Brenda Brewer: (11/1/2016 19:18) Hello, my name is Brenda and I will be monitoring this chat room. In this role, I am the voice for the remote participants, ensuring that they are heard equally with those who are “in-room” participants. ¬ When submitting a question that you want me to read out loud on the microphone in this session, please provide your name and affiliation if you are representing one, start your sentence with <QUESTION> and end it with <QUESTION>. When submitting a comment that you want me to read out loud on the microphone, once again provide your name and affiliation if you have one then start your sentence with a <COMMENT> and end it with <COMMENT>. Text outside these quotes will be considered as part of “chat” and will not be read out loud on the mic. Any questions or comments provided outside of the session time will not be read aloud. ¬ All chat sessions are being archived and follow the ICANN Expected Standards of Behavior: https://urldefense.proofpoint.com/v2/url?u=http-3A__www.icann.org_en_news_in-2Dfocus_accountability_expected-2Dstandards&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=R3Tb6ybySULUibSxQGwznNwTG1y3ToTtl4O4dvfKkwc&e=

Brenda Brewer: (19:18) Good day all and welcome to CCWG Accountability Work Stream 2 Face to Face Meeting at ICANN57 - Hyderabad, India on 2 November 2016!

Barrack Otieno: (19:34) Morning Colleagues

Leon Sanchez (Co-Chair. ALAC): (20:31) Hello everyone!

Leon Sanchez (Co-Chair. ALAC): (20:31) Welcome to our F2F meeting in Hyderabad

Shreedeep Rayamajhi: (20:32) hello :)

Milton Mueller: (20:32) just lost sound

Mathieu Weill, ccNSO, co-chair: (20:32) Same here

Shreedeep Rayamajhi: (20:32) no audio

Jordan Carter: (20:34) hi all

Milton Mueller: (20:34) welcome to the silent movie

Nikki Hu（BII）: (20:34) no voice

Shreedeep Rayamajhi: (20:34) can any one fix this

Mathieu Weill, ccNSO, co-chair: (20:35) Back !

Shreedeep Rayamajhi: (20:35) yes we can hear it

Christopher Wilkinson: (20:35) Sound restored

Dennis: (20:37) any transcript link

Benny Samuelsen / Nordreg AB: (20:40) Well spoken Thomas

Benny Samuelsen / Nordreg AB: (20:40) sound gone again

Milton Mueller: (20:41) Audio did not stand the test of time :-(

Mathieu Weill, ccNSO, co-chair: (20:41) Nice one Milton

Benny Samuelsen / Nordreg AB: (20:42) and back... they did not alow us to hear what Van Halen said ;-)

Jordan Carter: (20:45) the screen in the room is almost impossible to read fyi

Jorge Cancio (GAC Switzerland): (20:46) only "almost"?

Leon Sanchez (Co-Chair. ALAC): (20:47) Yes Jordan. It seems to be out of focus

Milton Mueller: (20:47) symbolically appropriate?

David McAuley: (20:48) lost audio

Nathalie Vergnolle: (20:48) The PCST report is available here: https://urldefense.proofpoint.com/v2/url?u=https-3A__www.icann.org_en_system_files_files_iana-2Dtransition-2Dstatement-2Dactivity-2Dsept-2D30oct16-2Den.pdf&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=7YnGXw6m2yqhXNxGSDIZAd8dwkyR4gXJjTjMzqLqII0&e=

David McAuley: (20:48) now back - struggling with remote participation

Nathalie Vergnolle: (20:49) May I suggest you try to call in? I am dialed-in and no issues with audio.

Dennis: (20:51) sorry, no transcript provided this session ??

Mathieu Weill, ccNSO, co-chair: (20:52) Nathalie, I can't find numbers to dial in ?

Nathalie Vergnolle: (20:52) @Matthieu: I will email you the number

ICANN RP: (20:52) There is also an mp3 stream of the audio at https://urldefense.proofpoint.com/v2/url?u=http-3A__stream.icann.org-3A8000_hyd57-2Dhall4-2Den.m3u&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=YtBu2cYeD6zvKeMEEs861Oto_r5eKMwQQ6ueCiJuRPA&e=

Brenda Brewer 2: (20:53) Remote participants may dial in to the Audio from the dial in information on calendar invite.

Rubens Kuhl: (20:53) No scribes here in India ? Or just today ?

ICANN RP: (20:54) There are no scribes for this meeting

Milton Mueller: (20:56) wow

ICANN RP: (20:57) Sorry, that was ambiguous. This specific meeting today has no scribes, there will be scribes for other sessions during the India meeting

Robin Gross [GNSO NCSG]: (20:57) All week?

Robin Gross [GNSO NCSG]: (20:58) ok, thanks for that clarification. But why no transcripts for today?

avri doria: (20:59) is this online where we can all see it

Jorge Cancio (GAC Switzerland): (20:59) please circulate the slides

avri doria: (21:00) is the dashboard slides on web pages that are update periodically?

avri doria: (21:00) ... slides or a website ...

Connie Hon: (21:00) no audio

Nathalie Vergnolle: (21:00) The dashboard is available here: https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_display_WEIA_ICANN-2B57-2B-2D-2BHyderabad-2B-257C-2B3-2B-2D-2B9-2BNovember-2B2016-3Fpreview-3D_61607173_63146441_WS2-2520Dashboard-2520OCT-2520-2D-252001Nov16.pdf&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=nwmFxdLujBalg2HfLAd_7nTmd9ZtPrjOFnhhZdkkicM&e=

David McAuley 2: (21:00) lost audio again

avri doria: (21:00) thanks

David McAuley 2: (21:00) audio back

Brenda Brewer 2: (21:01) slides are located on wiki here: https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_x_BQ2sAw&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=50TJBhKFyWXJR-wb0xbjt8DULNmee0BfZwsDMvFyXdc&e=

avri doria: (21:02) if work is done on drive docs, it is untracked. correct?

Jorge Cancio (GAC Switzerland): (21:02) how is the "average participation rate" established?

avri doria: (21:03) and one must work the way they measure.

avri doria: (21:04) it is extra work beyond the work that needs to be done.

Nathalie Vergnolle: (21:04) participation rate= active participants/signed-up participants

Milton Mueller: (21:04) Will Avri's question be addressed?

avri doria: (21:05) groups will not have to do their work in a way that looks goor for the measurement tools

Shreedeep Rayamajhi: (21:05) i think its a great resource (the reports)

Shreedeep Rayamajhi: (21:05) Thanks karen

Rudi Daniel: (21:06) this looks very useful.

avri doria: (21:08) just becasue staff required active particpants to be a certain type of particpants, does not mean that active participants are active.

avri doria: (21:09) people signed up as active so that they could particpate if ever inspired to do so, since observers were not given speaking rights.

Shreedeep Rayamajhi: (21:09) I think the most important thing is the feedback and how you can contribute rather than the active status

Jorge Cancio (GAC Switzerland): (21:09) I'm sorry but without a more precise info it is difficult to understand that the "average participation rate" is actually reflecting that notion

Greg Shatan: (21:10) I agree that document participation needs to be a metric. After all, our end goals are documents/deliverables. In both HR and Jurisdiction, we are doing a lot of work in Google Drive docs. Participation is fairly easy to see, and the links are usually available to all in the group (including staff).

Mathieu Weill, ccNSO, co-chair: (21:11) @Avri : let's think about how other types of participation can be captured.

Robin Gross [GNSO NCSG]: (21:11) I agree we (the CCWG) need to establish the participation criteria.

Greg Shatan: (21:11) We may need to modify our work a bit to hit the benchmarks. Which may not be a bad thing.

Jordan Carter: (21:12) if the importance is absolute levels then I agree. If it's trends, then it doesn't matter so much.

David McAuley 2: (21:12) audio out again

Shreedeep Rayamajhi: (21:12) I guess in multistakeholderism its all about getting the voice where there are more issues of interest than active particiaption

Rudi Daniel: (21:13) lost audio

David McAuley 2: (21:13) audio back

Kavouss Arasteh: (21:14) I have some doubt about the usefulness of the information as it may not reflect the reality of what has happened at each group and it may mislead the public..However, I have no problem to publish it with some qualification

Jorge Cancio (GAC Switzerland): (21:15) Kavouss makes an important point

Kavouss Arasteh: (21:16) I still request that how much time in terms of manpower what spent on that

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:16) es more to do hrere...this is an important point that we need to discuss further and clarify..y

Greg Shatan: (21:16) Since I have been silenced, i will put my comment here. Following on Alan's point: We really need 3 categories of participant, whatever you may call them. Observer status is too passive for many, since you don't get to attend the meetings or make any remarks. As such, Member status is over-subscribed with those who have no intention of making a significant contribution (and that's fine). We should have a category for such people, e.g., Associate Member. And these people should NOT be in the denominator for participation statistics.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:16) your 'Silenced' ???

