GREG SHATAN: Should have asked her that at the beginning. In any case, and the slides seem to have been moving madly for some reason. If that could settle down that would be helpful.

So as the slots are selected in a given week, they're taken by one subgroup and can't be used by any other subgroup. Some subgroups have already set their schedules. Some have taken a fixed time and date. Others are rotating. Others seem to be floating between different days but at the same time. So until we settle into a pattern of some sort, we'll be selecting as best we can from what's available on the master schedule.

Also note that when Daylight Savings Time ends, the slots may shift so that the real time for most participants stays the same. As for Kavouss, I see your name at the top as an active speaker but I only hear typing which means we are hearing your typing.

Meeting time for this group, as you'll see when we get a little bit further in, the recommended schedule for all of the subgroups is one hour meetings per week. And given that we have a fairly complex topic, that certainly seems appropriate for our group.

The Doodle poll showed some trends. Clearly 05:00 hours was not popular. There was more support for 19:00 and 13:00, but there was a fair amount of support for 13:00 as well. And more support for a single meeting at 19:00 but also support for a 19:00 and 13:00 rotation. The Doodle poll also pretty much asked people to indicate their own personal preferences. It did not ask them to consider the group as a

whole or be altruistic or anything like that. So that should also be taken into consideration.

Having viewed the discussion that took place and the Doodle poll, the tentative proposal would be that we have a balanced rotation between 19:00 hours and 13:00 hours, avoiding the 19:00 hour slot on Friday which gets into Friday evening and night after you cross the Atlantic and other oceans as well perhaps.

So that is the proposal. A strict interpretation of the Doodle poll might have us only meeting at 19:00 or something else, but I think that in the exercise of general discretion a balanced rotation makes sense. I'd like to see, though, if there is any further discussion of this topic. Anybody want to raise a hand or put a comment in the chat on this particular topic?

I see indications of typing, but no hands. So I'm assuming that at least for the current purposes, a 19:00/13:00 rotation will work. We can certainly revisit this as our work goes on. But for scheduling purposes, we'll act on that from now on.

We don't have any other meetings scheduled at this moment. Next week, basically almost all of the slots are taken. There's vacation issues, holiday issues, scheduling issues. So I think that we are going to skip next week as a meeting almost certainly but pick up again the following week and we'll try to have a schedule that goes out at least, say, until Hyderabad or as far as we can go so that people can have some sense of when they can schedule again.

And just to be clear, the use of the meeting schedule avoids any conflicts with any other subgroup meetings or the CCWG meetings. Staff does its best to try to avoid conflict of any other working group type meeting as well and almost always succeeds.

I think that covers the meeting time issue. So why don't we go to the next slide please? We now have scroll control.

At this point I'll turn it over to Vinay Kesari to rapporteur this section of our meeting. Thanks.

VINAY KESARI: Thank you, Greg. Hi, everyone. [Work for] Work Stream 2 as a whole and for the subgroups. This is of course something that those of you who are already participating in other subgroups which may have already [inaudible] to us [inaudible] this is something that's common to all subgroups but it would still be useful to [inaudible] to it. Feel free to raise any questions that you might have either during the course of this or once I've run through everything.

To begin with, I'll just run through how Work Stream 2 as a whole is meant to function, and this should be pretty obvious but the working method is based on subgroups which would do most of the actual work, including it must be said, the actual drafting of the particular section of the report.

The role of the CCWG Plenary as a whole would extend to the [staffing] this draft, in some cases advising and finally approving drafts before

they're put out for public comment, and reviewing proposals finding and assessing whether we have in fact reached consensus.

The specific role of the co-Chairs – and this is something that's been discussed more recently as well – is support rapporteurs and make sure that that coordination is working, and specifically make sure that the request for support including legal support that's something that has been the subject of discussion recently, are handled in a manner that works for everyone.

Coming to the working method of subgroups themselves, the idea is that given the small size of subgroups that of course presumes that the subgroups will remain small and that is of course not completely certain, but that is what is expected. And given how specific the work of each subgroup is, the idea was to meet one hour a week. And that's something that we have specifically discussed I think on the list as well, and so far there seems to be some level of consensus on doing this on a weekly basis and for one hour a week. The hope is that most of the actual work, the heavy lifting, will be done by way of written submissions.

