
TERRI AGNEW: Good morning, good afternoon, and good evening. Welcome to the At-Large ICANN Evolution call, taking place on Thursday, the 6th of October, 2016 at 11:30 UTC.

On the call today, we have Gordon Chillott, Olivier Crépin-Leblond, Sarah Kiden, Yrjö Länsipur, Beran Dondeh, Cheryl Langdon-Orr, Alan Greenberg, Eduardo Diaz and Sebastien Bachollet.

We have received apologies from Bastiaan Goslings, Maureen Hilyard, Kaili Kan, Louis Houle, Tatiana Tropina, and Christopher Wilkinson.

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

Our Spanish interpreter today is Veronica.

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

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Terri. Today's call is going to be very much like our last call two weeks ago. There are no specific action items from the last call, part from having the Doodle, etc., so we are going to just have updates on implementation of Work Stream 2, and in fact, our input for the IANA update is going to be very small in that it happened. It took place and it worked, so a quick rejoice on that.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Do we have anything to add in Any Other Business? Now is your time to add things to this agenda or to amend it. Sébastien Bachollet.

SÉBASTIEN BACHOLLET: Yes, thank you very much, Olivier. I guess we may try to discuss a question about the budget of the Work Stream 2. There were some [inaudible] on the list, maybe it will be good to have some discussion here. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this, Sébastien. We'll add this to Any Other Business: the budget of Work Stream 2. Anything else? I don't see anyone putting their hand up, so the agenda is amended as Sébastien has suggested and we can move directly into our next agenda item. That's the IANA update. As I said just a moment ago, the IANA Stewardship Transition has been completed. The contract has lapsed and has now – while it's not finished, contract [inaudible] U.S. Department of Commerce, and I don't know if anybody wishes to add anything to this apart from saying just bravo.

Sébastien Bachollet.

SÉBASTIEN BACHOLLET: Thank you, Olivier. Just to be sure, did I read well that the Cross-Community Working Group on IANA Stewardship Transition is now closed also? Not just we have done the transition, but also we are done with the working group?

OLIVIER CRÉPIN-LEBLOND: Thanks for this question, Sébastien. My take is that it isn't closed yet because there are still a couple of items that remain to be completed. Alan Greenberg might have more information. Alan?

ALAN GREENBERG: It definitely is not closed at this point. It's not clear exactly what else has to be done. I'm presuming it will wrap up at some point, but at this point, I think the answer is that it is definitely not closed. There are, for instance, some tasks still assigned to it associated with naming people and things like that, that have fallbacks, but nevertheless. So my understanding is that it is not closed, but I don't think there's a long laundry list of things for it to keep on doing.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Alan. I understand that the work on the IRP is not completely finished, and obviously, there would be some updates from staff on the implementation. And if I understand correctly, the working group would certainly not be closed until implementation is fully completed. But I certainly so far have not heard of any closing of this working group yet. Ed? I believe that would be Eduardo Diaz.

EDUARDO DIAZ: I don't know if you can hear me.

OLIVIER CRÉPIN-LEBLOND: Yes, we can hear you, Eduardo.

EDUARDO DIAZ: Can you hear me?

OLIVIER CRÉPIN-LEBLOND: We can hear you. Maybe you can't hear us, but we can certainly hear you.

EDUARDO DIAZ: Okay. Regarding the CWG, if it's closed or not, I read a couple of e-mails that gave me the impression that it was closed, that nothing is going to be happening further down the road. However, I believe if something happens that the CWG needs to be recalled, they will do that. But there's nothing in the schedule that I know of [inaudible] at least in the near future.

OLIVIER CRÉPIN-LEBLOND: Yes, thanks for this, Eduardo. Indeed, [Elise] first sent a message saying, "The work of the CWG Stewardship has come to an end." I'm not sure though whether it said the thing is actually closed altogether. I think it's just a semantic issue I guess maybe. Sébastien?

SÉBASTIEN BACHOLLET: Yes, thank you, Olivier. I guess we received a mail from [Elise], and it's why I was asking because if I take this one sentence or two, "Our work is now complete and we will have no more meetings, therefore we will

now proceed to dissolve the CWG by writing to the [inaudible] in order to communicate that our work is now completed.” That was why I was asking if it’s really the fact that it’s closed or it seems that we have different interpretations. It’s maybe important that ALAC, as the core organization to do something if we don’t think that it’s already totally finished the work to be done by the CWG. Thank you.

OLIVIER CRÉPIN-LEBLOND: Yes, thanks for this, Sébastien. Alan Greenberg.

ALAN GREENBERG: Sébastien is obviously better at reading his e-mails than I am. I don’t recall seeing that, but I will certainly look at it and you may be right. Maybe it’s wrapped up and I didn’t notice.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this, Alan Greenberg. Let’s then move on to the Work Stream 2 updates. We have the same headers as two weeks ago. We can start with Diversity. Who wishes to provide us with the details on Diversity? Alan Greenberg, is that a new hand?

ALAN GREENBERG: It is not.

OLIVIER CRÉPIN-LEBLOND: It is not, okay. So I see here Sébastien, I see here on Diversity – if my computer works. Who do we have here? Sébastien, Cheryl, Seun, or

Tijani. I note that Sébastien Bachollet has put his hand up. Go ahead, Sébastien.

SÉBASTIEN BACHOLLET: Yes, thank you very much. As the point of this group is that we received an invitation for a meeting – I need to check when, but I guess it's by tomorrow. Yes, tomorrow at 1:00 P.M. The second meeting of the working group or the subgroup, whatever name, get a document from staff, and then it's just resuming the work it's – then there's not too much to report, except that it's really starting the work now, I would say. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Sébastien.

BERAN DONDEH: Hi, Olivier, can I just come in for a second there?

OLIVIER CRÉPIN-LEBLOND: Yes, go ahead. Beran Dondeh.

BERAN DONDEH: Thank you, Olivier. Yes, I just wanted to [inaudible] on what Sébastien said about Diversity. We haven't really had much work done yet. A document has been shared, and basically, what we're all trying to do is sort of narrow down which areas of diversity we want to look at within ICANN. Is it gender diversity, is it age diversity? Is it corporation? There

are different forms of diversity that we need to look at, so we need to sort of narrow it down. Yes, the meeting is tomorrow, on Friday at 1:00, and hopefully, we'll be able to narrow down exactly which part of diversity we want to look at within ICANN. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this update, Beran, and I note that you are a member of that working group. I apologize for not including your name in the last that we have in our agenda, but you'll be included in future calls, so as a standard, you can provide us with some input and feedback on the work of Diversity.

Let's then move on, and hopefully, there will be some movement in the diversity topic by the next meeting. So we can now move on [inaudible] have been identified. Cheryl, Avri and Alan. Who should we have to provide us with an update on this? I don't see Avri. I know that Alan is the call, but Cheryl is also on the call, so between Alan and Cheryl Langdon-Orr, who wishes to provide us with an update? Whether there's been anything taking place ever since the last call.