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:17) ahh que issue

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:17) phew

Greg Shatan: (21:17) queueueueueueueueue issue.

Brenda Brewer: (21:17) Next Agenda Item: Please see Wiki page here: https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_display_atrt_ATRT2-2BImplementation-2BProgram&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=nYrbfCMmKjLYu8ZbCN3QOrqkUa4hAFm-z5j2k0Y8rUw&e=

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:17) iI agree with you Greg...

Robin Gross [GNSO NCSG]: (21:19) I also agree.

Karen Mulberry: (21:20) The ATRT2 implementation report can be found at https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_display_atrt_ATRT2-2BImplementation-2BProgram&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=nYrbfCMmKjLYu8ZbCN3QOrqkUa4hAFm-z5j2k0Y8rUw&e=

Lori Schulman: (21:22) Hi

Chris LaHatte: (21:23) sound is intermittent

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:24) thanks Karen can ww also make sure important links like that go perhaps as a digest as not all OC / apps allow for live links i AC rooms

Lori Schulman: (21:24) Sound in Adobe room is breaking up

Kavouss Arasteh: (21:25) Perhaps ,we need to listen to Steve Delbianco to answer question of Sebatien

Julie Hammer (SSAC): (21:25) @Greg, @Cheryl, agree. It is difficult for those of us trying to keep track of all WS2 Sub-Groups for our SO/ACs. We can't commit the time to be Participants, but we don't get to

find out when the meetings are being held. It is necessary to monitor the Wiki closely, and hope that you notice any changes of schedule in time.

Kavouss Arasteh: (21:26) We have discussed the questions raised by Sebastien before and thus produced several options

Sebastien (ALAC): (21:26) When is the meeting about RTs?

Robin Gross [GNSO NCSG]: (21:27) I agree Julie, I am finding it extremely difficult to keep track of the work on all 9 teams in WS2, but we need to keep our SG's members informed.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:29) yup

Kavouss Arasteh: (21:30) We need to take the option which was producedd before in minimizing the overlap

Gordon Chillcott: (21:32) Audio loss again.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:32) ohh dear... and not a

Steve DelBianco [GNSO CSG]: (21:32) @Kavouss -- yes, that was Option 3, which we recommended in our August letter to the Board

Benny Samuelsen / Nordreg AB: (21:33) spo no sound and nothing shared on screen... hurray for remote participation

Christopher Wilkinson: (21:33) @scribes: Since audio is quite unstable, important to have the scribes, now

MTS - Tech: (21:34) Audio should be back momentarily

Rudi Daniel: (21:34) lost audio

David McAuley 2: (21:34) during audio outages in adobe i listen over phone

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (21:34) nothing is on screen here yet either but should be up soon

Rudi Daniel: (21:34) :)

MTS - Tech: (21:35) Audio should be back now

David McAuley 2: (21:35) audio is back

Kavouss Arasteh: (21:36) I have thge following question

Rudi Daniel: (21:37) not yet

Kavouss Arasteh: (21:37) Sebastien, may you kindly advise did you identifiy any shortcomg at the present situation

Rudi Daniel: (21:37) not quite yet

Rudi Daniel: (21:39) ok audio now

Brenda Brewer: (21:39) apologies for sound issues. Please call into the audio bridge. See calendar invite for details.

Kavouss Arasteh: (21:41) What parallel works pls

Kavouss Arasteh: (21:41) We vshould limit the activity of the group to the minimum required and not add any other issue to that

Chris LaHatte: (21:42) steve, yes

Chris LaHatte: (21:43) joins in clapping

Leon Sanchez (Co-Chair. ALAC): (21:43) Going into coffee break now

Jordan Carter: (22:03) we are about to begin again

Mathieu Weill, ccNSO, co-chair: (22:03) Ready !!!

Benny Samuelsen / Nordreg AB: (22:05) sound"!!!!

Mathieu Weill, ccNSO, co-chair: (22:06) Is sound not working again ? (I'm dialed in)

Benny Samuelsen / Nordreg AB: (22:07) sound back but drops regularly

Kavouss Arasteh: (22:07) Dear Co-Chairs, I have sent you a message sometimes ago expressing my concerns tghat the staff accountability should not interfer nor break the hierarchy rules that have governed and currently governing the smooth functioning of the ICANN .Staff should not be accountable to to entities: one to their hierarchy supervisors and second to the community. then even if we break this rules, then accountability of the staff to the community is unimplementable for many reasons .

David McAuley 2: (22:07) sound was out again for about a minute - phone is good backup

Leon Sanchez (Co-Chair. ALAC): (22:08) Thanks Kavouss. As we discussed in our stopover in London, I think we are in the same page on the topic. Let's continue to land this concept with the incumbet subgroup

Kavouss Arasteh: (22:10) Moreover, the cmmunity is not expected to enter in micromagement of the ICANN otherwise it may not only improve but create difficulties anc complexities such unhealthy enviroment in the ICANN

Christian Dawson: (22:11) Audio out again

David McAuley 2: (22:11) sound out back to phone

David McAuley 2: (22:12) sound back

Jordan Carter: (22:12) it really is bizarre how the audio doesn't work consistently in Adobe but does on the pSTN

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (22:13) sadly that is often the case for some of us Jordan...

Farzaneh Badii: (22:17) Hi. I can't hear anything

Farzaneh Badii: (22:17) ok it's back

Robin Gross [GNSO NCSG]: (22:17) no transcript today either....ouch

Mathieu Weill, ccNSO, co-chair: (22:17) Dial in audio is better

MTS - Tech: (22:18) Dial in and mp3 stream are both working fine, we are having some technical difficulties with the audio being sent to adobe connect

David McAuley 2: (22:19) I thought it might help to note sound outages in adobe but there are enough that I will stop now, it seems clear enough that this particular meeting surfaced an adobe audio problem.

Anne Aikman-Scalese (IPC): (22:28) Lost audio

Farzaneh Badii: (22:28) oops. sound gone again

opentech.ca@gmail.com: (22:29) I'd like the CEO to address 2 points: 2) ICANN OGC seems to have no transparency or trust within community, so your move to have Complaint position and complaints flow to OGC strikes many as a hollow gesture at best and seems to run counter to your "transparency and accountability" rhetoric. W2) hat happens to complaints ABOUT the OGC?

Farzaneh Badii: (22:29) I don’t think having a industry specific language is necessarily against diversity or openness. Participants learn the language!

Anne Aikman-Scalese (IPC): (22:31) I agree with the CEO that ICANN language and acronyms are quite intimidating for newcomers - this insider language is a barrier to entry.

Jorge Cancio (GAC Switzerland): (22:33) "corporation" may be a better word for refering to staff...

Jordan Carter: (22:34) The session that Alan just mentioned is this: https://urldefense.proofpoint.com/v2/url?u=https-3A__icann572016.sched.org_event_8cyj&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=k5S_apG0DsScOxedWqwMgiWW7O0odps79UEGNFJ-UAk&e=

Steve DelBianco [GNSO CSG]: (22:34) translation: JJ Bubble == Office of General Counsel

Mathieu Weill, ccNSO, co-chair: (22:34) Another set of acronym ? ;-)

Brenda Brewer: (22:34) ¬ When submitting a question that you want me to read out loud on the microphone in this session, please provide your name and affiliation if you are representing one,

start your sentence with <QUESTION> and end it with <QUESTION>. When submitting a comment that you want me to read out loud on the microphone, once again provide your name and affiliation if you have one then start your sentence with a <COMMENT> and end it with <COMMENT>. Text outside these quotes will be considered as part of “chat” and will not be read out loud on the mic.¬ Any questions or comments provided outside of the session time will not be read aloud.

Jordan Carter: (22:37) note that there will be a transcript of the meeting, it's just not live transcription

opentech.ca@gmail.com: (22:37) <question> (no affiliation) I'd like the CEO to address 2 points: 1) ICANN OGC seems to have no transparency or trust within community, so your move to have Complaint position and complaints flow to OGC strikes many as a hollow gesture at best and seems to run counter to your "transparency and accountability" rhetoric. 2) What happens to complaints ABOUT the OGC?

