. That's for us to decide. Kavouss, please.

Kavouss Arasteh: Yes. In my view, we don't need to feed ATRT. We should refer to the ATRT. It is a mechanism. It has started to work. It's good mechanism. The

(unintelligible) start should we identify any shortcoming, we have to highlight that shortcoming. But we should not be a group feeding ATRT. We should not be a subgroup of ATRT or a bus of the ATRT. ATRT is ATRT. The only thing we identify whether there is any shortcoming and we have to refer to that one. Thank you.

Thomas Rickert: Thanks, Kavouss. Maybe feeding sounds like spoon feeding or a little bit too negative. What I meant just by way of clarification is that our group could establish requirements for improvements in the respective areas that should be taken into account and further worked on by the ATRT. Alan is next.

Alan Greenberg: Thank you. ATRT 3 is going to start roughly 10 months from now or 22 months from now depending on - or somewhere in between depending on which schedule we adhere to. If that group was convened and we could be talking to them I think it would be easy to decide whether something gets transferred to them or not. To transfer to a group that's not going to exist for a year that may have things on their schedule which are higher priority, I mean, ATRTs face and - I won't say infinite but a large list of things that they can work on and have to pick and choose.

They may or may not have the focus and desire to work on the specific item that is on our list. So I don't think we can simply say we will transfer to them whenever they get around to it. If our timing is such that it is still on our table when they're coming closer to being formed we can make a decision at that time. To make the decision today I think makes no sense whatsoever. Thank you.

Thomas Rickert: Thanks very much, Alan. Avri, so we see that folks are queuing that have some experience in ATRT, that's very good, right? Avri, please.

Avri Doria: Thank you. Avri speaking. I have concern about trying to mix the work of ATRT 3 with the work that is necessary for Work Stream 2. Largely because the ATRT is an evaluation group. It's looking at the report from ATRT 2. It's looking at how the changes have been accepted, how they've been implemented. It's then doing a certain amount of review on the current state of accountability and transparency and making recommendations.

That's an essentially different work basket than Work Stream 2's work basket of we need to do - create these things, we need to create those. So while there may be some interaction between them I actually see them as doing very different tasks. One is reviewing whereas one is creating new structures, new requirements, new things to be reviewed in the future. So I'd be very careful about moving the work out of Work Stream 2 and putting it on the next ATRT. Thanks.

Thomas Rickert: Thanks very much, Avri. Sebastien. And I would like to close the queue on this very question after Kavouss.

Sebastien Bachollet: Thank you, Thomas. Sebastien Bachollet. Yeah, my consideration was how we can have work done that can be useful for the ATRT 3, not to much that we will ask them to do something but they can - if they will have the output of our working group ready to be taken into account. It's why I think it could take us to some agenda or schedule to take this work done prior or in priority or taking into account the fact that ATRT 3 will be at the beginning of next year. Thank you.

Thomas Rickert: Thanks very much, Sebastien. Cheryl.

Cheryl Langdon-Orr: Thank you. Cheryl Langdon-Orr for the transcript record. Perhaps it's a perspective of someone who served in ATRT 1 and only had a watching brief

in ATRT 2 but I think very much as Margie outlined, the valuable and contributory groundwork that was being done over the last several years for the consumer trust and choice review team.

Whilst at no point did we say thou shalt, review team, take this and do whatever with it; it was obvious by any sort of reasonable project management that it would be valuable to have this available well in advance of that review team starting. And I think that's exactly what we could look towards doing in this circumstance.

So whilst it is not being prescriptive or oversight or defining what the ATRT 3 will do, and I'll remind you ATRT 1 did have very specific questions that it had to from the get to go, look at and review, not go back and look at what previous reviews had done, so we do have two distinct ways of managing even that specific project. So I think there is opportunity for us to have some preparatory activity which will be of great value for ATRT 3. And I don't think we should lose that opportunity.

Thomas Rickert: Thanks very much, Cheryl. Larisa.

Larisa Gurnick: Sorry, I couldn't hear you. As far as ATRT 3 and for that matter any of the second cycle of the reviews would have been different certainly for ATRT 1, as Cheryl indicated, but all the other second cycles generally start with an assessment of prior review teams' recommendations to see how those recommendations have been implemented and to what extent the outcome was effective. And it's looking at the current state at that time based on whatever else may have occurred of significance in the environment.

So for ATRT 3, as an example, it would be looking at ATRT 2 recommendations and looking at the accountability and transparency

landscape, and how it has changed since ATRT 2. Pretty clear how significant this effort is to that consideration. So that is a part of the standard process.