CHERYL LANGDON-ORR: Did you say Accountability? I see [inaudible] Accountability. Because your audio dropped for a part of your sentence, Olivier.

OLIVIER CRÉPIN-LEBLOND: Oh, sorry about this, Cheryl. I said Guidelines for Good Faith Conduct.

CHERYL LANGDON-ORR: Yes, I attended the third, if not fourth meeting of that group earlier in my day. We've actually progressed, I think, extremely well. We are, I think, catching up, considering it didn't start as early as some of the other groups, although it's ahead of the Diversity group in terms of numbers of meetings. We've had a slow but effective meeting today, whereby we've progressed not only in general topic and definition of terms, but through some of the drafting and specifics. We won't be – as many of the groups won't be – putting out a final report or even a specific update report for Hyderabad, but we will certainly be able to do updates on the topic as opposed to particular formal reporting, which would have needed to have the drafting done by – I think yesterday or the last 24 hours. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks very much for this update, Cheryl. It was very helpful. Are there any questions or comments by anyone here? I note Alan Greenberg. You have the floor.

ALAN GREENBERG: I would just note that I wasn't aware there was a meeting, so apparently I missed the last one, so thank you, Cheryl, for updating us, and I will have to look into why I'm suddenly not on these comms, why they're not showing up in my agenda. Thank you. Glad to hear we're making progress, Cheryl.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan.

CHERYL LANGDON-ORR: Alan, you're not caught up with this silly difference between participants and observer nonsense, are you?

ALAN GREENBERG: I believe I am actually on this particular one as a participant.

CHERYL LANGDON-ORR: Okay. Well, I've just given up and switched to full participant for everything, so I now participate in nine more things.

ALAN GREENBERG: I'm an active participant. No, I think there's another problem we won't discuss at this point.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks very much, ladies and gentlemen. Let's then move on, perhaps, to the next group. If I don't see any other hands at the moment, I need to switch. My computer is a little slow today, so you'll have to bear with me.

The next group is going to be the Human Rights. That's one of the largest groups and we have a lot of people who sit on that group. Avri Doria, Bastiaan, Erich Schieghofer, Jean-Jacques Subrenat, León, Seun, Tijani. [inaudible] an update of this. I know that we had both Bastiaan and Tatiana have sent their apologies. Has anybody been following this group who is here today?

CHERYL LANGDON-ORR: Yes, I have.

OLIVIER CRÉPIN-LEBLOND: It sounds like Cheryl Langdon-Orr has, so you have the floor, Cheryl.

CHERYL LANGDON-ORR: Thank you. In fact, I have the dubious honor – as I just said to Alan – of now being a full participant in all of the groups. Yay me. That was meaningfully unenthusiastic in tone, just by the way.

Yes, we are continuing on with the discussion, but I think, gladly, we seem to have gone over a little bit of a hump in terms of our discussion of the Ruggie Principles. We have progressed – and it is, as you know, a group with diverse, but nevertheless deeply held beliefs in a lot of ways – in the meeting which was within the last 24 hours, if not 38 hours for me, I think managed to get through the key points of enough of the Ruggie Principles that we can probably find that with the exception of I think it's 12 and 13, and maybe 13(a), we probably find most of the Ruggie Principles not specifically transportable, but we will continue to review them more in principle rather than specific, because they have the only – as far as we can ascertain – existing set of non-state [actor] principles to look at. I would have said we were stalling a little bit on a few issues up until recently.

We seem to have started to agree to way, way disagree, and to move on to look at where in relationship to the ICANN Bylaws, and getting to the, dare I say, actual job, which is developing the framework of

interpretation that is part of our mandate. So I'm relatively happy about that progress.

We have tried to get Professor Ruggie to interact with us and we've also tried to get the – he's very busy, but we will continue to do that – and we've also tried to get the [UN] Working Group to interact. That last outreach is relatively new and we haven't really had any feedback on that yet. That's it from me on that one.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Cheryl. With 68 participants in this group, it seems to be probably going to be quite hard to manage or has only a subset of those participants actually made it to the conversations?

CHERYL LANGDON-ORR: Subset.

OLIVIER CRÉPIN-LEBLOND: Subset, okay, so it probably is a bit more manageable. And the second question actually was, during Work Stream 1 work – of course, Human Rights was already worked on, and there were really two camps. The one on the one hand that wanted quite an expanded mandate for human rights and the others wanted to really restrict human rights to some specifics, so as to avoid human rights being used to game a system or to bypass decisions or appeal decisions that would be made by the Board. Are we still in the same frame of mind, or is there some convergence here?

CHERYL LANGDON-ORR: I'm not sure I'd call it convergence yet. I think we're starting to get some refinement as to the fact that our mandate is less with the high days and holidays of all the possible permutations of human rights in applicable law, and obviously, for ICANN, that could be something that we've gained and are concerned. And more that we have – terrible echo [inaudible] I don't know about anybody else – and that we started to narrow down on the fact that our framework of interpretation is one where we are looking at the ICANN Bylaws in relationship to our non-state actor and non-commercial, in pure terms, entity role as an observer of practices of human rights.

OLIVIER CRÉPIN-LEBLOND: Thanks for this update, Cheryl. Next is Alan Greenberg.

ALAN GREENBERG: Thank you very much. As I've mentioned before, I think this is one of those items that the discussants in the CCWG I don't think came to closure on what each of them believed was in Work Stream 2, and therefore, as Cheryl indicated, there is still work to be done to make sure we limit to things that are truly applicable to ICANN. I think we have to do that. I think our Bylaws require that, but there's going to be a lot of kicking and screaming along the way, I think. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alan, and I note that whilst the other – or some of the other – work streams that we've visited had some recent documents or

papers that were issued. This working group doesn't have any updated paper or anything beyond the latest concerns doc, Google Docs that have been shared on the – I see here – 6th of September. So if one wants to catch up with this group, is that really the thing to look at at the moment, or is there something more recent on the mailing list? Cheryl Langdon-Orr, go ahead.

CHERYL LANGDON-ORR: Yes, thanks. We've been going through the Ruggie Principles, and that in itself is a fairly weighty task, so in our last meeting we were up to having [online] teams, so if anyone wants to dive in at the deep end, they've got plenty to do to catch up with the more recently generated Google Docs. With the most recent documentation – and I thought there was [inaudible] but that just may be the blur of documentation in my recent memory bank. We did, in this week's meeting, ask for a very particular pull back.

It was a concern of some of the groups attending the call that there tends to be too much of apparent presumption of consensus where consensus may not be as fully and completely established, so if there's less documentation than some of us think in the public record, it may be that some of that has been worked on or modified now. But it's the mailing list [card] should have the most up to date versions, perhaps the weekly [inaudible] and part of that is the problem with the wikis don't necessarily get updated. Certainly, those of us who are rapporteurs and seem to have edit rights on the wikis and things as basic as even a change of the Adobe Connect rooms isn't even updated appropriately on some of the wiki spaces yet.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Cheryl. Let's then move on. An equally large group – as in a large number of people, but also the weeks of discussion between those who are for one solution or one set of topics and those who are for another set of topics as the topic of jurisdiction. Another of what you could call a potential can of worms. We have Avri, Christopher Wilkinson, Erich Schieghofer, Jean-Jacques Subrenat and Tijani on this group. I believe that a number of these people have provided apologies. Do we have anyone whom I have not listed so far, who is on that jurisdiction discussion?