Kavouss Arasteh: (22:37) Openness and transparency in day to day finction and long term activities of ICANN is supported as it positively contribute to the higher efficiency of the work but it has nothing to do with stsff accountability vis a vis the community

Milton Mueller: (22:37) +100 Robin

Milton Mueller: (22:37) You fail to see the connection?>>>!!!

Kavouss Arasteh: (22:38) There must a workable mechanism that views of staff are well liostened and properly reflected

Milton Mueller: (22:39) the CEO has no clue about the problem here. Really disturbing

Lori Schulman: (22:39) It's too much of a firewall. As a former General Counsel, I agree.

Lori Schulman: (22:40) I think that we may have differing views of what "protects" the organization.

Greg Shatan: (22:40) Shouldn't that "conflict of interest" disqualify the GC from this particular position?

Milton Mueller: (22:40) Yes, protect the bylaws, and don't forget the empowered community

Kavouss Arasteh: (22:40) Those who push for staff accountability to the community couild kindly indicate and give one expample that such dual accountability is effected elsewhere

Jordan Carter: (22:40) Kavouss I think you have to draw a distinction between procedural accountability and the essence of a staff/community relationship working well

Robin Gross [GNSO NCSG]: (22:41) Wow! This conversation is very illuminating in how the new CEO does not understand the role of the legal dept. and what the community has said about getting these evaluations out the legal dept.'s hands. Sigh.

Jordan Carter: (22:41) people are legally accountable to the employer, but they can't do their job in working with the community without a healthy relationship. that's how I see it, anyway

Milton Mueller: (22:41) defensive and top down. ICANN is unchanged

Steve DelBianco [GNSO CSG]: (22:41) It's simpler to just have this distinction: ICANN the Community. and ICANN the Corporation (also known as ICANN the Organization)

Greg Shatan: (22:42) What we need is more of a Public Advocate position. Someone who stands aside from the infrastructure, rather than one who is charged with defending the infrastructure.

Milton Mueller: (22:42) agree Steve. The corporation is not the same as the community and the interests of the corporation are not necessarily the same

Chris LaHatte: (22:42) that is the ombudsman

Milton Mueller: (22:42) +1 Greg

Robin Gross [GNSO NCSG]: (22:42) The CEO does not seem to care what the community said in WS1 and is determined to go forward with undoing our work.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (22:42) yup

Jordan Carter: (22:42) I heard Goran supporting that distinction, Steve/Milton

Milton Mueller: (22:42) But now the Ombudsman is subordinate to ICANN legal, Chris

Chris LaHatte: (22:43) no he is not at present

Mathieu Weill, ccNSO, co-chair: (22:43) I don't think so Milton. The Comlplaint officer is subordinate to Icann Legal

Greg Shatan: (22:43) I mean something different than the Ombudsman. I'll try to be clearer.

Chris LaHatte: (22:43) complaint should perhaps report to

Chris LaHatte: (22:43) Ombuds

Robin Gross [GNSO NCSG]: (22:44) This (complaints officer) is taking the org is the opposite direction of what the community has said it needs. It is hard to believe the new CEO is trying to be accountable by dismissing this concern out of hand.

Jordan Carter: (22:44) if the complaints officer's only job is to collate and publish complaints, rather than to resolve them or recommend resolution, then I see no problem

Greg Shatan: (22:44) There are two levels to this issue -- the generic and the particular (i.e., the historical position and approach of ICANN legal).

Robin Gross [GNSO NCSG]: (22:44) Jordan, that is the same that they did on Recon Requests and we said NO

Izumi Okutani (ASO): (22:45) I think Steve's distinction makes sense and easy to understand

Robin Gross [GNSO NCSG]: (22:45) that initial "recommendation" is entirely based on a conflicted view.

Greg Shatan: (22:45) Jordan, if that's the only role, it could be filled by a tape recorder.

Pam Little: (22:45) + 1 Greg

Milton Mueller: (22:45) Exactly Greg. Jordna's view is quite naive

Jordan Carter: (22:45) A tape recorder with hands to type ;)

Robin Gross [GNSO NCSG]: (22:46) Meet the new boss, same as the old boss...

Jordan Carter: (22:46) Milton: no, it's about role. If there is a narrow role with no recommendation or decision, then there isn't a conflict.

Chris LaHatte: (22:46) complaint officer needs teeth

opentech.ca@gmail.com: (22:46) +1 @ Greg Shatan

Farzaneh Badii: (22:46) fangs!

Jordan Carter: (22:46) If they have "teeth" then they need independence.

Chris LaHatte: (22:46) yes

Jordan Carter: (22:46) If they just collate, they don't.

Jordan Carter: (22:46) hardly naive.

Robin Gross [GNSO NCSG]: (22:47) Jordan, this has not been described as a "collate" position. Not sure your insistance that it is is based on anything other than wishes.

Jordan Carter: (22:47) it was just based on how he described it here

Farzaneh Badii: (22:47) It is unrealistic to think you can change the industry and policy language and simplify it. It will be waste of resource.

Robin Gross [GNSO NCSG]: (22:47) an initial recommendation is not a collation. it is an evaluation of the merits.

Jordan Carter: (22:48) Robin: ah, missed that bit.

opentech.ca@gmail.com: (22:49) How can CEO follow/respond to community when he does not take the time to actually talk to the community? ("community" is NOT SO & AC chairs)

opentech.ca@gmail.com: (22:49) please make sure the CEO gets this entire chat room transcript

Robin Gross [GNSO NCSG]: (22:49) that evaluation does not belong in conflicted hands, especially since WS1 said get those evaluations out of conflicted hands.

Anne Aikman-Scalese (IPC): (22:49) Speaking frankly, this discussion demonstrates the fundamental flaw in the Sole Designator model. This model is still very Top-Down in the actual functioning of the corporation. The EC can only go straight to the Board and ask them to direct the CEO's actions and then if they do not, threaten to remove directors. However no SO or AC will be willing to be so extreme in relation to this type of decision, no matter how much it contradicts all the discussions that have gone before in the Accountability CCWG. Or perhaps EC can object to budget which includes position being based within ICANN Legal? (Again, I doubt anyone wlll take this issue to that extreme, but perhaps so.)

Pam Little: (22:49) @opentech.ca@gmail.com - that's the fallacy of ICANN outreach program/effort.

Pam Little: (22:50) They assume the community = those who attend ICANN meetings.

Jordan Carter: (22:50) Right: Robin - found the lingo from the blog post: "The ICANN Complaints Officer will receive, investigate and respond to complaints about the ICANN organization's effectiveness, and will be responsible for all complaints systems and mechanisms across the ICANN organization. We will be appointing someone to this role, reporting directly to John. This person will work closely with Ombudsman Herb Wayne."

Steve DelBianco [GNSO CSG]: (22:50) who is Opentech.ca, please?

opentech.ca@gmail.com: (22:50) could you please tell the moderator to place a time limit on statements? clock is running out and sooo many questions have not been addressed

Farzaneh Badii: (22:50) thanks for asking that Steve

Milton Mueller: (22:50) this is just wrong, Kavouss. Staff is accountable to the community, albeit indirectly

Robin Gross [GNSO NCSG]: (22:51) if the staff is not accountable to the community, what are we doing here at all?

Jordan Carter: (22:52) Your contention Robin / Milton has been in that response and investigation role, there's an inherent conflict given the duty of that staff member to act in the corp's interests, right?

David McAuley 2: (22:53) It remains true that the bylaws have been changed and that in WS2 we are working out additional understandings of those bylaws. The RR and IRP have been addressed in bylaws and the complaints officer can't change that.

Farzaneh Badii: (22:53) no sound again . I am going to give up

Farzaneh Badii: (22:53) can't dial in

Anne Aikman-Scalese (IPC): (22:53) lost sound again

Jorge Cancio (GAC Switzerland): (22:54) Tijani makes very good points

Lori Schulman: (22:54) I had to jump out of Adobe audio and Dial-in. The Dial-in is perfect.

Mathieu Weill, ccNSO, co-chair: (22:54) Farzi, can you use the audio stream ?

Mathieu Weill, ccNSO, co-chair: (22:54) It seems to work well

Lori Schulman: (22:55) Maybe dial in on a VOIP not connected to Adobe.

Brenda Brewer: (22:55) Farzaneh, happy to call. you. let's go to private chat

Farzaneh Badii: (22:55) oh that is a good idea

Yvette Guigneaux: (22:55) Hi Lori - you need a dial out?

Jordan Carter: (22:56) Wehn you read the whole para about the Complaints officer as I pasted, it does make clear the concern Robin raised to me anyhow

Jordan Carter: (22:58) Agree with Greg

Anne Aikman-Scalese (IPC): (22:59) Greg is right.