The role of staff support, always very important, would of course be to participate by way of capturing action items and supporting the teleconferences in other ways. But wanting to keep in mind is that we will be expected to actually manage the drafting of our actual deliverables ourselves to the greatest extent possible. It's only once as a subgroup we have submitted our draft for the consideration of the plenary that staff will take control of the document. Of course with respect to things like [action] items and so on, I suppose we could

perhaps try to in some cases request for more detailed capture of action items when it comes to certain specific issues which might just require more detailed chronicling which we think we need to revisit later on. But broadly with respect to the teleconferences themselves, their input would be to capture action items.

Going on to the next slide, when it comes to actually reporting back to the CCWG itself, there are of course a couple of basic rules of the road, documents for consideration, and this applies to documents for consideration by the subgroup itself as well as for consideration by the CCWG as a whole. I expect it to near availability 24 hours prior to the relevant meeting which is only fair. There's an internal housekeeping issue for [inaudible] rapporteurs which is that we need to make sure that there is a written update before every meeting of the CCWG for its consideration. So that's an extra bit of work for Greg and me in this case.

Apart from this, one specific thing to keep in mind for us in the immediate future is that as a subgroup we need to present the CCWG with a draft work plan and a schedule for our work within a month of our first meeting, which is this meeting. So today is the 25th of August for most of you, the 26th for me and for a few others. So within a month we would need to have this draft work plan and schedule ready.

And finally, on the issue of legal advice – again, this was something that has been discussed in the past – any request for legal advice has to be formally drawn up. We need to frame the question that needs to be answered and why we think it needs to be answered by legal counsel. And this needs to go through the Legal Committee and this request will

ultimately be forwarded to the appropriate external legal counsel for this one.

GREG SHATAN: Vinay, it looks like we've got a couple of hands up.

VINAY KESARI: Sorry, I missed those. Kavouss, can we go with your question?

KAVOUSS ARASTEH: Yes, good day. I have been to a struggle for 15 minutes to be dial up. And somebody called me and saying what is your number? It is two and a half years I'm working with CCWG, ICG, and everything, and still the people asking for my number. My number was known. I don't understand. I was 15 minutes talking and talking and then there was no dial up at all. So I would request kindly that this dial up will be made as was before for CCWG. But not struggling what is my number. My number is known, given to the Secretariat many times. So please can we do that and please kindly indicate the time of the meeting at least 24 hours before the start of the meeting. We cannot work on this having a time immediately called, "Okay, you have a meeting half an hour." And thirdly, 19:00 hours is not acceptable to us. 19:00 hours in Europe is a dinner time for many people where we have sufficient 19:00 hours before. We don't want to have another 19:00 hours. Please kindly consider other people's concerns and problems and difficulties.

Thank you.

VINAY KESARI: If I can just quickly respond, Kavouss. I just wanted to also highlight that it's currently just past midnight in India, so I think that what is inevitable is that with all of us being this widely dispersed, every meeting time will definitely be inconvenient for some of us. But I think that given the fact that we are planning to rotate between two possible times, hopefully that will help distribute the pain somewhat. In an ideal world I would not want to be doing this call past midnight either. And your first point on the dial in I'm sure has been noted. And I think all of us had a little bit of trouble starting out.

                       Milton?

MILTON MUELLER: Hello. How are you doing? I just was noticing in the times, you're talking about one one-hour meeting per week and I think that was questioned on the list. I just didn't recall seeing it resolved. Do we really need to meet once a week? I was really not sure about the need for that. Perhaps later on once we have better defined tasks and there's some kind of a deadline we're bumping up against, but can someone tell me why we decided to meet once a week?

GREG SHATAN: I can try to answer that and also see if any others have comments on that. I think as indicated, that is kind of the default for these groups. Secondly, once we get to the timeline discussion you'll get a sense of the time and number of meetings that we have available to us. Meeting

once a week I think we do have a relatively complex topic and a topic on which people will want to be heard, and therefore feel that meeting once a week for one hour is probably the minimum that we should be doing. And so I hope that we don't need to meet more often. I also hope we can make good use of this one hour a week.