CHERYL LANGDON-ORR: That'd be me again.

OLIVIER CRÉPIN-LEBLOND: Cheryl Langdon-Orr, you're back on the floor.

CHERYL LANGDON-ORR: Yes, literally down and out at the moment. Yes, jurisdiction, to some extent like the human rights topic, one that [inaudible] people subscribed, but probably well and truly less than that attending. I know Tijani has been a regular attendee. I note that I think for the first time, Jean-Jacques attended a meeting within the last 24 hours. What was important about his attendance is he was able to introduce to the group for the first time some of the [inaudible] and pieces of the Improving Institutional Confidence document that he had previously co-authored, and I think that was both timely and important in as much as in that

document. For those of you who don't live and breathe this stuff, the proposal was for the consideration of additional jurisdictional discussions. In other words, not so much a single to be jurisdictioned – interesting term of language there for me, but I'm going to try and say that, forgive me – in America or otherwise, but rather that there would be benefits to looking at a primary and one or more of them, probably more – secondary jurisdictional opportunities in that particular thesis.

I think that was timely in our conversations because we have looked at what's been called GAC analysis. A number of people were challenged by the need for – or lack thereof – of a specific problem statement. I think that the current majority agree, at least based on the meeting held less than 24 hours ago now, is that we should certainly look at why – if at all – California's law – what is that noise? – does not do justice to –

OLIVIER CRÉPIN-LEBLOND: Can we just trace this, please? Sorry, Cheryl, it's getting difficult to understand you because there's something ringing on the call. Could we please stop that?

CHERYL LANGDON-ORR: You should try it with earphones on. It's like Chinese water torture.

OLIVIER CRÉPIN-LEBLOND: I have the earphones on, it has drilled into my head. Anyway, back to you, Cheryl.

CHERYL LANGDON-ORR: Thank you. I think that's an important turning point, too. We still have a number of people who want to keep alive the opportunity for a full – for want of a better word – jurisdictional debate, but it seems that the majority, at least now, are looking more towards the, “Is there anything that does not do justice to our needs in California-based jurisdictional law?” And clearly recognizing that there will be a number of sub-jurisdictional issues.

And the work progressing for the following week is based on a layer approach of jurisdiction, where – if memory serves – there would be seven, perhaps, maybe even more layers of jurisdiction that we should be looking at. Our work at the moment is probably looking at layer three and layer four, recognizing, of course, that there will be some sub- and local jurisdictional discussions and matters that we'll need to always consider. ICANN has global offices, and that's where Jean-Jacques's recent interventions were important, again, because it sort of galvanized some of what was in that Improving Institutional Confidence document with the concept of primary jurisdiction and additional jurisdiction to being useful. Thank you.

OLIVIER CRÉPIN-LEBLOND: That's great. Thank you very much for this extensive update, Cheryl. That's very helpful indeed. Are there any questions or comments on the update on jurisdiction from Cheryl? Not seeing – no, I do see a hand up. Jean-Jacques Subrenat, you have the floor.

JEAN-JACQUES SUBRENAT: Thank you. [inaudible] this call just to say that during our jurisdiction call yesterday, I was quite surprised to note –

OLIVIER CRÉPIN-LEBLOND: Jean-Jacques.

JEAN-JACQUES SUBRENAT: Yes, can you hear me?

OLIVIER CRÉPIN-LEBLOND: Your voice is quite distorted. If you could sort of step a little bit back from your microphone, that would help.

JEAN-JACQUES SUBRENAT: Okay, can you hear me better like this?

OLIVIER CRÉPIN-LEBLOND: It's not that great at the moment, Jean-Jacques, I'm afraid. Are you using Adobe Connect?

JEAN-JACQUES SUBRENAT: I am using [inaudible] Adobe Connect.

OLIVIER CRÉPIN-LEBLOND: Speak a little bit further from your mic, we'll probably hear you better, but let's at least try and hear you. Go ahead.

JEAN-JACQUES SUBRENAT: Okay, right. I have decreased the microphone volume, [inaudible] hope you can hear me. [inaudible] right now?

OLIVIER CRÉPIN-LEBLOND: it's still a bit [saturated], unfortunately.

JEAN-JACQUES SUBRENAT: Hello?

OLIVIER CRÉPIN-LEBLOND: It's still a bit saturated.

JEAN-JACQUES SUBRENAT: [inaudible].

OLIVIER CRÉPIN-LEBLOND: And now Jean-Jacques is breaking up. Let's try and see if we can work an alternative –

JEAN-JACQUES SUBRENAT: Hello?

OLIVIER CRÉPIN-LEBLOND: That's much better now, go ahead, Jean-Jacques.

JEAN-JACQUES SUBRENAT: Okay. I'm sorry for these problems. But yesterday, I was surprised to see during the jurisdiction meeting that some of the participants believed that fundamental changes such as the headquarters of ICANN or the physical location of ICANN were still amenable to change. We're still in the running for our discussion. So that's where I mentioned what Cheryl just brought up, which is the 2008-2009, Improving Institutional Confidence document, where we had said clearly – and I think that's still the case today at ICANN – that for the foreseeable future, we did not contemplate a change in the most fundamental thing, which is the rules of incorporation and the place of incorporation, and therefore, the jurisdiction. That's why I used the term of additional jurisdictions. Thanks.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this, Jean-Jacques Subrenat. That's very helpful indeed. Alan Greenberg is next.

ALAN GREENBERG: Thank you. Several things: first of all, this issue will arise again under the Any Other Business issue, but I hope not a substantive discussion of the issue. In various people's minds, things are possible. Possible is a curious word. There are still people talking about changing where ICANN is incorporated by changing the Bylaws. ICANN is California incorporation. This ICANN is always going to be a California organization. We may dissolve this ICANN and create a new one somewhere else in the world, or six new ones, but this corporation cannot change where it is

incorporated by changing words in the Bylaw or the Articles of Incorporation.

They're implicitly filed in California, period. So that part of the discussion is completely moot. It's been moot every time we held it for the last years, and Lord only knows why we keep on coming back to it. Similarly, where it is headquartered was such an issue in the various congressional hearings, it would be suicidal at this point to just turn around immediately and say, "Oops, we changed our mind." So yes, that could happen sometime in the distant future. We can disavow anything the previous CEO said. We can't easily disavow what this CEO said, so there's still going to be a lot of talk in this group that will not go anywhere and I think we're going to have to live with that, sadly. But the end result I don't think can change. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Alan. Next is Tijani Ben Jemaa. Go ahead, Tijani, and welcome.