Chris LaHatte 2: (22:59) independence is critical

Robin Gross [GNSO NCSG]: (22:59) Quite concerning that the new CEO dismisses this concern out of hand. Not a good sign for the future and trust building.

Jordan Carter: (22:59) Let's put it on the agenda for the staff accountability group

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (22:59) well said Greg

Anne Aikman-Scalese (IPC): (23:00) lost sound again

Robin Gross [GNSO NCSG]: (23:00) "my organization" said several times in the last 10 minutes. yikes.

Pam Little: (23:00) History is important.

Farzaneh Badii: (23:00) we have to wait for a year for a mistake to be corrected?

Brenda Brewer 2: (23:01) Farzaneh is now connected to audio

Farzaneh Badii: (23:01) Thanks . I am . :)

Aarti Bhavana: (23:02) Just how much freedom does the CEO have to take these kinds of decisions unilaterally?

Anne Aikman-Scalese (IPC): (23:02) @Aarti - Quite a bit actually but of course he reports to the Board.

Greg Shatan: (23:02) Maybe I should apply for the position of Complaints Officer...

Greg Shatan: (23:02) :-)

Robin Gross [GNSO NCSG]: (23:03) :-)

Farzaneh Badii: (23:03) what are simple things? how do we define that

Yvette Guigneaux: (23:03) Lori - not sure if you can see the chat but we're calling you now

Mathieu Weill, ccNSO, co-chair: (23:03) I should apply for the position of Complaints Submissioner ;-)

Mathieu Weill, ccNSO, co-chair: (23:03) Looks easier

Yvette Guigneaux: (23:03) Lori - if you can let us know when you're connected

Kavouss Arasteh: (23:03) Complains office should be managed without having any sort of retaliation from the hierarchy with respect the staff who complains

Anne Aikman-Scalese (IPC): (23:04) Good question Thomas. This is in fact a structural issue and not one of whether complaint process is transparent.

Kavouss Arasteh: (23:05) Complains should be deth with internally and not to public as may create unmanageable consequences if the complains are not justified or valid

Jordan Carter: (23:05) A question for clarity about is: what impact does the imperative on legal to "Defend the Fortress/Faith" have on how people might have complaints dealt with, or their willingness to complain

Kavouss Arasteh: (23:06) Thomas pls ensure that my last comment in the chat is well taken into account

Robin Gross [GNSO NCSG]: (23:07) We are not finished with this issue of legal dept. as complaints officer.

Jordan Carter: (23:07) not at all

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (23:07) indeed needs continuation

Mathieu Weill, ccNSO, co-chair: (23:07) Absolutely Robin, staff acct subgroup will follow up

Farzaneh Badii: (23:08) so we are not using acronyms anymore? hmm that's a shame. Took me 3 years to learn them. Are we going to learn another language?

Kavouss Arasteh: (23:08) could CEO ensure that any complain shoiuld not give rise to any retaliation

Anne Aikman-Scalese (IPC): (23:08) Goran's arguments make perfect sense in the average top-down corporation. Of course this makes perfect sense to an experienced CEO but it does not take into accoount the special nature and history of ICANN accountabiliity measures.

Robin Gross [GNSO NCSG]: (23:09) Another instance of a CEO not understanding the bottom up nature of ICANN.

Anne Aikman-Scalese (IPC): (23:09) I do recall Fadi saying he wished he had understood this better in his initial days.

Robin Gross [GNSO NCSG]: (23:11) Good point.

Anne Aikman-Scalese (IPC): (23:11) What is surprising is that the Board has not provided more guidance on this structural issue.

Kavouss Arasteh: (23:14) We missed Farzaneh ,as one of the Active co chair on the podium

Farzaneh Badii: (23:15) Thank you Kavouss. I miss being there too. :)

David McAuley 2: (23:17) <Question: How long will SOs/ACs have to answer the questions? Question>

Kavouss Arasteh: (23:17) Farzaneh, your works is highly appreciated

Kavouss Arasteh: (23:18) Ch Chaiur, are we expected to approve the questions proposed to SO/AC ?

Mathieu Weill, ccNSO, co-chair: (23:19) Kavouss, we are expected to approve the fact that the questions are sent

Thomas Rickert, CCWG Co-chair: (23:19) Yes, Kavouss

Kavouss Arasteh: (23:19) But I have difficulties with some of them in the way that they are drafted

Farzaneh Badii: (23:20) nope

Farzaneh Badii: (23:20) Thank you :)

David McAuley 2: (23:21) Thanks Brenda

David McAuley 2: (23:21) Thanks CLO

Kavouss Arasteh: (23:21) For some AC, it may be diffivcult to reply without having physical meeting

Thomas Rickert, CCWG Co-chair: (23:22) The queue is closed after Alan!

Alan Greenberg: (23:22) May we either have scrolling rights to the document or a URL pointing to it?

Alan Greenberg: (23:23) PLEASE?

Alan Greenberg: (23:24) Thank you.

Yvette Guigneaux: (23:24) Scrolling rights done Alan

Yvette Guigneaux: (23:24) you should be good now

Yvette Guigneaux: (23:24) you're welcome

Mathieu Weill, ccNSO, co-chair: (23:24) Yes, works for me Yvette, thanks !

Yvette Guigneaux: (23:24) yw

Mathieu Weill, ccNSO, co-chair: (23:27) JAn is tight => see the ccNSO survey on accountavbility for instance

Mathieu Weill, ccNSO, co-chair: (23:27) Jan is right, not tight

Yvette Guigneaux: (23:27) Brenda - is that an old hand or a new hand up?

Robin Gross [GNSO NCSG]: (23:27) Mathieu, tight also. ;-)

Kavouss Arasteh: (23:28) Then we must cross refernce the existing definition

Kavouss Arasteh: (23:29) Cheryl, pols then read my comment in the chat

Alan Greenberg: (23:30) The ALAC description in the Bylaws is horrible (in my opinion) but this is not the time to change it.

Kavouss Arasteh: (23:31) The description of the designated communities should therefore nbe cross refernced in question 1

Mathieu Weill, ccNSO, co-chair: (23:31) It's not even a fundamental Bylaw Alan, come on ;-)

Alan Greenberg: (23:32) @Mathieu, I didn't say it is not changeable and I hope we will ultimatley change it. Just that THIS process is not the place to do this.

Finn Petersen, GAC-DK: (23:33) In the progress report it is stated "..that SO/ACs should normally be accountable to their stakeholder group". What does the word "normally" cover?

Kavouss Arasteh: (23:33) Steve, make sure that these questions do not give rise to any interference to one SO/AC to other SO/AC

Steve DelBianco [GNSO CSG]: (23:33) @Kavouss -- I see nothing in these questions that would imply any cross-SO/AC interference. Do you>

David McAuley 2: (23:33) how long is lunch break in terms of hours and minutes,

Mathieu Weill, ccNSO, co-chair: (23:34) 1h15 minutes

David McAuley 2: (23:34) thanks Thomas

Steve DelBianco [GNSO CSG]: (23:34) @Finn -- Normal is really saying Normative, okay?

Kavouss Arasteh: (23:34) Yes ,there are and it worth to emphasize that

Finn Petersen, GAC-DK: (23:35) @Steve ok

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (23:35) lunch brek

David McAuley 2: (11/2/2016 00:36) Brenda, I assume we will resume here - no need for a new adobe session?

Lori Schulman: (00:40) Are we starting?

Brenda Brewer: (00:41) Momentariy Lori

Brenda Brewer: (00:43) Gppd day all, Afternoon Session for CCWG ACCT WS2 will begin momentarily.

Mathieu Weill, ccNSO, co-chair: (00:47) Hello all !

Brenda Brewer: (00:47) ¬ When submitting a question that you want me to read out loud on the microphone in this session, please provide your name and affiliation if you are representing one, start your sentence with <QUESTION> and end it with <QUESTION>. When submitting a comment that you want me to read out loud on the microphone, once again provide your name and affiliation if you have one then start your sentence with a <COMMENT> and end it with <COMMENT>. Text outside these quotes will be considered as part of "chat" and will not be read out loud on the mic.¬ Any questions or comments provided outside of the session time will not be read aloud.

Leon Sanchez (Co-Chair; ALAC): (00:48) Hello Mathieu!

avri doria: (00:48) aren't Face to face all about discussion? we could have done updates on a dashboard thingy.

Jordan Carter: (00:48) back from delicious lunch (including complementary red bull!)

avri doria: (00:49) i need more red bull.

Leon Sanchez (Co-Chair; ALAC): (00:49) I want red bull

Leon Sanchez (Co-Chair; ALAC): (00:49) where did you find it?