And as a matter of fact, one of the suggestions from ATRT 2, one of the recommendations, to make a future (ASU) reviews more effective was focused on how to get that analysis more timely, more measured, more indicative of progress and constraints and challenges encountered in the implementation to really help the effort of the next ATRT team with their starting point. So I just wanted to flag that as well. Thank you.

Thomas Rickert: Thanks very much, Larisa. Kavouss.

Kavouss Arasteh: Yes, perhaps it is difficult to agree with those colleagues mentioning that ATRT 3 is just (unintelligible) with ATRT 2. No, ATRT is for accountability and transparency. It is not only limited to checking the previous one. To look into the accountability and transparency. I don't think that CCWG is here to create a job for itself parallel in what is going on already so we have to indicate if there is any shortcomings indicate that and that should be implemented in a way that we do not. We should concentrate on something for which there is no mechanism available. Thank you.

Thomas Rickert: Thanks very much, Kavouss. And now it's the time for us to try to take stock on this very question, you know, what linkages could be with the ATRT effort that's coming up. And Mathieu has volunteered to take a first shot at that.

Mathieu Weill: So my understanding of the conversation and arguments is that, and it's going to be a surprise. ATRT 3 - ATRT 3 has not started. And there will be a point in time where it will start. So far I think everyone is in line. And until then let's not make assumptions about the future exercise, let's however be aware that will take place. And we can advance our work as we see fit. And keep in

mind that as soon as ATRT 3 is convened there would be a very important liaison to establish and coordination to establish to avoid any duplication of efforts.

And to optimize resource management including volunteer time, and I'm stressing the volunteer time as what I think is a very scarce resource. And I have no doubt that whatever we will produce until then as a group will be useful -- used by ATRT 3. And the other way around if that comes to mind. But certainly it would be premature to assume that ATRT 3 is going to take a specific part of Work Stream 2 or anything else. But we need to be aware of this precise point in time where we will have to liaise with ATRT 3 to synchronize. That would be my take away from this conversation, Thomas.

Thomas Rickert: Thank you very much, Mathieu. Let's see whether there are any objections to this proposed way forward. I see Jonathan Zuck's hand is up so, Jonathan.

Jonathan Zuck: And I don't have an objection to that way forward per s. Just a general observation that just as many now regret the notion of a round when it comes to new gTLDs, I believe this group will come to regret the incredible solidification of Work Stream 2 because I think initially it was regarded as something that was going to be more abstract and take place almost indefinitely, and it's about identifying what the mechanisms for ongoing reform are going to be.

And I think that ATRT is one of those mechanisms and that the degree to which it can begin to play that role as an ongoing reformer of the organization is a good one and it shouldn't be thought of as casting, you know, things over the transom for them to consider etcetera. At some point they will have a distinct role in the ongoing reform of the organization and that's in large measure what Work Stream 2 is really about. And so I think it is appropriate

for them to have domains of decisional quality of recommendations that will be made that would otherwise be made by this group that was always meant to be temporary.

Thomas Rickert: Thanks Ray much, Jonathan. Kavouss, you have raised your hand.

Kavouss Arasteh: Yes, I agree with Mathieu provided that we put some qualifier to what he said. Should CCWG during the Work Stream 2 identify any area in which the ATRT activities must be emphasized on particular issues for improvement they will take that and put in a conditional way that not a normal way that we always try to do or take up actually in parallel what they do. Should we find anything we will take that and bring it to their attention. That is what I understand as coordination but not doing the same job and saying that this is what we do, please see whether it is okay or not. Thank you.

Thomas Rickert: Thanks, Kavouss. I guess that's common understanding on your remarks so that's a good clarification. Any other concerns? there doesn't seem to be the case so it looks like we have a way forward on how our group and the ATRT work is going to be interlinked or, you know, related.

And at that point, you know, you're certainly welcome to stay here for the rest of the session. It can stay at the table if you want to but let me just use the opportunity to thank you and let's give them a round of applause.

Great. But we would like to do now is actually get back to the questions that we started discussing earlier and try to structure them a little bit and go through them one by one so that we can get some basic pillars of our work confirmed by this group. Can I ask staff to bring up the questions that we've collected during the coffee break? Or would you rather?

((Crosstalk))

Thomas Rickert: It's of no consequence. We can, you know, we've already answered one and that is the linkage to ATRT. The first question that I would like to ask is whether we should only start the work on Work Stream 2 after Work Stream 1 implementation has been finalized. That was a suggestion that's been brought up. So can we hear some views on that?

It is my impression that some of you have favored starting with Work Stream 2 work more or less instantly so that we get on the record making progress on these important items. We've always mentioned that we would not de-prioritize Work Stream 2 items. So are there any views on that? Sebastien has raised his hand. Sebastien.