TIJANI BEN JEMAA: Thank you very much, Olivier. I am a member of the Jurisdiction Subgroup, and I can tell you that from the beginning until yesterday, the last call, we spent all the time speaking about whether to keep it on the table or remove it from the table, this issue of jurisdiction of incorporation and of location.

I'd like to tell everyone that the CCWG Work Stream 1 final report gave the exact task of this subgroup, exact, and we are bound to stick to it.

And one of the tasks that we have, we have to contemplate all the jurisdiction layers, including the incorporation and the location. This is Work Stream 1, where Alan was a member and I was a member.

This has been adopted by the CWG, and also approved by the chartering organization, where Alan is one of the Chairs of the chartering organization. I say that, why? Because when I see people saying, “I don’t know why this point is still on the table,” but we decided it. I told yesterday on the call of the Jurisdiction, I told the Chair of the subgroup that we are spending a lot of time, we are losing our time discussing whether to change our tasks or not. I asked them several times ago to start [treating] the layers of the jurisdiction. I told them that I am sure that we’ll decide not to change the incorporation and the location of jurisdiction, but we had to go and discuss it. That’s all.

If someone is not happy, if someone is against changing, like me, they have to be in the group and discuss it in the group not to change what the Work Stream 1 obliged us to discuss. Asking people not to discuss is not acceptable at all. We have to go there to discuss them, and I’m sure it would be very fast, because there will not be a substantial number of members of this group who will ask for, I don’t know, legal advice about it, etc., because things are very clear. We based everything in Work Stream 1 on jurisdiction in California. We will not change it now. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Tijani. Next is Sébastien Bachollet.

SÉBASTIEN BACHOLLET: Thank you, Olivier, and thank you for the inputs of all. I hope you can hear me okay. I think maybe it's time to – even if it was in Work Stream 1, since Work Stream 1 ended, a lot of things happened. Maybe you remember a senator named Cruz came and pushed for some ideas. The transition is now done. I don't see why the chartering organization, which was the GNSO done, can't say that, "Okay, but in Work Stream 2, maybe we can limit on some issues." And I think At-Large and ALAC can do that also. But [inaudible] was a chartering organization and suggesting that there is some discussion at the level of the plenary to amend the Work Stream 1 proposal about scope of work.

The other reason is that we are late. We will not be able to deliver on time, and now we are pushing, and hopefully we will do something for next – still in this fiscal year, but for the next calendar year. And if we can decrease the objective of some working group, I don't see why it will not be a good thing to do. In this one, maybe opposition up to the GNSO by ALAC would be useful. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Sébastien. Next is Alan Greenberg.

ALAN GREENBERG: Thank you very much. Tijani's argument is compelling in that it makes complete sense, but we have established a precedent in the CWG and CCWG that if you have an unpopular idea and stick to your guns enough, you might get part of it stuck into the end result. It's been very effective, it has been a very effective strategy in a number of cases, and people are doing it again. And logic, I'm afraid, does not necessarily

change that outcome. This may not be the U.S. Senate, but this is politics we're talking about here. And I think it's going to be up to the leaders of the working group, and perhaps the leaders of the CCWG to provide some level of guidance at some point if this kind of discussion continues ad infinitum. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. Next is Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: I've put in the chat I'm happy to come back in Any Other Business if you'd like on this, because it reflects not only on this but on a number of our topics.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Cheryl. So indeed, Cheryl has put in the chat. For those people who are not on the chat, she will come back to this general topic about Work Stream 1 versus Work Stream 2 activities. There appears – hearing from what we just heard now – that there is some kind of a discrepancy between 1 and 2, and it would be interesting to expand on this a little bit. Any other points regarding jurisdiction? It looks as though the working group is deep in the mud at the moment. Perhaps more so than the one on human rights, which at least has some established points of view. Yes, we have Tijani Ben Jemaa.

TIJANI BEN JEMAA: Yes, thank you very much, Olivier. Tijani speaking. For your information, on the last call of the Jurisdiction Subgroup, we, at the end of the call, I think 15 minutes before the end of the call, we started contemplating the layers of the jurisdiction. So we started the real work. We have. I don't think that now we will come back to discuss anything else than all those layers. So I consider that we made some advancement last call. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this, Tijani, and hopefully, the work will continue being made, because obviously, the problem of having a deadline for all of this work that would be needed.

I don't see any other hands up for Jurisdiction. Let's then continue down our list. The next topic is the Ombudsman, and Sébastien Bachollet is the rapporteur for this, so perhaps we could have Sébastien start with a quick update, please. Sébastien Bachollet. Have we lost Sébastien? Have we lost Olivier, perhaps?

UNIDENTIFIED MALE: No, Oliver is here.

ALAN GREENBERG: We have not lost Olivier.

SÉBASTIEN BACHOLLET: You lost Sébastien. I have a very bad – You have not lost Olivier, fortunately, and I guess I am now Sébastien.

OLIVIER CRÉPIN-LEBLOND: Ah, go ahead.

SÉBASTIEN BACHOLLET: My connection is very bad, and if I drop off, I am using just Adobe. Staff can call me on my mobile, I will follow this discussion on my mobile. Yes, about the Ombudsman Group, where we are. I sent a resume of where we are as a rapporteur to the group earlier, or yesterday maybe. Up until now, we met nine times. We have a draft document, and I will try to put the last version of this document in Google Docs. It's only on doc format for the moment, the last version. I hope that this document will evolve between now and the end of the month to be able to be discussed during the CCWG on accountability Work Stream 2 face-to-face meeting. We [inaudible] the groups, but we are [inaudible] the topic coming from the ATRT 2 and different topics. One of them is a review of the Ombudsman function or Ombuds Office. That's in addition to what was in our Work Stream 1 definition of duty for our group. We need to see how we will handle that.

There was discussion to know if the work we will be doing as a Drafting Team or subgroup will be the review [inaudible] a little more than I have asked for a specific budget to be able to have some [inaudible] to participate or to do, or to help us to do the review, and to participate in our group. [inaudible] somewhere else within ICANN, we need to find where it is. There are other discussion about did we take onboard of the

Ombudsman Office definitions from [inaudible] what the stuff is doing, or it's still clear stop or [inaudible] between staff, it's with human resources and not with Ombudsman. The question is almost [inaudible] discussion of what they need to do, then it's an up –

OLIVIER CRÉPIN-LEBLOND: And we have lost Sébastien. Or Sébastien, some parts of your sentences are being dropped off, or dropped out maybe than dropped off. Well, we seem to have lost Sébastien.

Okay, let me open the floor for comments, questions, additional comments to what Sébastien said. And Sébastien, if you can hear us, if you can come back, just shout your name out, please, and we can loop you back into the discussion. I don't see anyone putting their hands up on this. I have a couple of questions regarding the Ombudsman lists of people, participants.