David McAuley 2: (00:49) Need Red Bull here

Yvette Guigneaux: (00:50) Lori - your audio good?

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (00:51) need it here as well David

Lori Schulman: (00:51) I am hearing Greg OK.

Lori Schulman: (00:55) @Avri - we have a dashboard "thingy". I agree about the discussion.

Mathieu Weill, ccNSO, co-chair: (00:55) @Avri : the purpose is to explain the "layers" essentially.

Steve DelBianco [GNSO CSG]: (00:55) This document is Descriptive, and not Normative. Do I have that right, Greg?

Leon Sanchez (Co-Chair; ALAC): (00:56) That seems to be right Steve

Lori Schulman: (00:56) Sound has gone wonky again.

Jordan Carter: (01:00) red bull was in the drinks fridge which was here for lunch

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:01) darnn missed it I had a meeti g to dash to and the fridge was gone when I returned

Mathieu Weill, ccNSO, co-chair: (01:02) Not sure Red Bull at lunch is compatible with expected standard of behaviour.

MTS - Tech: (01:02) Are you still having sound issues Lori? I'm also listening to audio and it sounds fine here

Lori Schulman: (01:02) Hi, its spotty so I dialed in. My desktop mic and audio are muted now.

David McAuley 2: (01:02) Adobe audio has been fine here since resuming after lunch

Jordan Carter: (01:03) Are many audio problems the result of issues with user connectivity? Or is it usually the Adobe systems?

Lori Schulman: (01:03) Adobe

Lori Schulman: (01:03) I have good connectivity generally. I find Adobe is typically the culprit.

David McAuley 2: (01:04) I think adobe is the culprit as well

avri doria: (01:05) to what extent do NTIA requirements still hold sway?

Kavouss Arasteh: (01:06) General Comment,

Kavouss Arasteh: (01:07) While the works of all subgroup are important and valuable and their efforts are fully recognized and highly appreciate, I as a Member of CCWG associate a very high degree of importance to a mutually accepted output of Jurisdiction sub group. I hope our expectations would be realized and the group produce an output which properly and legally address the case under consideration. It would be totally inacceptable, disappointing and frustrating to either end up with status quo or a Watered down product. Some part of the community, if not all, is carefully monitoring the output of this group to be assured that this fundamental, crucial and important issue is concluded with satisfactory results acceptable to all parties . What this part of community is not expecting is Status Que which is ambiguous, unclear and subject to different interpretation by different people in a way

that they wish to be interpreted without being fair to every body,what assurance is given to this part of the community that their minimum

Mathieu Weill, ccNSO, co-chair: (01:07) @Avri : they are part of the Bylaws now (the WS2 transition article)

Kavouss Arasteh: (01:08) what is part of the Bylaws? the assurance that I mentioned?

David McAuley 2: (01:08) Nicely presented Greg

Jorge Cancio (GAC Switzerland): (01:09) from the Bylaws section 27: (c) As provided in the CCWG-Accountability Charter and the Board's 2014.10.16.16 resolution, the Board shall consider consensus-based recommendations from the CCWG-Accountability on Work Stream 2 Matters ("Work Stream 2 Recommendations") with the same process and criteria it committed to using to consider the CCWG-Accountability recommendations in the CCWG-Accountability Final Report ("Work Stream 1 Recommendations"). For the avoidance of doubt, that process and criteria includes:(i) All Work Stream 2 Recommendations must further the following principles:(A)Support and enhance the multistakeholder model;(B)Maintain the security, stability and resiliency of the DNS;(C)Meet the needs and expectations of the global customers and partners of the IANA services;(D)Maintain the openness of the Internet; and(E)Not result in ICANN becoming a government-led or an inter-governmental organization.

Mathieu Weill, ccNSO, co-chair: (01:10) Thanks Jorge, exactly

Steve DelBianco [GNSO CSG]: (01:10) Bylaws say this about the Jurisdiction project in WS2: (vi) Addressing jurisdiction-related questions, including how choice of jurisdiction and applicable laws for dispute settlement impact ICANN's accountability;

Lori Schulman: (01:11) So it would seem emphasis should be on dispute resolution as opposed to where ICANN is legally incorporated or physically situated.

Kavouss Arasteh: (01:12) Statement or clarifications provided by Jorge does not not answering my questions I am asking co chairs and Grec

avri doria: (01:12) well Matheiu ony one provision is in the transition section. So I guess that holds sway until WS2 completes.

Mathieu Weill, ccNSO, co-chair: (01:13) Yes, but it applies to all our WS2 recommendations

David McAuley 2: (01:15) Agree with Greg and note that Annex 12 says that consideration of jurisdiction in Work Stream 2 will focus on the settlement of dispute jurisdiction issues

avri doria: (01:16) right we cannot become a government run organization. Does not seem germane to the curret jurisdiction discussion.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:18) Kavous, wI assume it would be valid *if* the group ended with a consensus of something akin to a "status quee"

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:18) apols for the typo

Milton Mueller: (01:18) status queeee! that's much more exciting than the status quo

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:19) :-)

Kavouss Arasteh: (01:19) I have heard people pushing for Status Que even before we reached that conclusion

Kavouss Arasteh: (01:21) Milton, you are welcome to join queeeee

Jorge Cancio (GAC Switzerland): (01:41) On the IRP development, I would like to share with you a suggestion on language of proceedings I have made within the jurisdiction subgroup, which Becky and David have noted. Under current (new) bylaw language at Section 4.3(l) this is said: “All IRP proceedings shall be administered in English as the primary working language, with provision of translation services for Claimants if needed". My suggestion is to consider developing this rule in a fashion that enhances diversity. For instance, stating that translation also means interpretation during hearings. That, when translation services are required, they are granted per default (and rejection is ruled out generally). Also that the translated documents are provided at the same time as the original English documents or, at least, that the deadlines only count in such cases whenever the translated document has reached the interested party, etc.

David McAuley 2: (01:44) Jorge - you did mention that to me in an HR SubTeam call and I am glad you noted it here

Jorge Cancio (GAC Switzerland): (01:45) Oh, sorry, David, mixed the two subgroups...

David McAuley 2: (01:45) No problem - and we discussed on list afterward, glad it is raised

David McAuley 2: (01:46) it was also releveant in what we were discussing in HR, can't recall exactly what

Mathieu Weill, ccNSO, co-chair: (01:48) @david : maybe equal ability to defend one's case ?

David McAuley 2: (01:49) might be @Mathieu - just cant recall

Kavouss Arasteh: (01:50) Becky,Good report . highly apprecioated and .thank you .once again for the hard work.

David McAuley 2: (01:50) Thanks Becky, good presentation

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:50) thx Becky

Kavouss Arasteh: (01:52) Thomas, perhaps ,CCWG needs to formally express its appreciations and thanks to Becky for the hard works

Mathieu Weill, ccNSO, co-chair: (01:53) Clapping at home for Becky

Robin Gross [GNSO NCSG]: (01:53) yes, thanks to Becky for this hard work

David McAuley 2: (01:53) Congrats Becky

Barrack Otieno: (01:53) thanks for the good job Becky

Lori Schulman: (01:53) Clapping for Becky and echoing how impressive her work has been.

Lori Schulman: (01:53) and the group as a whole.

Lori Schulman: (01:53) super impressive

Chris LaHatte: (01:54) terrific job Becky

David McAuley 2: (01:54) +100 Kavouss

Mathieu Weill, ccNSO, co-chair: (01:54) And it was the easy part Becky, now you can continue within the Board ;-)

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:55) at least we know someone on the Bord wi

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:55) understand the eules ns process

Kavouss Arasteh: (01:56) yes ,ENDRSEVis a right word Steve

Kavouss Arasteh: (01:56) ENDORSE

Kavouss Arasteh: (01:58) Thomas !++++

Lori Schulman: (01:58) hear! hear! cheers to becky!

Steve DelBianco [GNSO CSG]: (01:58) Thanks for stepping up, David.

Kavouss Arasteh: (01:59) Good David that you come in

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:59) excellent David thanks for stepping up

David McAuley 2: (01:59) hanks Thomas, I am honored to be considered for this, big shoes to fill

David McAuley 2: (01:59) thanks, that is

matthew shears: (01:59) bravo both

Greg Shatan: (01:59) Thank you both!

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (01:59) lori??