If there is a groundswell that feels we should not be meeting every week, we certainly can do that. But I think that is also hard to keep the thread of discussions and projects going in the group, I think, if we skip a week so it's just a little bit hard to do that. That's background, both my thinking and kind of the default thinking of the CCWG leadership.

I would note that as Tatiana says, the other subgroups are also meeting once a week. I hope nobody's trying to be in all nine of them. That could be difficult. But I think if you focus, it shouldn't be a problem. Thank you.

Vinay, I'll hand it back to you.

VINAY KESARI: I'm not anti [inaudible] if you want to continue that perhaps later on during this meeting. But for now I'll just move on to the last bit on working methods.

Moving on to the final bit of what will happen with what recommendations we come out with. The idea is for the CCWG as a whole – that includes both members and participants – to actually consider and approve any of the subgroup recommendations. And again, there are certain specific rules of the road which are meant to be

followed by the CCWG. For example, they aren't supposed to make any final decisions on any subgroup recommendations at a single meeting. They would need to consider it at at least two meetings. And importantly for the [inaudible] of this kind of process, there would need to be at least a single 40-day public consultation on each topic. This is something that I think most of you will be aware of, having participated in the CCWG in the past. It's also important to keep in mind that it's only when the subgroup recommendations are approved by the CCWG as a whole that they can be posted for public consultation.

Finally, all of the comments that do come in through the first public consultation will be considered by the CCWG and a decision will then be taken if another public consultation will be required.

That's the broad working method that has been laid out for Work Stream 2 as a whole and for the subgroups in particular. If there are any specific questions on working methods, now is probably the time to ask.

Sorry, I saw a question in the chat. I think it was from Philip Corwin on what the Legal Committee is expected the down time might be for considering requests for outside legal expertise. I, unfortunately, don't have a specific answer for that. As far as I'm aware, a timeline hasn't been laid down for that yet, but I would defer to anyone who might specifically know. And Greg, if you have any thoughts on that please feel free to [weigh in].

GREG SHATAN: Thank you, Vinay. Vinay, shall I pick up on the next slide?

VINAY KESARI: Yeah, I think there's an issue with [audio] here. I was just saying if no one has any specific questions like this, I will hand it over to you for the discussion on timelines.

GREG SHATAN: Perfect. Okay. Next we'll turn to the slide "Work Stream 2 Proposed Timelines – WS 2 Proposed Timelines, #8."

This is a generic slide that was given to all the subgroups' rapporteurs basically showing the generic timeline for those with simpler or lighter topics and for those with complex topics that may be longer term. In this case, short term means heading for a public comment period prior to the Hyderabad meeting. So that is really short term. Intermediate or long term means heading for documents and public comment at the end of February. That's long term for this Work stream 2.

As between the two, I think it's fairly evident that we have a more complex topic and that we will not be issuing a public comment paper in two months. So we will continue. I'll ask Jeff whether he thought this process speech was any better or worse than the other ones he's heard. Jeff as a veteran has probably sat through too many of these. I will assume that not all of you have as many battle scars, at least at ICANN, as Jeff does.

Moving on to the next slide – "Work Plan and Schedule Overview." This is a slide custom prepared just for this subgroup but basically using the same overall timeline and showing what we have – and we'll obviously

be doing a more detailed work plan than this – but this is an overview of where we need to be as we move along. As you'll see, this month we are having our first meeting. Next month we'll be having four meetings which will consist of continuing subgroup discussions and obviously some consideration of what documents we're working on, when we will start on the actual deliverable, etc. Those are things we'll start discussing later on in this meeting and for the vast bulk of every other meeting we have.

In October, the plan is that this the first time we will have an actual discussion. At one of the October meetings of the CCWG Plenary we will have a meeting where we will actually discuss where the Jurisdiction Group is and get feedback and input from the Plenary Group on what we're doing and determine how and whether we're in a position to provide any kind of community update at the Hyderabad meeting. So at that point we should at least hopefully have a good sense of where we're going and what we're doing to get there.