I note that Chris LaHatte is listed as a participant, but as you know, Chris LaHatte is not the Ombudsman anymore. I wondered in what capacity he was a participant there. And secondly, I note that Herb Way, who is the – I'm not even sure whether he's the replacement Ombudsman or the interim Ombudsman or the stand-in – is also a participant, and I wondered whether it was suitable for the Ombudsman themselves to be a participant in the Ombudsman Group. It's an open question. It might well be suitable, or it might well be unsuitable. Alan Greenberg.

ALAN GREENBERG: I can't think of anything in our rules that –

SÉBASTIEN BACHOLLET: Sorry, Olivier. I don't know when I was cut off because I lost my connection.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks. We'll have Alan, and then we'll come back to you for the end, maybe the last minutes of your description. Alan Greenberg?

ALAN GREENBERG: Thank you. I don't think there's anything in our rules which would make it inappropriate for the Ombudsman to participate. We have encouraged participation of various principles in these discussions, and therefore I don't think we have a mechanism for excluding the Ombudsman if we wanted to. I would think having someone there who actually knows what's going on may be useful in these calls. Sometimes actual knowledge is an impediment in many of our calls. I understand that. But it could well be a useful thing. And I believe he is formally the Ombudsman at this point.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alan. Next is Cheryl Langdon-Orr, and then we'll come back to Sebastien after Cheryl. Cheryl, you have the floor.

CHERYL LANGDON-ORR: Thank you. I just want to echo what Alan said. I don't think there's a more appropriate thing than the member who has served in the long

term. We've now two Ombuds-persons. Is the current Ombudsman being actively involved? I think it's highly appropriate, and I think it's excellent that Chris, in his now-retired-from-ICANN capacity, is sufficiently motivated to be an active participant.

Now, that said, the Ombuds Office is not engaged in any drafting, nor are they contributing, other than information. They are being very careful to be at arm's length so as not to taint the waters and to ensure that this is still a community-based piece of work.

That goes for not just the work of Sebastien's group but work of other groups, not limited to but certainly including things where there may be Ombudsman challenges that come to the Ombuds Office in the future, such as the guidelines for good, fair conduct work that we discussed earlier. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Cheryl-Langdon-Orr. We can go back to Sebastien. I have a question, actually, for Sebastien, noting that there are many meetings that have taken place for this group, this Work Stream 2. But I noticed that the last document that was shared was over a month old. I was just wondering whether this was just a lack of the wiki update or whether you're working on the documents which are listed there.

Sebastien Bachollet?

SÉBASTIEN BACHOLLET: Thank you, Olivier. To answer your question, I think in the wiki you can't access to an update document, but on the Google Doc... Yes –

OLIVIER CRÉPIN-LEBLOND: Have we lost him?

SÉBASTIEN BACHOLLET: Because... How can I say that? It's not really my cup of tea – the Google Docs – and when I cut and paste, everything is messed up. Then I have to spend some time to put it in the right format.

Yes, the Google Doc is not an update, but in the wiki I guess you have access to the Microsoft doc [inaudible]. It may be 5. If I remember well, I sent Number 6. Maybe also you can access this. I need to check. But I am working on the new version for the next few days. That is before our next call.

I don't know where I was I cut off, but I think that it's a useful one, but I really think that they give us inputs, and sometimes they tell what they think: "No, it must not be in duty of the Ombudsman."

At the end of the day, we as a working subgroup, we will do a proposal to the plenary of Work Stream 2. If we think that it's important to ask the Ombuds Office to do one thing or another, it will be done.

The situation about the Ombuds Office: as much as I understood, Chris LaHatte is still on board as advisor to Herb. Herb is, I would say, an interim Ombuds, taking into account there'll be either a new one or Herb again. We are doing at least maybe Work Stream 2 more globally. But at least what this subgroup is doing, in addition with the community – and then, when we will have a final report, they may start to act to hire a more long-term Ombuds Office.

But Herb is really working as at least [inaudible] Ombuds for ICANN, and he's working without time limitation. He's not saying, "Oh, yes. Tomorrow I will not be anymore their Ombudsman." He's taking onboard the question he gets from the community, and I think he's working well. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Sebastien Bachollet. You mentioned you were now working on Version Number 5 or 6 of the paper. The latest version on the wiki seems to be Number 4, or 0 – I'm not sure what this nomenclature is for. But maybe an update to the wiki would be helpful with that.

Alberto Soto, you have the floor.

ALBERTO SOTO: Thank you very much, Olivier. Two brief comments. First of all, I believe it convenient that the current Ombudsman – and, please, do participate in the working group because they provide the necessary experience that we do not have. They can answer many questions, and the group will be working in a better way.

Secondly – and this is for Cheryl – the working group has relationships with the other working groups for the working [inaudible], so we are able to answer the questions arising in other subgroups in relation to the Ombudsman. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alberto. I don't see any other hands up, so we can then move to our next. The next agenda item is – let's see – Ombudsman – oh, Sebastien? Yes? Your hand is up now. Sebastien Bachollet.

SÉBASTIEN BACHOLLET: Sorry. Just a very short thing. Yes, you're right. The main page of the working group is not updated with the last version, but if you go to the last meeting page of the working group on the wiki, you have the last version of the document. I will check with staff on how we can arrange this first page, but the document is available for the community. As usual, it's difficult to find, but it is somewhere. Thank you. Sorry about that.

OLIVIER CRÉPIN-LEBLOND: Thanks for pointing this out, Sebastien. Okay. Good to know the document is available, but indeed it's really down to keeping the whole process as transparent and straightforward and the information being easily found, which ICANN is sometimes not that great at doing and thus being accused as not being as transparent as they could be. But it's all there.

Let's move, then, to the next. The next one is reviewing the cooperative engagement process (EP). Alan, Avri, Siva, and Cheryl are on this working group. Who wishes to provide us an update on this?

ALAN GREENBERG: It's Alan. I'm not on my computer. To my knowledge, either I've missed a meeting or we haven't had any yet. The wiki doesn't indicate there are any meetings, and I certainly haven't attended one.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Alan.

CHERYL LANGDON-ORR: [inaudible] We're just kicking off.

OLIVIER CRÉPIN-LEBLOND: Cheryl Langdon-Orr? Just kicking off. Okay.

CHERYL LANGDON-ORR: [inaudible]

OLIVIER CRÉPIN-LEBLOND: Oops. I think Cheryl is dropping out a little bit – her voice – but I believe it's –

CHERYL LANGDON-ORR: We're just kicking off now.

OLIVIER CRÉPIN-LEBLOND: Okay. Excellent. Just setting off now. Excellent. Let's go to the SO/AC Accountability, which hopefully has had more work already undertaken. Cheryl is co-rapporteur on this. Cheryl Langdon-Orr?

CHERYL LANGDON-ORR: Thank you. This is one I should be speaking about. The Ombudsman has had nine meetings. We will be having our eighth meeting in less than half-an-hour. We canceled one week's meetings because of the fun and games that were going on in the Washington Capitol Hill. There seemed to be something happening with the transition that was occupying a number of our players but that's thankfully sorted now.