Lori Schulman: (02:00) yes, fixing it

Lori Schulman: (02:00) I seem to be on mute

Mathieu Weill, ccNSO, co-chair: (02:00) Lori I can hear you faintly

Mathieu Weill, ccNSO, co-chair: (02:00) (I don't know about the room)

Bernard Turcotte Staff Support: (02:01) ** Conclusion of IRP presentation

Bernard Turcotte Staff Support: (02:01) ** beginning of Good Faith presentation

Bernard Turcotte Staff Support: (02:01) We can hear you

Alan Greenberg: (02:01) We can hear you

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (02:01) yes go ahedmLori

Greg Shatan: (02:03) Reminds me of "Myst"

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (02:04) so true Greg

David McAuley 2: (02:05) seems better

Mathieu Weill, ccNSO, co-chair: (02:05) Lori we hear you on audio line but not in the room I guess

Lori Schulman: (02:06) I understand completely.

Lori Schulman: (02:06) sorry

Lori Schulman: (02:06) I tried in AC and on phone

Robin Gross [GNSO NCSG]: (02:08) have issues been referred to the legal committee from this subgroup yet?

Leon Sanchez (Co-Chair; ALAC): (02:08) Not yet Robin. I will speak to that next

Karen Mulberry: (02:09) The link to the Guidelines document https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_display_WEIA_Guidelines-2Bfor-2BGood-2BFaith-2BConduct-3Fpreview-3D_59643294_62396304_WS2-2520Guidelines-2520for-2520Good-2520Faith-2520Rough-2520First-2520Cut-2520Draft-252010-2D2-2D16.docx&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=bpdahbkYvEemooF3-RLbqWo5rtmg-1H2qpKqEROP6ao&e=

Alan Greenberg: (02:12) Not great but acceptable

Mathieu Weill, ccNSO, co-chair: (02:12) Not your fault Lori

David McAuley 2: (02:13) Leon, please enter jokes in chat

Theo Geurts: (02:13) :)

Steve DelBianco [GNSO CSG]: (02:13) Brenda -- that link is just the outline. Are we publishing just that outline for public comment ???

Steve DelBianco [GNSO CSG]: (02:15) Also, Brenda, your link is dated 2-Oct and I believe there is a more recent version dated 18-Oct

Brenda Brewer 2: (02:16) THank you Steve. One moment.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (02:19) thx Lori, it was hard for you to work with all the audio issues but we got through the opdate, well done

Greg Shatan: (02:19) Thank you, Lori!

Robin Gross [GNSO NCSG]: (02:20) I'm concerned that a dispute about "facts" would attempt to limit a SOAC's removal rights. That can't happen - it would violate WS1 decisions.

Michael Abejuela (ARIN): (02:22) Yes that is my concern as well, that somehow the establishment of guidelines might somehow limit the SO/AC's removal rights. For example requiring set criteria that one might argue is not met might infringe on a particular SO/AC's removal rights.

Alan Greenberg: (02:23) Fact-based is ok as long as the "fact" can be, the AC/SO is no longer happy with the Board member.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (02:23) good point Julie

Robin Gross [GNSO NCSG]: (02:24) yes, Alan, but they could dispute the rationale for that decision as not being "fact" based. We need to close that loophole.

Izumi Okutani(ASO): (02:24) Indeed good point Julie - to clarify those expectations for the candidates

Robin Gross [GNSO NCSG]: (02:26) I agree with Alan and am concerned about the direction this group is going in and reversing WS1, which is not acceptable.

Kavouss Arasteh: (02:26) Alan, what is the basis that a SO/AC say it was not happy with a Board memeber?.

matthew shears: (02:26) agree

Kavouss Arasteh: (02:27) Blantly without any reason?

Jordan Carter: (02:27) it's a shame this topic has drifted so far from what originally inspired it, which was the elaboration of norms the community expected board members to live up to, beyond the procedural rules

Robin Gross [GNSO NCSG]: (02:27) why are we re-debating this issue?

Alan Greenberg: (02:27) @KAvouss, I dont'; see how I can ahead of time tell you why I may be unhappy in the future. If we could do that, we would have a lot fewer divorces.

Robin Gross [GNSO NCSG]: (02:28) this is supposed to be about INDEMNITY of board members. not whether they CAN be removed at all.

Milton Mueller: (02:28) Lori, the simple fact is that it CAN be arbitrary, if by arbiitrary we mean that the board member can be recalled simply because the community no longer wants them on the board

Jordan Carter: (02:28) Robin: wasn't it refined to being indemnity of the community in pursuing actions to remove board members?

Robin Gross [GNSO NCSG]: (02:29) I understood it as indemnity of board members

Robin Gross [GNSO NCSG]: (02:29) this is about INDEMNITY not removal rights. I suggest we go back and look at what we decided and get back on track.

Kavouss Arasteh: (02:29) arbitrary removal is strange action

Mathieu Weill, ccNSO, co-chair: (02:30) It was agreed in WS1 that the indemnification of community members would be subject to conditions. These are the conditions we are talking about. Not the reasons to remove.

Milton Mueller: (02:30) can't hear Lori

Kavouss Arasteh: (02:31) What are these condition Mathieu?

Alan Greenberg: (02:31) What we do need to do is ensure that whatever the rationale is that is given, is not based on falsehood or misrepresentation.

Mathieu Weill, ccNSO, co-chair: (02:31) I agree Alan

Michael Abejuela (ARIN): (02:31) Agree with Milton, adding a barrier once the empowered community has decided on a removal would be very concerning.

Izumi Okutani(ASO): (02:31) I think Milton has well captured the basic concept of the proposal

Kavouss Arasteh: (02:31) Alan , yes I agree

Robin Gross [GNSO NCSG]: (02:32) I can't understand what Lori is saying.

Kavouss Arasteh: (02:33) There is no intention to add barrier. It is about justificationb for removal and not arbitrary removal .

Jordan Carter: (02:33) can anyone who has a better memory than me remind me where the need for this guidance was specified in the WS1 report?

Kavouss Arasteh: (02:33) The concept of " I do not want this or that Board Member is unreasonable even if WS1 pushed for that

Robin Gross [GNSO NCSG]: (02:34) Alan is correct. Subjective, arbitrary removals are ok. Period

Michael Abejuela (ARIN): (02:34) But who decides whether a removal is justified or arbitrary? Isn't it the SO/AC that decides for removal and that is it - no need to make additional justifications and for that justification, to whom is it made?

Mathieu Weill, ccNSO, co-chair: (02:34) @Jordan; was part of the compromise on Board removal power for the EC. No cause, but indemnification fo community members is subject to conditions TBD

Kavouss Arasteh: (02:34) Yes we should act in good faith but what are the good faith

Christopher Wilkinson: (02:35) Each SO/AC which initiates a removal, will have to reveal justifications to other SO/ACs to obtain the EC majority required.

Milton Mueller: (02:35) So the rationale offered by the community for removal cannot, e.g., say that a person stole money if that is not true. This is not a "reasonableness standard" however

Jordan Carter: (02:35) Para 54 of Annex 4

Jordan Carter: (02:35) As required by California law and consistent with ICANN's current Bylaws, indemnification will only be available if the actions were taken (1) in good faith and (2) in a manner that the indemnified person reasonably believed to be in the best interests of ICANN. Guidelines for standards of conduct that will be presumed to be in good faith (for example, conducting reasonable due diligence as to the truthfulness of a statement) will be developed in Work Stream 2. Indemnification will cover amounts actually and reasonably incurred in connection with the lawsuit, such as reasonable attorneys' fees of no more than one firm, judgments, and settlements approved by the Board in its reasonable discretion.

Mathieu Weill, ccNSO, co-chair: (02:35) Nice job Jordan

Kavouss Arasteh: (02:36) Yes Thomas, the issue is false triger by a SO/AC which they want indemnification for that false action .

Jordan Carter: (02:36) Christopher: There is no EC majority required for removal of a director appointed by an SO/AC, only for those appointed by the NomCom.

Robin Gross [GNSO NCSG]: (02:36) Yes, Jordan, we need to get back to the scope of the subteam.

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (02:37) good feedback thanks everyone

Robin Gross [GNSO NCSG]: (02:37) Yes, thank you, Lori.

Lori Schulman: (02:37) Yes, thank you. Feedback was super helfpful.

Alan Greenberg: (02:37) Agree with Thomas. Thanks for taking the lead Lori.

Lori Schulman: (02:37) Sorry about sound.

Lori Schulman: (02:37) Thank you Thomas.

Lori Schulman: (02:37) Great recap.

Kavouss Arasteh: (02:37) No one wants to go back and revist the decision of WS1 but we want to properly implement that

Jordan Carter: (02:39) Definitely not your fault Lori

Thomas Rickert, CCWG Co-chair: (02:39) Agree, Jordan! Great job, Lori!