November will begin with Hyderabad, and there'll be some sort of obviously there's a face-to-face and there should be some time there for subgroup face-to-faces, although with so many people in overlapping subgroups that will be a challenge. People will have to probably make some choices.

We'll continue to work through the rest of November. In December there'll be another meeting of the CCWG Plenary – which I believe will be meeting every two weeks generally – but another meeting at which this subgroup will engage in a discussion of our work with the CCWG. And this is expected to be a substantive discussion, although we'll get

some feedback and engagement from those outside the work group on where our work is. Seriously, by that time we need to have a firm sense of what we're trying to accomplish and be well on our way in terms of having a virtual physical document that is our deliverable.

January, in that same vein, will be spent refining the work, clearly indicating that by the end of December we should have some work that is at a stage where refining is what you're doing to it. And the deliverable at that point should be getting close to ready.

Sometime in February the deliverable should be completed and it will be presented to the CCWG Plenary which will then agree or perhaps revise and then agree that document and every other one of the documents on the longer work schedule for a public comment period. Then there'll be a public comment period beginning in March the full 40 days and ending April 10th – that's assuming it starts essentially on time. Whether or not we have meetings during that time is something it's too soon to tell whether we will need to have meetings at that time or not. And so we'll see what makes sense at that time.

Starting in April, after April 10th, we'll do a public comment analysis as we've done in the past, or the recent past at least. Analysis will likely involve both subgroup members, subgroup as a whole, and maybe a sub-subgroup more intensely perhaps working with staff to analyze the public comments, put the extra [x] on charts and alike and to perhaps put together a document that summarizes the public comment and our reactions to it. That worked well in WP4 on Human Rights in work Stream 1.

In May, having taken in the public comments we'll be spending that time refining and revising our deliverable. And then in June at that point things will be back in the plenary for further discussion and approval, and then submission to the full community.

That is the plan. So that gives us roughly… We have eight meetings before Hyderabad and about 16 to 18 meetings before we finish our deliverable.

Seeing in the chat I don't know what idea Kavouss is talking about. These ideas come from the CCWG. And so at this point I am following these topics.

Before we move on, let me see if there are any comments on this schedule. So I'll take hands.

Kavouss? Kavouss, we can't hear you. Your mic seems to be on mute. It seems that if we could figure out why Kavouss can't be heard, that would be helpful. If not, are there any other comments on the schedule – pro, con, refinements? Understand we've got a lot of meetings where there's going to be substance. I think it's important to go through the process at the front. Such is life.

Any other comments on this? We'll come back to Kavouss, of course. Kavouss has said in the chat, "We cannot agree with what you are saying." Also, "Greg, you need to submit your idea to the CCWG Plenary." Again, this is not my idea. Following the path of the CCWG, this has been given to all the subgroups.

Let's move on to the next slide. So we do have some time for substance. I'll turn it back to Vinay.

VINAY KESARI: Thank you, Greg. I was just struck by a thought – given that we have just about 17 minutes on the clock for this call as scheduled and given that we did lose some time in the beginning and you know there are some calls to get to in discussing what people feel that sounds most substantive aspect of the subgroup, we could just skip over the next slide which deals with subgroup deliverables, which is again something that's common to all groups which we could always revisit at a later time when it comes to actually talking about what form the final recommendations we need to submit need to take. We could always come back to that part of the discussion.

GREG SHATAN: Everyone can look at this slide and see that there's a standard template that we're going to follow. That's really the only point of this slide. So I think that's fairly understandable and self-explanatory. So we can turn now to the next… Sorry, Vinay?

VINAY KESARI: You should just go ahead with the next slide.

GREG SHATAN: Thanks. Okay, so now we are on the discussion items slide. I thought it would be helpful if we discussed the staff's paper, but I don't have the

staff's paper ready to put up and we do only have 15 minutes so rather than engaging in close reading of a document which people can comment on offline, why don't we just turn to the issue of topic definition and scope. We can certainly refer back to the staff paper and to Annex 12 as we discuss it so that we can see what we're essentially working from. But let's just open the floor to comments on the topic definition and scope for the subgroup. So we'll take hands.