We've progressed, to some extent, relatively well in terms of this last week to ten days or so. We have the beginnings of some reasonable online drafting for sets of questions to go out to the AC/SO community and the sub-components of the Supporting Organizations and Advisory Committees, which is a relief.

We've had in a number of the other groups a few firmly held and albeit quite divergent sets of beliefs that have come up again and again and again. In fact, I could go on ad nauseam. Whenever they are mentioned, we seem to be able to spend ridiculous amounts of time listening to and debating issues, of which it really should be clear based on our mandate whether we should or should not be looking at them.

For example, our mandate clearly says that, at some point in our work, we do need to see whether or not the proposal by Willie Curry for his particular time of gathering is or is not viable. Yet we still have a number of people who want to argue the principle of that and ignore the fact

that it's our mandate to look at it in some point anyway, so we might as well just get on with the job.

That said, that means our progress has been excruciating, at least from my point of view, on some of these topics. Yet it seems to be that we now are starting to get some coordination out of our members with regards framing some specific questions to ask those who we are needing to look at their degree of accountability – the ACs and SOs. So I'm looking forward to hopefully getting on with the job a little bit more for our upcoming call and in the next week ahead.

We also have an interim report framework which in fact was put together back in August. We had planned to be in a situation where we would be presenting it during the Hyderabad meeting. It's not necessarily the same people, but certainly a group, a subset, in the participants as observers in these calls seem to have forgotten the difference between acting as a rapporteur – in other words, capturing what is said and putting it to the archive and tidying up for discussion by the group to some sort of assumption that what's put together with some of the rapporteurs penning is somehow their own personal firmly-held beliefs.

There seems to be a degree of "XYZ said something, it must in principle be wrong" somehow permeating through one or two people's opinions. That's just something we will have to continue to wrangle with, as we will find that people in jurisdictions in various other topics will have to wrangle with. But it is something that is sadly slowing us down to the point where we will be updating in Hyderabad as opposed to giving this interim report.

In today's meeting, we will be, if I am brave enough, delving into the drafting of that update and interim report yet again. I'm loathe to do it with more than the last 10-15 minutes of the call, however, because it will, I suspect, depending on who is attending the call, become a huge time suck and devour what available time we have with one or two of the usual suspects saying the usual things.

It's a challenge that not only Steve DelBianco, Farzi Badii, and myself are facing in the accountability of ACs and SOs because it's I know that other rapporteurs are facing in their groups as well.

Like your observation with the Ombuds Group, Olivier, I am heartily disappointed with how updated the wiki pages are. It really is a less-than-perfect situation with what is outwardly facing to people who [aren't] deeply involved in the topics – are able to find out, other than going to meeting archives as to what's happening. The transparency here is not as good as I would like to see it, but I'm not quite sure how we fix that just now.

But I am delighted to report that some nine or more – ten – weeks into our process, we actually finally have, as of I think about four or five – no, maybe six – hours earlier today, our staff paper presented. This is the review paper that should have been in our hands before we started our work. Nine weeks into our work, we have it. So I'm thrilled and delighted that the two pages of review is something that will be able to do in our next call. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this Cheryl, for this extensive update. The question I have just quickly on the updates, then, is, if the staff paper is ready, I guess it will appear on the wiki very soon because the last paper that was updated on the wiki is one of the 15th of September: the background and mandate of SO/AC accountability in Work Stream 2. It's a working paper. It's a Google Doc.

CHERYL LANGDON-ORR: I live in hope and may very well die in despair, Olivier.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks. Please don't die in despair. Die in happiness, which is probably not what you'll get in the SO/AC Accountability Working Group. [inaudible].

Let's move on and let's find out if we have any questions for this topic.

I don't see any hands up, so we can then move to the next working group. The next Work Stream – no, I see Sebastien. Sebastien Bachollet, you put your hand up. You have the floor.

SÉBASTIEN BACHOLLET: Yeah. I really think that it's a very important working group and that the co-Chairs are doing very well. Of course, we will lack sometimes a meeting. It wasn't possible last week. Now we have some documents on Google Docs. I hope that the next meeting in 10 minutes or 20 minutes will give a good possibility to go ahead and to advance the work. But

once again, the co-Chairs are doing very well – our Co-Rapporteurs are doing very well.

OLIVIER CRÉPIN-LEBLOND: Thank you for that, Sebastien. Seeing no other hands up, let's go to staff accountability. Alan, Cheryl, and [Seun] are listed. I'm not sure who wishes to update on this. Any takers? Alan or Cheryl, perhaps?

I don't see any excited things here. I note that the last call for this group was on the 29th of September. The next one is on the 13th of October, so it might be that there are no updates since our last call. Alan? Cheryl?

CHERYL LANGDON-ORR: That's correct.

OLIVIER CRÉPIN-LEBLOND: Okay. Excellent. Thanks. Thank you, Cheryl. Let's move on, then, to Transparency. For Transparency, we have several members of the group as well: Alan, Avri, Cheryl, and Jean-Jacques Subrenat. Who wishes to take the floor on transparency?

CHERYL LANGDON-ORR: Maybe someone other than me. I will I have to –

OLIVIER CRÉPIN-LEBLOND: I guess you're just practicing for your next call, so it's free practice.

CHERYL LANGDON-ORR: [inaudible] on my next call. However, you might put in no. I don't want to have meetings at this time. It doesn't seem to make any difference to the scheduling of meetings, so I just give up.

OLIVIER CRÉPIN-LEBLOND: Yes. Thanks for this, Cheryl. Okay. We'll move scheduling to another huge discussion because it's been a bit of a nightmare to arrange this one. It seems to be increasingly so due to all of the different work streams that are taking so much time everywhere.

Any update on this? It looks as though transparency has had some work. There is a document that has been released on the 4th of October: "Summary of Transparency Challenges for Work Stream 2." I don't know if anybody else can take us through this.

Alan Greenberg, did you attend the last one?

ALAN GREENBERG: No. I've to a large extent bowed out of this one. I've missed the last two meetings, so I'm not a good one to speak on that. My load was just such that this is one of the least interesting ones for me. It's largely focusing on access to documents and things like that, which is not my forte. So I've not been very active in it.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this. Seeing no other hands –

CHERYL LANGDON-ORR: It's pattering on. You're right. It is the access to documents and the equivalent to freedom of information type stuff that's occupying people at the moment. The most recent update document is a good measure of where the current conversation is. It's one of those that will continue to putter along through until Copenhagen, like most of us are partly going to be doing.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Cheryl. Sebastien Bachollet?

SÉBASTIEN BACHOLLET: Just to add to that, we had started an exchange of discussion between the rapporteur of the Transparency...

ALAN GREENBERG: We seem to have lost Sebastien.

SÉBASTIEN BACHOLLET: ...and one of the rapporteurs and the Ombudsman Working Group. That's because their –

OLIVIER CRÉPIN-LEBLOND: Yes. This doesn't seem to be working too well. We have indeed lost Sebastien Bachollet.

Okay. I open the floor for any other comments or questions.