Sebastien Bachollet: Yes, thank you Thomas. I think the way you present the Work Stream 2 one workload is decreasing the lot for a lot of us not for all of us but for a lot of us. And maybe this time can be allocated to start the Work Stream 2 now. And it's - I guess it's important that - to repeat what (unintelligible) say earlier in this meeting that we commit to do something in one year period. I guess it will be maybe extended.

But it's - the second - the Work Stream 2 is part of the transition. Even if we don't need it for the decision of the US government, we need it for ICANN. And yes, I think that we need to start as soon as possible but not rushing but doing it quietly, ordinarily but doing it now. Thank you.

Thomas Rickert: Okay, we haven't yet asked the question on how we're going to structure the Work Stream 2 work. This was only a question on shall we wait until Work Stream 1 implementation is over? I hear a signal from you that you would not like us to wait until Work Stream 1 implementation is over. Maybe we're

going to hear a queue to argue to agree. So let me ask the question, is there - are there any objections to initiating the work on Work Stream 2 before Work Stream 1 implementation is finalized?

So Eberhard, that's an objection or do you want to speak? So then we have to go through the queue. Kavouss is next.

Kavouss Arasteh: Not objections but we should not start Work Stream 2 except areas that the - extreme or major commitment in Work Stream 1 for instance starting with the human rights. This is one of the very, very delicate issue that we have hours and days and months of discussions and perhaps. But not the whole thing, we have to make a pause between many areas but some of things have no objection to start. It is better to wait a little bit up to mid April but not immediately from this time. But if you want to start we have to start on something which have a extreme commitment and that was the human right, number one, and jurisdiction number two. Thank you.

Thomas Rickert: Thanks, Kavouss. Just to be clear, this is a very binary question. Shall we wait until Work Stream 1 implementation is over? And only then start Work Stream 2? We're not discussing what to prioritize, how to prioritize, whether we're going to work in parallel or sequentially. So this is quite a binary question. So let's try to get that - I'll put you in the queue. Andrew - Steve is next. Andrew. Eberhard. Okay so.

Steve DelBianco: Thank you. Steve DelBianco, CSG. Thomas, to answer your question I think it's a function of what the community members most concerned with those topics feel is necessary to move the ball down the field on those issues. I' just want to remind everyone that Work Stream 1 and 2 in our charter, were described as things that would happen prior to and after the transition.

And 14 months ago we as the CCWG adopted a rationale that said Work Stream 1 items are those for which we needed the leverage of the transition to get the corporation and board to agree to rather dramatic improvements in accountability for the community. And anything else that didn't need that leverage could be deferred to Work Stream 2.

That rationale has served us well so far because we've discovered certain issues that the board and legal team were uncomfortable with and we've been able to work that out in Work Stream 1 while the leverage is still there. However, there were other items that got bumped to Work Stream 2 in the process of discussing.

For instance, we would talk about transparency, human rights and jurisdiction and suggested that those weren't items that needed the leverage of the transition to extract concessions from the cooperation and its legal team. Instead, they were items that the community needs to work on as a whole. So if the members of the community who reluctantly agreed to move certain transparency, human rights and jurisdiction, into Work Stream 2, if those people are in the room today this is an opportunity for them to say no, no they are satisfied with waiting until Work Stream 1 is over or do they wish to have a parallel process to begin a discussion of say, human rights, while it is something that is pressing for them and that they want to begin right away.

So, Thomas, honestly, it's really up to the CCWG community members to indicate whether they think they can wait on something that's pressing for them or not. But I think we've solved our dilemma over leverage between Work Stream 1 and 2. We have the things that we needed to get into Work Stream 1 are already there.

Thomas Rickert: And obviously there is a huge interest to speak to that I guess from those that are interested in the subject areas. I wouldn't have expected that to be such a discussion whether we start now or later. But let's hear the - let's hear the views, that's what we're here for. Next in the line is Andrew.

Andrew Sullivan: Thanks. Andrew Sullivan. I'm - this is really a clarifying question because the fact is I don't know how to answer your question because it seems to me that the Work Stream 1 stuff is on the critical path. Like either that stuff gets done or the transition doesn't happen and we've got this limited window.

So what I'm trying to understand is how you do this in parallel and keep enough energy to actually get Work Stream 1 done on time? So I don't - I, I mean, am most concerned - I think maybe people have figured out by now that I am most concerned about getting the transition done on time and that is really the question that I'd like answered. How do we ensure that that energy is kept there so that the things happen so that we get things completed?

And if you have an idea about that, because I haven't figured it out from the conversation so far today, that would help me sort of say oh yeah, then do this in parallel or whatever. But I want to make sure that the necessary things happen. Thanks.