I see Farzie is itching to go perhaps? But still seeing no hands.

Kavouss, it looks like your mic is now off mute so I'll call on you.

KAVOUSS ARASTEH: Yes, thank you. I said in the chat that Greg, you may be right, you may not be right, that this is a very important issue and your timeline schedule is objective as you mentioned. You need to present that to the upcoming meeting of the entire CCWG and we have to discuss that. This group cannot decide on this type of planning. We have not discussed and we don't have time to do that. So this is a direction or directive should be given from the CCWG. Once again, you may be right.

Thank you.

GREG SHATAN: Thank you, Kavouss. Any other responses on that point? I'll just note that this is the timeline that was at least handed down from the CCWG co-Chairs. We can certainly have discussions of that but I think that is pretty much where it came from.

I'll call next on David McAuley.

DAVID MCAULEY: Thanks, Greg. I have one comment, but before that a question. If I'm not mistaken, you indicated at the outset of the call that we're not meeting next week but will meet four times in September. Is that correct?

GREG SHATAN: That's correct.

DAVID MCAULEY: So anyway, my comment would be with respect to topic definition and scope – that's the second bullet on that discussion item. And I think it might be worthwhile to ask all of us in the group to submit on lists our ideas for what a work plan might look like – brief, to the point, high-level – and hopefully get something in place by next week when we're not meeting such that might help us outline the work project at least for the next four meetings through September.

And to do that, really go back to Work Stream 1, look at that, and come up with what our suggestions are for a general outline for what the group ought to do. That's my suggestion.

Thank you.

GREG SHATAN: Thank you, David. Paul McGrady.

PAUL MCGRADY: I just want to comment really for the record. I want to echo what David said about going back to the Work Stream 1 materials – and this has also been said by others in the chat. I'm a little concerned about brainstorming scope. I think that we've got some good materials that were provided to us from Work Stream 1 about what they think the scope is. I think the staff paper is very instructive on that as well. And so I'd rather us study what we have before we get too far off the trail here.

Thank you.

GREG SHATAN: Thank you, Paul. Certainly I see that Jeff has also made a similar suggestion and I think that after a brief open mic we can turn to the staff paper and I'll do that.

I believe that's an old hand from Kavouss, so I'll call on Milton.

MILTON MUELLER: I would like us to focus on the scope definition as defined, or at least in the staff paper, and I notice that there was some controversy about that on the list. And thank you for setting up this Google Doc in which there are a lot of comments about that. I frankly didn't understand the dissent about those four simple bullet points defining the scope, and I wonder if the people who were complaining about that could elaborate in this chat so we get a better idea as to what their concern is.

GREG SHATAN: Thank you, Milton. I'm not sure if we have Rafael Perez Galindo who I think was one of the two who commented on that. So I don't know if Rafael wants to volunteer for the mic.

Not seeing that, I am trying to pull a copy of the topic over into a pdf so that I can send it to our rapporteurs to do that. But I think if, as I'm doing that, if we can take a look at what was there. Basically the first section of the staff paper took the Annex 12 documentation verbatim except that it put the last paragraph, or part of the last two paragraphs, first. And one could at least suggest that those appear to be conclusions or topics or paragraphs that are directing the work of the group. If you want to go and look at the Google Doc we can look at it now and I will ask…

These two paragraphs read as follows: "At this point in the CCWG Accountability's work, the main issues that need to be investigated within Work Stream 2 relate to the influence that ICANN's existing jurisdiction may have on the actual operation of policies and accountability mechanisms. This refers primarily to the process for the settlement of disputes within ICANN involving the choice of jurisdiction and of the applicable laws, but not necessarily of the location where ICANN is incorporated:"

And then a major bullet point: "Consideration of jurisdiction in Work Stream 2 will focus on the settlement of dispute jurisdiction issues and include confirming and assessing the gap analysis, clarifying all concerns regarding the multi-layer jurisdiction issue, identifying potential alternatives and benchmarking their ability to match all CCWG-Accountability requirements using the current framework, and consider

potential Work Stream 2 recommendations based on the conclusion of this analysis."