SÉBASTIEN BACHOLLET: I am back. [inaudible].

OLIVIER CRÉPIN-LEBLOND: Welcome back, Sebastien. Yeah, I understand you're using Adobe Connect, but it's just not optimal at all. I'm afraid the move to the new location doesn't seem to be [inaudible] in your case.

SÉBASTIEN BACHOLLET: No. But just to say one single word, we are working between this subgroup and the Ombudsman Subgroup on shared questions. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Sebastien. It's good to know the plan. I see your hand up again, Sebastien Bachollet. Is that an old hand? Yes. Okay.

All right. Let's then move on. We can continue with Any Other Business. In Any Other Business, we had two topics to discuss – well, one topic, effectively. It was the financing of Work Stream 2 activities that Sebastien wanted to bring forward. And Cheryl also wanted to say a few words on Work Stream 1 versus Work Stream 2 activities. I don't know which one of the two topics is larger, but let's just start – I know that Cheryl needs to leave very shortly. Cheryl, perhaps, did you want to add a couple of more words regarding Work Stream 1 versus Work Stream 2 activities.

CHERYL LANGDON-ORR: Yes, very briefly. Thank you, Olivier. Look, I'm relatively happy with the progress of all of the groups that are at least meeting regularly, and I'm not overly concerned with any of the groups that haven't started to really get on with their job as of yet. But I am finding it extremely more time-consuming than it needs to be, with this desire that a number of the participants and some of the observers seem to have to try to re-litigate and not in any way even recognize, let alone attempt to adhere, to the clear mandate out of the Work Stream 1 reporting that all of our topics in the main have. [inaudible] is a good example of it. It's just where I've put my hand up for this particular topic.

It would be useful if, when we are discussing any of this accountability work and the Work Stream 2 aspects of the accountability work in Hyderabad, the At-Large community and the ALAC could at least have a significant voice in encountering the one or two noisy wheels that are almost continuously, in some of our topics, attempting to run us off the track or run us down to a grinding halt.

It is more frustrating than usual because we have – and I think it's a very good thing that we have – a number of new or fresh rapporteurs in these topics, and some of them are being far more compliant or kind and caring than perhaps I'm tending to be. But it is also something that a number of the new rapporteurs or the less-experienced rapporteurs are finding – I know, having talked to a number of them – quite stressful if their topics happen to be one of those where you've got some particularly-skilled orators or people who are simply doing their best to re-litigate issues that have, by consensus, already been agreed upon earlier on. It's in some cases becoming quite stressful to the point

where we've had to talk one or two of the rapporteurs into staying on in the job.

I think that if we, as an entity in Hyderabad, can be aware of that and be relatively forceful in the "Let's at least deal with our mandate if not speak through it slavishly" way, that would be very useful indeed.

If I have to drop off before the end of the call, I apologize. I'll stay for as long as I can. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Cheryl. Alan Greenberg is next.

ALAN GREENBERG: Thank you. We've actually drifted in the AOB business. Can we formally start that one? Cheryl's not the only one that is going to drop off on the hour or before.

OLIVIER CRÉPIN-LEBLOND: Yes, we are in AOB.

ALAN GREENBERG: Ah. Sorry. Okay. I hadn't quite realized that.

OLIVIER CRÉPIN-LEBLOND: We are in AOB. We're going really fast. [inaudible].

ALAN GREENBERG:

Then my audio must have dropped off for a moment. I hadn't realized it. I thought that we were just continuing on the same path.

Okay. I sent out a message pointing to a GNSO motion. That was misinterpreted to some extent. I was not suggesting that we comment on the GNSO motion. I was simply saying, "This is what they said. Do we want to say something similar?"

Most of the points in that motion – if we could get it up on the screen, that would be useful – I believe I treated as givens in the proposal for how to manage the budget: for setting the budget and how to manage the budget process within the CCWG.

I do not think it would hurt to reiterate – now, again, this is not a comment on the GNSO motion. This would add auxiliary words to what we are saying, essentially, to the Board on the budget issues. There is a consensus call that ends today, on which, effectively, we just said we support.

The question I put to the ALAC was, "Do we want to do something wider than that and more specific?" in a similar vein to what the GNSO did in its first four statements.

The fifth statement was on jurisdiction, essentially saying that the Work Stream 2 topics should cease and desist talking about things that are given. We've said that 12 different ways in this meeting. That doesn't make it easier. I suggest that the one thing we might want to say is to make it exceedingly difficult to spend real money on those issues, which I think is a possibility because of the forcefulness in which some of those issues are being given.

That was the topic that I raised. If we're going to say that we support the motion and may in fact want to say something further in the same vein as the GSNO, then I need to know that, essentially, by tomorrow, when I pass on what we have said.

So that's why I raised the subject with the ALAC. Any input from this group would in fact be useful. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. There are green ticks from Cheryl-Langdon Orr. Next is Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you very much, Olivier. Do you hear me well?

OLIVIER CRÉPIN-LEBLOND: Yes. Very well.

TIJANI BEN JEMAA: Okay. Thank you very much. I have responded to Alan's e-mail. I do think, as he said – and thank you, Alan, for clarifying it – that the issue wasn't about supporting or commenting on the GNSO motion. It is our own motion, our own position, that we have to draft.

The second point was that we have tasks from Work Stream 1 IRT that the Work Stream 1 report was approved by the whole GNSO. We were all members, and it was approved by the chartering organizations. Among them there is ALAC.

So it is not wise to say because it will give the wrong message to the people who are always against ICANN – always. You know that there is still people who say, “Oh, this transition is not really a transition. It’s only make-up, etc.” So if we add to that, even if the decision of Work Stream 1 we change during the process of Work Stream 2 and don’t want to discuss even the issues of incorporation and location, it will give a bad message.

Believe me, if we put it on the table – and we will put that on the table, I hope, in the subgroup – it will be very fast solved because the broad majority will be against modifying the location of ICANN or the incorporation of ICANN.

So that’s why I prefer not to change the rules of the game during the game. We want to change – how to say – a task given by Work Stream 1 that we drafted, that we approved it. Don’t change it during the process. Simply be in the group and [inaudible] with us to make it very fast as not to pay money for it. Thank you very much.

OLIVIER CRÉPIN-LEBLOND: Thanks for this response, Tijani. Alan, you mentioned a letter that you’ve shared with a group on the mailing list. Which mailing list was that? Because I didn’t find it in the IANA Issues mailing list.

ALAN GREENBERG: No. I said clearly it was on the ALAC list.

OLIVIER CRÉPIN-LEBLOND: Ah. You are aware that there are some people who are not on the ALAC list? So if you could have a link to it, that would be helpful.

ALAN GREENBERG: I put a link in the chat already, and the document is displayed on the screen right now. And there is a link earlier in the chat.

OLIVIER CRÉPIN-LEBLOND: Okay. Excellent. Well, you have the floor anyway.