Thomas Rickert: Sure. Andrew, let me try and answer. Getting Work Stream 1 implemented so that the transition can take place, according to our charter, is our highest priority. At the same time, we said that we need to sequence our work in order to accommodate Work Stream 1 and make the transition happen. But that doesn't mean that topics that we've now put on the list for Work Stream 2 are of less importance. And therefore it's a question that we want to raise with the group whether the group thinks it can find resources to work on those items in parallel.

So if there is - as Steve said, if those that are interested in Work Stream 2 items can be a different set of people, we need to do new calls for volunteers for these exercises. So if our CCWG as the coordinating body, if you wish, thinks that we can pull off taking on extra work before the implementation of Work Stream 1 is over then we wouldn't want to stand in the way. But we think that our group needs to take this decision. Do you have a follow up?

Andrew Sullivan: Yeah, it's really maybe I wasn't - probably I wasn't clear enough because that's usually the case. I guess what I'm trying to say is how do you make sure that if the energy moves to Work Stream 2 items, which are, you know, there's all kinds of sexy fun things there where as like implementation is kind of dull, right.

And so the - what I'm worried about is that people get interested in hot things that allow them to, you know, have a lot of conversations about complicated problems like human rights whereas we don't just, you know, do the hard slogging thing of making sure the other stuff happens.

And I'm trying to understand how this group ensures that the energy doesn't all get sucked out from the implementation thing which could be fatal for the - for what I regard as the main goal. That was really the force that I'm trying to ask.

Thomas Rickert: Certainly. I can't speak to the effect that hot things coming by might have on people in this team. But certainly there is a strong cochair commitment that Work Stream 1 and Work Stream 1 implementation is the highest priority. So we will do what we have to do in order to navigate the group's energy towards delivering on that task. That's priority number one.

So - and next in line is Eberhard.

Eberhard Lisse: Eberhard Lisse, dotNA. So now I find myself in the strange position of supporting implementation. I have a - I think your question is not binary. It's not whether we must wait until implementation, it's that we must wait until the work that we need to do for implementation is done. When - whatever happens, how the (ballots) are then run through whatever administrative things with the attorney general of the state where they must be filed or something is not something that - I think we should concentrate on the important things while they're important, get it done, get it done right and then move onto the next thing.

Since I'm the proposer of this initially that's what I'm saying. We don't have to wait until it's implemented. We have to wait until - I think we have to wait until the work is done or the majority of the work is done and we are happy okay that is just - we are just sorting all the casualties.

Thomas Rickert: Thanks, Eberhard. The way I asked the question, the answer would be binary. You're coming up with a different suggestion and that is make it dependent on the work. And I'm not opposing to that. But I wanted to get the question of, you know, are we by all means waiting until Work Stream 1 implementation is over off the table. I guess that the group's preference in the group not to wait until implementation is entirely over. And then we need to talk about the variations. And one of that could be the suggestion that you just made.

Next in line is Roelof.

Roelof Meijer: Thank you, Thomas. Well first of all it's refreshing to hear somebody from the legal profession say that this is a binary question. I thought that only engineers like me thought life was so simple. And Eberhard, however can we

continue to disagree with you if you say sensible things like we should focus - we should focus on the important matters.

Eberhard Lisse: I will think about that.

Roelof Meijer: But that said, I am not in favor of doing two things at the same time here. I think we will have our hands full with the implementation. I think we will have our hands full also in our other ICANN-related jobs with the transition. And I think it's far better to wait until the transition is over before we start working on Work Stream 2.

Also because I think it's quite thinkable that in the transition there will be some effects that will influence our work on Work Stream 2. Maybe even reduce the work that we have to do in Work Stream 2.

Thomas Rickert: Thanks very much, Roelof. This is actually a quite interesting debate and to see how it evolves is fascinating. Next in line is Jan.

Jan Aarte Scholte: Yeah, hi. Jan Scholte. I guess when one starts is open. The bigger question I think for many people on the Work Stream 2 side of things is that it is not something that goes on for a long time, that it's something that's treated as urgent and that it's done within 12 months. That's what a lot of people - why Work Stream 2 came up because people were not happy with the earlier proposals and then they agreed for these things to be deferred but on the understanding that it was going to be addressed within a reasonably short time.

Now that short time starts now and one interprets the transition being finished in terms of the CCWG Work Stream 1 work is done, the proposal is done. Or whether one says the 12 months start in whenever, September, or whenever

the implementation might be done. That may not be so important to the people on the Work Stream 2 side. My sense is what's important to them is that it's a 12-month sort of window and that the issues are dealt with in that time. And it is not put into the long grass.