Robin Gross [GNSO NCSG]: (02:39) can we make the doc scrollable please?

Brenda Brewer: (02:40) Robin, if we turn on scroll, the large screens in room will not move with presentation.

Jordan Carter: (02:41) in that case can we have a link to the document?

Brenda Brewer 2: (02:42) Link to Transparency doce can be found here:: https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_x_BQ2sAw&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5c

M&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=50TJBhKFyWXJR-wb0xbjt8DULNmee0BfZwsDMvFyXdc&e=

Robin Gross [GNSO NCSG]: (02:43) thanks

Robin Gross [GNSO NCSG]: (02:44) where does transparency of board deliberations come in?

David McAuley 2: (02:44) I suggest two modifications to the latest draft.First, no change to current DIDP access to root zone or L root information should be made absent express, written buy-in from the SSAC and RSSAC.

David McAuley 2: (02:45) And second, non-disclosure agreements and other legitimate confidential handling obligations undertaken by ICANN cannot be made subject to overriding policy-based disclosure requirements except to the extent required by applicable law.

Kavouss Arasteh: (02:45) Transparency and openness should not result in instability thus there is a need to maintaion a fair balance between these two to

Kavouss Arasteh: (02:47) David, that is the balance that I have referred to

Lori Schulman: (02:47) Signing Off as I have a meeting in a few hours on US time. No rest for the wicked. :) See you on the ground in a few days. Thanks for the feedback. We acknowledge this problem and accept the challenge to resolve the tension between arbitrary removals and indemnity.

David McAuley 2: (02:47) Thanks Kavouss

Lori Schulman: (02:47) Indemnity of community not board.

Lori Schulman: (02:47) ciao

Robin Gross [GNSO NCSG]: (02:47) thanks, Lori

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (02:48) bye Lori

David McAuley 2: (02:51) On open contracting, any change to DIDP disclosure rules as to NDAs should not be retroactive and ICANN will need to disclose these rules to folks considering NDAs with it.

Finn Petersen, GAC-DK: (02:52) Why is the proposed additional disclosures limited to interaction with Governments. Would it not provide "a clearer picture of how, when and to what extent ICANN engages" if the proposal is extended to interaction with all external parties?

Kavouss Arasteh: (02:53) It mnay not be poossible nor advisable to establish absolute transparency as there may be some exception which justify some sort of confidentiality

Robin Gross [GNSO NCSG]: (02:58) this draft is a good start, but not ready to go.

opentech.ca@gmail.com: (02:59) Would like to see disclosure of all ICANN contracts; this includes all consultants and purpose of engagement. ICANN can withhold amount if needed for cometitive purposes, but we should know who in the community is being paid by ICANN

Robin Gross [GNSO NCSG]: (03:00) why are we reaching out to ICANN legal and not to our own council? who made that decision?

David McAuley 2: (03:00) I agree with Thomas, would be good for information

Christopher Wilkinson: (03:00) I would support open contracting above a reasonable non-sliced, limit, incluidng for legal services.

Mathieu Weill, ccNSO, co-chair: (03:01) @Robin : not looking for Legal Advice but for feedback from the people who run these processes

Robin Gross [GNSO NCSG]: (03:02) I think we need input from our own council on these issues, especially if we are going to reach out to ICANN's lawyers to get their view.

Robin Gross [GNSO NCSG]: (03:02) I do not agree that this draft is in any shape for decisions by the plenary. I didn't hear anyone make that statement either.

Steve DelBianco [GNSO CSG]: (03:03) Are we thinking that ICANN open contracts would apply to: individual consultants to ICANN; consulting firms; leases; technical services, etc.?

Robin Gross [GNSO NCSG]: (03:03) As Michael stated, this draft is NOT ready for plenary. Why is Thomas ignoring that view?

Brenda Brewer: (03:03) Coffee Break-will be back in 15 minutes!

Christopher Wilkinson: (03:06) @steve: there are established practicies for dealing with those questions. e.g. sensible thresholds based on historical statistics, carefully drawn ToR and time limits etc.

Barrack Otieno: (03:06) ok

Brenda Brewer: (03:22) Resuming Now.

David McAuley 2: (03:29) Do I understand correctly on legal budget that if we ask questions of ICANN legal their time will be tallied up and charged against our budget?

Karen Mulberry: (03:30) Its my undersanding and ICANN Legal review costs do not hit hte CCWG budget

David McAuley 2: (03:30) thanks Karen, maybe I misheard Robin

Mathieu Weill, ccNSO, co-chair: (03:30) Correct Karen

Robin Gross [GNSO NCSG]: (03:31) That is not what we were told before. We were told the legal budget goes to both ICANN legal and our own council.

Robin Gross [GNSO NCSG]: (03:32) what is the purpose of the legal committee if questions just go to ICANN legal. What purpose does this group serve in this proposal?

Mathieu Weill, ccNSO, co-chair: (03:32) That issue was raised at some point indeed Robin. It was cleared up later.

Christopher Wilkinson: (03:32) CCWG external legal advice is temporary for the implementation of the transition, Correct?

Robin Gross [GNSO NCSG]: (03:32) I thought we were reconvene a couple months ago when we decided to reconvene it.

Mathieu Weill, ccNSO, co-chair: (03:33) @CW: I don't understand yoru question

Mathieu Weill, ccNSO, co-chair: (03:33) External legal advice is available for WS2

Robin Gross [GNSO NCSG]: (03:34) We have issues like transparency of board deliberations on the table. How can we expect ICANN legal to give us a non-conflicted view when they devised the policy we are challenging?

Mathieu Weill, ccNSO, co-chair: (03:35) Indeed, the LC will have to determine what goes to ICANN Legal, or not

Robin Gross [GNSO NCSG]: (03:36) That is the suggestion, Mathieu, that the legal committee make those determinations, not automatically going to ICANN legal.

David McAuley 2: (03:37) I think Greg makes a good point now that we confirmed ICANN legal input does not count against our budget -

Robin Gross [GNSO NCSG]: (03:38) The conflict of interest issue is in addition to the budget issue.

Robin Gross [GNSO NCSG]: (03:48) I agree with Sebastian. This interaction with the CEO was very troubling, in terms of understanding ICANN's bottom up approach. "My organization", "my staff", etc.

Michael Abejuela (ARIN): (03:48) A possible suggestion as there is significant opposition to the "Complaints Officer" being under ICANN legal, perhaps have this position report directly to the CEO rather than under a particular department. +1 to Tijani's suggestion that it be called something different than a Complaints Officer.

Robin Gross [GNSO NCSG]: (03:49) Agree Michael.

Christopher Wilkinson: (03:49) +1 to Tijani's suggestion that it be called something different than a Complaints Officer.

avri doria: (03:53) why say we don 't want it. it is not up to us. it is a done deal. isn't it?

Robin Gross [GNSO NCSG]: (03:54) well, Crocker said CCWG's WS2 recs will be given the same weight and treatment as WS1. So we should be able to have a say in how this is done.

matthew shears: (03:54) + 1 Jordan

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (03:55) agree with you Jordan

Jordan Carter: (03:57) agree with Steve largely about the terms

Jordan Carter: (03:58) it's useful to distinguish between the paid staff and contractors, the governing board, and the community organised through the SOs/ACs in my opinion

avri doria: (03:58) i think the complaints should be public, with their answers.

Jordan Carter: (03:58) as long as they can be anonymous (which he said that the can), or there are confidential ways to raise sensitive issues, that would be fine...?

matthew shears: (03:59) perhaps it would be useful to have a subset of this group meet with the CEO and walk through the history and community concerns in this egard

Robin Gross [GNSO NCSG]: (04:00) there is supposed to be a session this week on how ICANN legal provides advice, but it is the same time as many other sessions which will keep many of us out from that discussion.

Michael Abejuela (ARIN): (04:03) Robin, when is that session on how ICANN legal provides advice?

Michael Abejuela (ARIN): (04:04) Is it the one on Monday at 15:15?

Robin Gross [GNSO NCSG]: (04:04) https://urldefense.proofpoint.com/v2/url?u=https-3A__icann572016.sched.org_event_222838d70d2060c96b902234f7160408&d=DQIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=xjNMRR-fjlgBx7tqUEv8lZv2O9RJyMyqWkymcecegCUuwDxFVsW6VBuvkqKnS_lk&m=1v4VLA3RMtGMt104O0zN8lvjUSuCaQKQBcPA3Mw0--Y&s=zCXl0k-a3j50nHGCyaDurwQp87YmHerwaMQa7hpQ46A&e= -- Monday at 3:15

Michael Abejuela (ARIN): (04:04) Thanks!