ALAN GREENBERG: Thank you very much. To be clear, yes, if we make a statement, we have to draft a statement. I was suggesting that, if the group agrees, if the ALAC agrees – and I will be raising this issue in an ALAC leadership call today – we don't have to draft the words. We can simply say, "We support Points 1-4 that were made in the GNSO statement." That's a lot easier to draft if in fact that's what we're saying. So just to be clear.

On the next point that is effectively related to Point #5, I do not believe the GNSO said, "We want to change what Work Stream 1 dictated to Work Stream 2." We're simply reiterating that, as Cheryl and I and Tijani have said many times in this call, these groups are going off on tangents, regardless of what Work Stream 1 said to them.

The GNSO's Point #5 – Result #5 in their resolution, which is in the document, is in the e-mail I'm pointing to – simply says: We're serious about this. We can't actually stop a working group from talking about something. You may have discovered that if you participate in any

working groups. We can say, “This is a budget issue we’re talking about, and we don’t want the money spent on the extraneous topics which we’re not supposed to be talking about to begin with.”

That is the substance of the potential comment we could make on the fifth one. It is not an issue of rewriting Work Stream 1. It’s simply saying, “Pay attention to it.” Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this very much, Alan. We have a green tick from Cheryl again. Next is Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you, Olivier. I am really annoyed that one chartering organization for which the CCWGs are waiting for the position about [their] budget gives his opinion through the opinion of another chartering organization, saying we support the GNSO motion. I don’t know why. If we want to write exactly the same, let’s write exactly the same. But let’s do it ourselves. It is not ALAC approving the GNSO. It is the point of view of ALAC.

This is the first point, and I think, as Alan said, it should not be a comment [on] the GNSO. It will be our own position. That’s what I aim to, and that’s what I recommend. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Tijani. Next is Sebastien. We only have two minutes until the end of this call. Sebastien Bachollet?

SÉBASTIEN BACHOLLET: To be short, I think that, if someone can write the documents to take onboard the point of view from the GNSO and put it in the ALAC's mouth, it will be good. I know that we are discussing about the Point 5, but I really like Point [C], saying that we need to have the help of the legals from ICANN, and we need to input in an expeditious, comprehensive, and various manners. I think it was not written anywhere before, or least as I know. I think it could be useful for us. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this Sebastien. I was going to insert myself in the queue quickly. I have concerns regarding Point 5, as it would create a precedent for being able to control whether a topic would be discussed or not based on using the fact that it would be costly. That's a bit of a concern because, if you are going to go this way, then you can, with another pressure, point at anything being costly, including ALAC activities.

Alan Greenberg?

ALAN GREENBERG: Thank you very much. Two points. Number one, I'm going to be in a position where I have to tell ICANN staff tomorrow what our position is. We do not have the time to go through a statement drafting and ratification at this point. So that's point number one. This whole budget

thing should have been done months ago. Everyone forgot about it until it was very, very late. So we are in a time constraint there.

Number two, the chartering organizations are where we're going to come if we end up needing more money in the process. The chartering organizations are being asked at this point if they approve of this process and the budget. Chartering organizations do have a role to play here, whether we like it or not. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thanks for this, Alan. Seeing no more hands, that's been very helpful. We are one minute past the top of the hour, and I know several people already have to drop off.

I wanted to share one more page, and that's to do with our next calls. We've heard earlier that the current timing isn't great for everyone. There was a Doodle that was sent out. Terri, are you able to share this Doodle, please, so we can have a look at the various answers that we have? This was a Doodle that was designed to try to see if we could have some rotating times.

At present, the most suitable time is actually – let's see. I don't have it in UTC here. 5:30 P.M. UTC, I believe, is the most popular time, on a Monday. And it doesn't come out to well.

The idea was perhaps to have rotation, so we could have one week this and the next time we meet we have another time that's set with the next best timing. So we'd have one that would be in the evening of UTC

time and one that would be in the earlier afternoon of the UTC time, perhaps.

Any thoughts on this? I don't see anyone here. Okay, so no preference on that. Fine.

Secondly, our next call: one week or two weeks from now? Tijani Ben Jemaa.

TIJANI BEN JEMAA:

Thank you very much, Olivier. I think that the rotation is necessary because the [pinch] would be Cheryl. We have [another] so we'll choose the most preferred slots. That's all. It's clear.

Regarding the [sequencing], I, currently speaking, prefer a weekly meeting because there is a weekly meeting of the subgroups. So there is always updates from the subgroups. But since we are now approaching Hyderabad with a lot of movement – BMSPC, BCEC, etc. – a lot of work, perhaps next week we cannot make another call. This is my point of view. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thanks, Tijani. Sebastien Bachollet?

SÉBASTIEN BACHOLLET:

Yeah, maybe two weeks can be okay for our next one. Maybe we can, after that, link the same week of the presentation of Work Stream 2. I know that we have done a Doodle, but may I suggest that we pick a day

of the week and we ask the CCWG Work Stream 2 to pick one slot at the same time and [inaudible] as the work group from 5:00 A.M., 1:00 P.M., and 7:00 P.M. each week like that? We will do the same thing as the subgroup of the Work Stream 2. It will be easier, at least for the participation of the work streams of the subgroups. Just a suggestion. Thank you for very much.

OLIVIER CRÉPIN-LEBLOND: Thanks for this suggestion, Sebastien. The most popular day was Monday, so we could do this as a Monday rotation. Let's continue this discussion on the mailing list.

I mean, it's difficult. There's the most suitable time on Monday, and then you got some other days. When you look at it, the Doodle itself is pretty hard to read because what's absolutely sure is that Thursday evening UTC time is not good. The earlier times on Tuesday are not good. Actually, in fact, Tuesdays are not good in general. Wednesdays are quite good. Wednesdays and Thursdays look to be, but then you got the earlier times on Thursdays, which are terrible for Cheryl. So we'd probably have later times on Monday.

But your idea for rotation with the three different timings sounds like an excellent idea, so maybe we'll go in that direction.

I understand that the majority of the people are saying we don't need a call next week. Let's do a call two weeks from now. There will certainly be some movement. For our call two weeks for now, let's start with the most popular time, which is the Monday evening time that we have

here, which I believe is 1:30 to 3:00 P.M. UTC – no, that’s not UTC time on the that. That’s Eastern standard. So it would be –

TERRI AGNEW: Hi, Olivier. Sorry –

OLIVIER CRÉPIN-LEBLOND: 5:30 to 7:00 UTC on Monday. Is that correct?

TERRI AGNEW: 18:30 on Monday the 17th.

OLIVIER CRÉPIN-LEBLOND: Fantastic. Thank you. Thanks to everyone for these updates. It’s been very helpful. Have a good afternoon of Work Stream 2 calls – there are plenty of them – and a good week as well. Of course, any follow-up on the mailing list.

This call is now, after I thank the interpreters for their work, adjourned. Thank you.

TERRI AGNEW: Once again, the meeting has been adjourned. Thank you very much for joining. Please remember to disconnect all remaining lines, and have a wonderful rest of your day.

[END OF TRANSCRIPTION]