Could it start now? Well, it maybe could start now if two things are met. One, if as was said before, it doesn't by Andrew - it doesn't distract from the implementation schedule. So - but if it's two different sets of people and they're not actually - then it's not actually an issue. The other thing is are the people who are on the implementation teams, are they unhappy to be excluded from the Work Stream 2 work if it is starting now?

Now I say if that's the case then that's also a reason to stop. But if there's no conflict between Work Stream 1 and Work Stream 2 work and no one is unhappy in the implementation teams not to be involved in Work Stream 2, then one could start now. I'm not saying that's my view, but it seems to me then it's not a problem.

Thomas Rickert: Thanks for sharing not your view with us. Kavouss.

Kavouss Arasteh: Thomas we need to have all good reasons why we should start Work Stream 2. If we don't have that convincing reason we should not start. The reason would be that. The whole issue of the transition still (unintelligible) from one government to the multistakeholder accompanied with the Work Stream 1 accountability. If that work was not acceptable, will not be accepted, why we need to start Work Stream 2, on what grounds. And we don't know what will be reaction, whether it's the support is not accepted whether they stay during or saying that we don't accept it all and we continue to do the whole things by the US government.

So we have to wait until that reply comes. So why we would like to invest on Work Stream 2 without doing what will happen in Work Stream 1. If you want to do that you should have all good reasons to do that. Thank you.

Thomas Rickert: Thanks very much, Kavouss. Tijani.

Tijani Ben Jemaa: Thank you, Thomas. You asked a binary question that needs a binary answer. My answer would be no. I don't want it to be parallel. And I will tell you why. On Work Stream 2 there is the very sensitive questions, the very sensitive issues that everyone will be discussing. And I am afraid that people will be, how to say it, more - to work on this issue and don't discuss issues about Work Stream 1. And when we come to decide on Work Stream 1 by the decision they will oppose and the discussion will be open again and you'll be late. So please try to finish this work. We have only six months. Thank you.

Thomas Rickert: Thanks very much, Tijani. And maybe it didn't get noticed that I had close to the queue after Avri. Since we haven't heard Athina today I will now close the queue after Athina but I would like you to ask you to keep your statements brief. Next in line is Avri I think.

Avri Doria: Thank you. I guess I'm going to say that in terms of starting the Work Stream 2 I think there needs to be a continuity between the two. I don't think that going for six months of discontinuity while we're just focused on Work Stream 1 would be helpful to the Work Stream 2 work.

I do think though that we should slow start it and that we should be doing the background work and the research and the what have you that needs to be done so that when the implementation has actually been approved and gone ahead but that work can start in earnest and not be oh we haven't done

anything for a while, now let's start thinking about Work Stream 2. I think that discontinuity would be bad for it.

While talking I also do not think it should be strictly time bounded. It should be content bounded but not time bounded because one of the problems we've had in Work Stream 1 we have been driven on a schedule that we have managed to slip in numerable times and that's partially because, you know, multistakeholder agreements and large consensus are hard to drive to a specific schedule. Work Stream 1 needed to do that. Work Stream 2 does not need to do that. We should bounded the work, we should work on strict scope but I don't think we should do that time bounding in quite the same way. Thanks.

Thomas Rickert: Thanks very much, Avri. Sebastien.

Sebastien Bachollet: Yes, I think we can start setting up the work party for the Work Stream 2 quite now or after this meeting in a few weeks. And as Avri said, we need to do some background work. We don't need to start by having two call each week for each item next week. And when some people say that yes we need to start now it's not to say that we need to start at full speed but we need to really start the implementation of the work. How we will work of the Work Stream 2 what are the teams and so on and so forth and it will take some time. And I guess real work will start what we have done with the Work Stream 1 implementation by this working group. Thank you.

Thomas Rickert: Thanks very much, Sebastien. And last in queue is Athina.

Athina Fragkouli: Yes, thank you very much. And sorry I didn't realize that the queue was closed. So I'm very much in line with those that are ready suggested to finalize our work in Work Stream 1 first and then go on with Work Stream 2.

I'm just - however I would like to understand whether there is a particular reason to rush to Work Stream 2.

And I heard Avri's point about the continuity. I just have the feeling that since Work Stream 2 hasn't started yet I don't see the discontinuity will just start once Work Stream 1, our work in Work Stream 1, is finalized. And then we can start. So if there is like another reason to - if there is not a reason to rush for Work Stream 2 I would also suggest to first finalize our work in Work Stream 1 and then start Work Stream 2. Thank you.

Thomas Rickert: Thanks very much, Athina. So I think we now have a good overview of the temperature in the room on what we - you would like to do. And so it's cold in here. And Mathieu, as with the last question, would try to make an attempt on taking stock and so that we can move forward.