So I could see why staff put this at the top. It seems that it does mention the main issues that need to be investigated and the focus. So I don't know if there are any particular questions on that. As I said, let me get that to staff [pardon me] for multitasking.

MILTON MUELLER: While he's doing that I think I can just jump in with a comment. My impression was that the four bullet points defining scope in the staff paper were pretty much drawn directly from the Work Stream 1 Annex 12 document. And as far as I could tell, they set out a pretty good framework for the scope of this group. I wanted to know if anybody thought there was something that they really thought should be part of the scope of this group that would not be encompassed by those bullet points.

GREG SHATAN: Looks like we're getting the document [inaudible].

This appears to be the unrevised version of the staff paper. Looking at this, the last paragraph that's on the screen now that begins, "At this point in the CCWG Accountability's work," was the second to last paragraph in Annex 12, and the paragraph that begins "Document scope" was the last paragraph of Annex 12. Together it appears to me that they were intended to be kind of the conclusion and instruction to this group. Obviously, the rest of what's there is germane as well.

Any other comments? I know we have this in front of us so we would welcome any other comments we have on this in terms of scope.

I think what we can do at this point, seeing no further hands, is ask everyone who hasn't already done so to take a look at the Google Doc. We'll take the document in pdf and Word form as it stands right now and circulate it as well to people who either can't reach Google or who would just find it more convenient to have. But I would encourage everyone to get to the Google Doc to engage in ongoing discussion on the document.

Kavouss, your hand is up?

KAVOUSS ARASTEH: Greg, may I request you kindly if possible for your next meeting have an agenda established 24 hours before the meeting and limit to specific items by attaching supporting materials that will [inaudible] rather than at the meeting we go back and forth to the wiki or to the Google Document or to anything and so on so forth. So we need to organize ourselves a little bit better, in particular your subject is very, very, complex. Is it possible that you do that – a specific agenda together with the supporting material attached to that 24 hours before the meeting in order that we study that. We will be ready and contribute to that. Otherwise, we will be stray here and there and we would be stuck in the middle of nowhere.

Thank you.

GREG SHATAN:	Thank you, Kavouss. I'll note that the agenda and the slides were sent out. The agenda was set before the meeting and the meeting was announced about 48 hours ago. But I will look to send around an agenda a bit earlier as well. I wanted to keep the Google Doc open as long as possible so the comments could come into it. So we'll have to balance recency with preparation. I appreciate the comment.

I think what we need to do now is to look at when our next meeting can be. As I said, next week is pretty much off limits in terms of what's available. But if we can look toward, as I think David McAuley suggested, getting thoughts on our work plan out on the list then we'll certainly look at those and refine those. And also if people could respond and look at the Google Doc and put their suggestions into that document, that would be very helpful.

Right now, looking at the master call schedule for the weeks that are coming up, in September – not counting the 1st and 2nd, the 2nd being a Friday before it's a long weekend for many people – if we are to have a meeting at 13:00 hours following our scheduling it can be either Thursday or Friday. If we could just get a quick show in the chat. Put up a green tick for a Thursday and a red X for Friday. That's the 8th and 9th of September.

I see a couple of green checks. I see a couple of red Xs. And a lot of what I will assume is either one is fine. A few more greens and then reds, so I think we will call the next meeting for 13:00 hours on Thursday the 8th of September and then 19:00 the following week we'll look at that.

Any further comments? Thank you for your patience with the technical difficulties at the beginning of the meeting and for bearing with us as we get organized on this topic. And I look forward to our meeting in two weeks. And I look forward to a lively list. As was noted in the work schedule, the bulk of the work is intended to take place on the list – 167 hours a week on the list, one on the phone. So I look forward to having gotten the dreaded process out of the way and we will move on to plenty of substance I'm sure.

I want to thank you all, thank Vinay for sharing the rapporteur duties with me, and I assure you you'll hear less of my dulcet tones in the future and more of Vinay's as we figure out the process. I ask that the recording be stopped and I thank you all and goodbye and have a great rest of August.

VINAY KESARI: Thank you everyone and thank you, Greg.

[END OF TRANSCRIPTION]