Robin Gross [GNSO NCSG]: (04:05) Agree, Greg.

Sivasubramanian M: (04:06) We need an overall design to ensure fairness in ICANN. New processes need to arise from such an overall, macro design

Mathieu Weill, ccNSO, co-chair: (04:07) What happens to bubbles ? They burst, riight ?

matthew shears: (04:07) accountability is a shared notion - not something that culminates with only one person

matthew shears: (04:08) + 1 Thomas

Robin Gross [GNSO NCSG]: (04:08) calling the problem a "JJ bubble" or a "Akram bubble" etc. seems to personalize the issue, which we don't want. This is about the appropriate roles and functions, regardless of who fills them.

Barrack Otieno: (04:09) I agree with Robin

Sivasubramanian M: (04:09) Even if a Complaints mechanism is to be created, the function would be much better achieved by making the general hierarchy easier, for e.g by ensuring that a member of staff is not prevented from reaching higher levels of supervisors to discuss a problem and by promoting an environment where there is a more unrestrained flow of information.

Sivasubramanian M: (04:10) +1 Robin

David McAuley 2: (04:11) ICANN seems to be about bringing othr thinking in earlier, at least in theory

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (04:11) good points Michael

David McAuley 2: (04:12) we should also encourage more ICANN participation in the subteams - it seems to have dropped

Cheryl Langdon-Orr (CLO) ALAC-AP Member: (04:15) agreed

matthew shears: (04:20) I agree that such a precuationary note would be useful Thomas

David McAuley 2: (04:24) Thanks Michael

Robin Gross [GNSO NCSG]: (04:24) Michael, support looking into the open contracting issues. Thank you.

David McAuley 2: (04:25) yes - what about dicslcoing Root zone information - why not get SSAC and RSSAC involved in any change - on page 7 of draft as I recall

David McAuley 2: (04:25) I could hear Christopher

Christopher Wilkinson: (04:25) take next hand.

Leon Sanchez (Co-Chair, ALAC): (04:25) Chris' sound didn't make it to the room

Leon Sanchez (Co-Chair, ALAC): (04:25) we couldn't hear him

David McAuley 2: (04:26) <Question> Should not SSAC and RSSAC get a chance to ok change on DIDP as to root zone or L root information - page 7 of drart<Question>

Robin Gross [GNSO NCSG]: (04:27) ICANN engages in governance. Open contracting is an issue, just as it is with governments.

Michael Karanicolas: (04:28) I gotcha David - I'll bring that up

Brenda Brewer: (04:29) Christopher, please see private chat regarding audio.

Sivasubramanian M: (04:29) ICANN working like Government would make ICANN a Government, which is not in the interest of the Internet

Robin Gross [GNSO NCSG]: (04:29) I agree with Parminder.

Mathieu Weill, ccNSO, co-chair: (04:29) If anyone's interested, Afnic does open contracting, although we are a not for profit in the registry business. I'm happy to share our experience on that. There are benefits... and costs of course

Sivasubramanian M: (04:30) Robin, the unintended consequences of following on these steps.....

Robin Gross [GNSO NCSG]: (04:31) Did we ever see the contract between ICANN and NetMundial Initiative? Fadi promised to publish it. Did he?

Chris Wilson: (04:33) I have not seen it.

Robin Gross [GNSO NCSG]: (04:33) At last year's IGF in Brazil, Fadi promised to publish it. But I don't think that ever happened.

David McAuley 2: (04:34) Then get SSAC and RSSAC invvolved in assessing harmfulness that would di it

David McAuley 2: (04:34) do it

Brenda Brewer: (04:34) Christopher is now available on audio.

Michael Karanicolas: (04:35) Sorry David - I don't see any problem with consulting SSAC and RSSAC

matthew shears: (04:35) determining harm will require subjective assessments

David McAuley 2: (04:35) Thank you Michael

Michael Karanicolas: (04:35) And certainly - I expect they'd be consulted as part of the disclosure processes

David McAuley 2: (04:35) seems to be audio problem speaking remotely into room

Julie Hammer (SSAC): (04:38) @David, ICANN CTO and ICANN Security Staff would be advising ICANN on matters of harm associated with releasing such information, but there are also long-standing practices of sharing information with SSAC and RSSAC on a confidential basis that could be invoked if the community had any concerns on a specific issue. Short answer = Yes!

Edward Morris: (04:38) Agree with Greg on ICANNs status

David McAuley 2: (04:38) thanks @Julie

matthew shears: (04:38) + 1 Greg

David McAuley 2: (04:38) well said Greg on both counts

Steve DelBianco [GNSO CSG]: (04:40) Greg is correct. Michael's statement that DIDP is equivalent to publication of contracts surprises me. DIDP is an on-request process for disclosure, not a publication standard

Robin Gross [GNSO NCSG]: (04:41) DIDP requests are disclosed via publication, so I don't think that gets us anywhere, Steve.

Steve DelBianco [GNSO CSG]: (04:42) Disclosed when requested, Robin. Right?

Robin Gross [GNSO NCSG]: (04:42) yes.

Greg Shatan: (04:43) What about harm to third parties?

Robin Gross [GNSO NCSG]: (04:43) I would think that is a factor, Greg.

Greg Shatan: (04:44) One would hope.

David McAuley 2: (04:44) Good point Greg - in part the draft mentions harm to ICANN -

Greg Shatan: (04:44) This is not Wikileaks....

Greg Shatan: (04:44) Reputational harm?

Greg Shatan: (04:47) This needs to be dealt with when ICANN enters into contracts, so that there is a common understanding by the contracting parties of the potential for disclosure. At least those who contract with governments go in knowing what disclosure standards may apply.

Robin Gross [GNSO NCSG]: (04:47) That sounds fair.

matthew shears: (04:47) yep

Pedro da Silva [GAC Brasil]: (04:49) +1 Michael.

Michael Karanicolas: (04:50) I agree with the need for clarity in advance, greg

Greg Shatan: (04:50) There are plenty of non-profits outside the US. This is not a peculiarly US concept.

matthew shears: (04:51) the levels of scrutiny are completely distinct from being considered as a government

David McAuley 2: (04:52) In the jurisdiction sub-team I believe we should follow the Annex 12 instructions

Greg Shatan: (04:52) My point had nothing to do with protecting the "status quo." It had to do with mission creep.

Steve DelBianco [GNSO CSG]: (04:52) Would be useful to see an analysis of transparency policies for other non-governmental, non-profit organizations.

matthew shears: (04:52) agree Steve

Robin Gross [GNSO NCSG]: (04:53) Thanks, Michael, for your work on transparency.

Greg Shatan: (04:53) Our mandates cannot be viewed as carte blanche.

David McAuley 2: (04:53) Thanks Michael and Chris

Robin Gross [GNSO NCSG]: (04:53) yes, Chris too, sorry!

Mathieu Weill, ccNSO, co-chair: (04:54) Great work Chris and Michael ! Looking forward to next steps

Greg Shatan: (04:55) Thomas's quote needs some polishing.... Also the Committee Against Excessive Apostrophe's is quite concerned.

matthew shears: (04:55) Also - perhaps a line or two about the progress being made by the WGs?

Mathieu Weill, ccNSO, co-chair: (04:56) I will personally surrender to the Committee Greg !

matthew shears: (04:56) ok - now apparnt

David McAuley 2: (04:56) Mathieu - did you mean surr'end'er

Mathieu Weill, ccNSO, co-chair: (04:57) Sort of...

David McAuley 2: (04:58) good approach

Robin Gross [GNSO NCSG]: (04:58) Looks ok to me.

Mathieu Weill, ccNSO, co-chair: (05:00) ok

Mathieu Weill, ccNSO, co-chair: (05:00) :-)

Robin Gross [GNSO NCSG]: (05:01) good point, Milton

Mathieu Weill, ccNSO, co-chair: (05:01) OK for me Milton

matthew shears: (05:02) if we refer to jurisidiction then we might have to say in what context which would take at least 3 more paras

Greg Shatan: (05:04) No thank you, please.

David McAuley 2: (05:05) Staff did another excellent job - quiet professional excellence

David McAuley 2: (05:05) thanks Thomas

Mathieu Weill, ccNSO, co-chair: (05:06) Thanks Thomas, I'm looking forward for my other day's work. Great work everyone !

David McAuley 2: (05:06) Thanks all three co-chairs

Leon Sanchez (Co-Chair, ALAC): (05:06) Thanks everyone!