Mathieu Weill: So we've heard different views. But I think a middle ground is sort of emerging if we say that, number one, the Work Stream 1 discussions have the highest priority. There is no question about it. And in any agenda setting at the CCWG level or in terms of volunteer that needs to be our continued focus until the IANA stewardship transition can take place. And that must be renewed and renewed and renewed and obviously I think we got that message quite clearly at the cochair level.

Secondly, I think there is no - nothing that prevents us from slow starting Work Stream 2. And that is actually important to many stakeholders who made clear that their support to our Work Stream 1 recommendations was also linked to the understanding that Work Stream 2 was going to be taken very seriously and not delay forever or not under-resourced. I think that's a very important point to remember that the Work Stream 2 recommendation is part of the Work Stream 1 recommendation.

And we need to provide clearer demonstration that is taken very seriously. And slow starting is a good way as Avri was saying, to start the background research, collect data, initiate some discussions, keep the base work on available volunteer time mostly, and of course once we shift our focus to Work Stream 2 the groups might change, there might be some additional volunteer time and the pace might change. But I think we need to - we have this middle ground available for us and that should balance the different views that we've heard so far. And I hope - I think it would be great to check whether there's any objection to that approach.

Thomas Rickert: And for those who are participating remotely, you can make yourself heard with an objection by ticking red, by making a cross. And Siva, you were not in the AC room so I apologize to you for not having put you in the queue. If you want to speak certainly you will get the opportunity to do so. Please do.

Sivasubramanian Muthusamy: So this is on your question which required a binary answer. My answer is a little more complicated than binary if you'll permit me to. First of all, I agree that Work Stream 2 should be a continuous process but at the same time it should not be started in a hurry. So that I don't - if it's started in a hurry then it is the same group of participants and members continuing the same thinking onto Work Stream 2. Work Stream 2 is supposed to have - supposed to address much larger topics and so I feel that a rethinking should be done about the constitution of members and participants so that we bring in some fresh thinking.

And secondly, as far as the implementation is concerned, I'm not sure if I share that the view that (unintelligible) does not happen if Work Stream 1 implementation does not happen. So is it so dependent. Work Stream 2 is supposed to come larger recommendations which will give a much fuller

picture. And without having the fuller picture and view if we are to implement some of the recommendations of Work Stream 1 it might not quite fit into the larger picture that they merge after some time. So even Work Stream 1 implementation that purpose could be a little more deliberated. Thank you.

Thomas Rickert: Thanks very much, Siva. Kavouss, you've already spoken twice to this topic, is that an old hand? Is that an old hand from you? Old hand?

Kavouss Arasteh: No, I want to agree with...

((Crosstalk))

Thomas Rickert: Are you filing an objection?

Kavouss Arasteh: Yeah.

Thomas Rickert: Okay thank you. Paul.

Paul Twomey: Thank you. I want to reinforce Mathieu's comment, which I think in some respects was contrary to the whole previous conversation. A number of the issues that are in Work Stream 2 we agreed to put on Work Stream 2 because they were important but we couldn't come to conclusions. One of those things on Work Stream 2 actually has proposed language in Work Stream 1 which says give us the answer within 12 months.

So, you know, for those of us who pay for our own airfares we make the time available to go away from work to come to these meetings, to be then told when you arrive at the meeting no we're going to do that next, sorry, I find that very annoying. So there are certain topics at least in Work Stream 2 I

think should start now not least because you've got wording in the bylaws representing which says it should be finished within 12 months.

So I'm happy to say you can call it preliminary work, you can give it any wording you want. I agree let's not get confused about getting Work Stream 1 completed but let's not be insulting about people who have made the efforts to come here and talk about some of these topics. And we've got a limited timeframe so we can at least start discussions.

Thomas Rickert: Thanks very much, Paul. I guess that's well understood.

((Crosstalk))

Thomas Rickert: Good. The next question that we would like to discuss with you is the question which topics could potentially be combined. So are there any views on maybe linking or merging even some of the Work Stream 2 items? Maybe we can bring back the slide that shows the Work Stream 2 items that would be great. Eberhard, your hand is raised.

Eberhard Lisse: Can't we first determine on which - because it appears that none of us has actually read this 380 pages other than Paul. Can we maybe determine which - which streams of Work Stream 2 have a deadline so that we know which...

((Crosstalk))

Eberhard Lisse: So that's the one that we have to start with no matter what we're discussing. So we should identify which one we need to do first according to our own Work Stream 1 proposals and then we can decide what we do next.

Thomas Rickert: Thanks, Eberhard. We will talk about the prioritization of our work as we move on. For the moment we would like to focus on which topics the groups thinks can be maybe merged and worked on jointly because there are - there are links between some of these topics. If there are none that's fine but the issue has been brought up, the question has been brought up earlier so we would like to hear views on this question from you.

And the first one to raise his hand is Alan, please.

Alan Greenberg: Yeah thank you. Without trying to denigrate any of the items, I don't think there were any deadlines in the final version. There was a deadline at one point on human rights but that just - that was taken out. There are certainly targets I believe. And we should try to honor them. But I don't believe there's anything that we could refer to as a deadline.

Thomas Rickert: That is correct. Nonetheless, if targets are being mentioned, you know, those shouldn't be - yeah, we should try to (unintelligible) them. Any views on whether we should interlink, combine or however structure the work by merging or otherwise combining the Work Stream 2 items? Any views on that? This is the opportunity to streamline the process. If you see the opportunity to do that, if not, we will deal with those individually. Which is fine. But we just want to make sure that no one comes in six months time and says well you should have been looking at those two points or three points together.

So if you think that any of these topics should be worked on maybe in one team rather than in two teams, please do speak up. If you think that staff accountability and SO/AC accountability should be dealt with by the same people let us know. I'm not suggesting you should but, Chris, your hand is

raised. I'm sorry, Chris, there's a queue forming so we have Steve, Kavouss, Alan and Chris.

Steve DelBianco: Thanks, Thomas. This is Steve DelBianco. I mentioned this prior to the coffee break but the final four items listed here under Work Stream 2, the SO AC accountability, staff accountability, increased transparency and ombudsman, those all fit into accountability and transparency which is in the purview of ATRT. So as I think a few of us suggested before the break, those four whether it feeds into ATRT 3 or ATRT 3 initiates it, those four could be done together to the extent of gathering the views of the CCWG and teeing them up for ATRT 3. So to answer your question I think the bottom four could be done together.

Thomas Rickert: Let's hear more views on that. Kavouss.

Kavouss Arasteh: Yes, I think we need to look at again (unintelligible) of the issues. When we discussed in the GAC call I explained to the distinguished GAC colleagues that Recommendation 6 is agreed. They agreed to that because there is a commitment to do this human rights at Work Stream 2. So at least in order to maintain that agreement we need to have (unintelligible) and we need to put these two human rights and jurisdiction at the top of the list. Thank you.

Thomas Rickert: Thanks. The question in front of us at the moment is not the question of prioritization, although it's an important one. This is about what we can package if any. Alan.

Alan Greenberg: First a question. On the previous slide a diagram, there was an eighth item that said interim bylaw. I don't know what that is.

Thomas Rickert: That was just to visualize that the topics in Work Stream 2 are going to be covered by an interim bylaw that ensures that there's a commitment...

Alan Greenberg: Okay.

Thomas Rickert: ...from the board to honor Work Stream 2 recommendations as they...

((Crosstalk))

Alan Greenberg: Oh okay, we're not writing another interim bylaw. Okay. I look at the items quite differently. The first three are items which very much need a lot of homework and preparation. What Cheryl was mentioning before. I think embarking on Items 1-3, diversity, human rights, and jurisdiction, without some good staff work being done ahead of time giving us statistics, giving us information about what the possible issues are I think would be foolish. It would generate a lot of talk. But not necessarily talk leading somewhere.

So I think those items need several months worth of work and that may well cover the implementation period of Work Stream 1. So I think that's really important to do properly when we enter into it, we enter into it with real knowledge, not just random gut feelings.

I don't see any opportunity to combine any of those items, I think they're all quite different. But I think the first three are probably the ones that we need to start thinking about soon but I'm not sure it's time to convene groups to talk about them. Thank you.

Thomas Rickert: Thanks, Alan. Let's - we're going to talk about a straw man project plan and maybe something along the lines of an issues report is something that we

should bake into that. And so that's well noted. I think we now had Chris, Eberhard, Robin, Sebastien and after the queue is closed.

Chris LaHatte: Thank you. Chris LaHatte for the record. I don't think it was Chris Disspain who was in the queue.

((Crosstalk))

Thomas Rickert: Nobody wants to be confused with Chris Disspain, I understand that.

Chris LaHatte: Yes, I'm the better looking...

Chris Disspain: Including myself.

Chris LaHatte: I just wanted to talk about a couple of things because the role of the ombudsman does spread across a number of these topics in particular diversity and human rights. But I don't want to complicate things unduly. When I first started in this role, which was nearly five years ago, it was immediately obvious that the bylaw and framework needed change. Every time I started an initiative something happened which made it necessary to listen to what people had to say and put off the work of making those changes.

ATRT 2, for example, has made a number of recommendations about the role of the ombudsman. And the new gTLD program has I think raised numbers of issues about the way that I'm able to look at issues. And gradually as we've moved along issues like privacy have started to become more important. So there's a whole rag-tag bundle of items which need to be reviewed in terms of the ombudsman.

Frankly, I had become a little bit impatient because I've wanted to address these issues for some time and so I seized the initiative and there is a session on Wednesday afternoon at 3:30 which is called the Role of the Ombudsman Post Transition.

I don't believe it's appropriate for me as the ombudsman to tell you what I think I should be doing. I absolutely want the community to come together with a consensus view as to the sorts of things that I should be doing and any tweaking to the bylaw and to the framework which would enable me to continue on.

For completeness I should say that the ombudsman was established in - around about 2003 so the atmosphere, the framework, all of those things in 2002, 2003 are very, very different from what we're doing now, the number of staff has multiplied by 10 times, the community has expanded enormously, we're taking on all sorts of things which no one anticipated.

So my idea for having the session on next Wednesday was brainstorming. This isn't where we're going to solve the problems, it's where we can start thinking about the issues, no more than that. And so I invite anybody who's interested in the role of the ombudsman to that. I'll make a brief presentation to tell you about what I'm doing, the sorts of issues that I currently handle and then I want to open it for people to start talking to me about that.

Now I realize that this is running effectively in parallel to Work Stream 1 but it's not intended to be the process to change anything, it's intended to be a conversation. And I hope carrying from what happens on Wednesday afternoon people can then come at their leisure, depending on their commitments on other things, but having had that initial conversation so that

we've got some direction on what people want from the ombudsman. Thank you.

Thomas Rickert: Thanks, Chris. I let you explain this because there were some questions surrounding your session earlier today before you came to join us. Nonetheless, for the remainder of the queue let me remember - or remind everyone of what the question was, and that is whether you think that we can bundle items in Work Stream 2 to be worked on together. Next in queue is Eberhard.

Eberhard Lisse: Even on the danger that Roelof accuses me again of saying something sensible or even worse, agrees with me...

((Crosstalk))

Eberhard Lisse: I don't think we can lump too much together. I think we can lump together staff accountability and transparency. I do not think we can put SO/AC accountability with staff accountability because it's entirely different issues. I also think we should not forget that some things depend on each other. For example, I think the ombudsman should come last because the changes we make in the first six streams, may affect what he is doing, yeah. And I must stress that as the ombudsman forgetting to mention that he has got a cocktail function on Tuesday.

Thomas Rickert: Thanks for this useful reminder. Next in line is Alan - was that an old hand from your or - old hand? Robin.

Robin Gross: Hi, this is Robin Gross for the record. I just wanted to highlight the importance of working on the issue of transparency in Work Stream 2. And I don't think it should be lumped in with other ones and I think it should be

moved towards the top of the list of Work Stream 2. And I'll tell you why. Many of the fixes that we have in Work Stream 1 are very much dependent upon transparency. We switched from the - we switched to the designator model, depending upon board recall in order to achieve many of our accountability fixes. So that means we need to know what the board is doing. We need to - we need to have more transparency in order to be able to effectively utilize the powers that we created in Work Stream 1.

And on the issue of transparency we've got a lot of sub issues in there. We've got transparency of board deliberations, we've got transparency with governments, we've got transparency around the DIDP reforms. So we've got a huge chunk of work on that issue that is extremely important and critical to everything else that we're trying to build. So I'd like to suggest that transparency be done not with - not with the other groups or not with the other issues and be moved to the top of the list. Thank you.

Thomas Rickert: Thanks, Robin. Jan, you're between us and lunch. Your hand is still raised. No? Okay.

Jan Aarte Scholte: That was efficient.

Thomas Rickert: That was an efficient threat obviously. Joking aside. Thanks for the interesting discussion. What we learned from this is that, you know, a lot of you are keen on making certain items a priority. We learned something about prep work that needs to be done. We heard about some dependencies of the work in terms of sequencing them. We're going to talk about sequencing the work later today. But I think the main topic is that the response to the binary question that I meant to ask, i.e. do you think we can bundle anything, is no. So we're not going to bundle.

We're going to treat them all differently being cognizant of the dependencies and making sure that as we plan our work that we will build certain items on the prep work that needs to be done in other areas. With that I think we can break for lunch. Quite conveniently the sun has come through. I need to check with staff now. Is that our lunch outside here that's being prepared now?

((Crosstalk))

Mathieu Weill: This is a cochair lunch?

Thomas Rickert: And you're going to go into the basement, right? Grace, can you help with this? That's our lunch. We're going to have a one-hour lunch break. Talk to you soon. And thanks to the remote participants.

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