
CHERYL LANGDON-ORR: Thank you very much. As I indicated earlier, my name is Cheryl Langdon-Orr and today we have apologies from Farzaneh but we do have our other two rapporteurs – Steve DelBianco who’s dialed in from Internet Governance Forum and hopefully a few more people will join us but regardless we shall continue on with our hopefully relatively light agenda.

Can I ask, is there anyone who is only on audio – not in the Adobe Connect room but only on the phone bridge? Please let yourself be known now.

KAVOUSS ARASTEH: Hello Cheryl. Can you hear me?

CHERYL LANGDON-ORR: Yes. We hear you, Kavouss. I assumed you’re in the AC room.

KAVOUSS ARASTEH: Yes, I’m only on audio. I don’t have access to the Internet. I may ask for the floor but [with] indulgence of you and of everybody. Thank you.

CHERYL LANGDON-ORR: Certainly, Kavouss. No problem. But I do see you in the Adobe Connect at the moment. But that’s alright. That may be your name on the phone number that’s... just make an intervention when there’s a break as necessary and we’ll put you in the queue.

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.

Is there anyone else who's only on audio?

Okay, so at this stage we have Kavouss on audio and we will take our roll call from the Adobe Connect room, and we'll note any apologies that have gone to the list.

Is there anyone who needs to make an update or change to their Statement of Interest?

Not hearing anyone or seeing anyone in the Adobe Connect room, we'll move on.

Before the recording started I had identified the call, but I'll re-identify it now for the purpose of the transcript.

Today is the 14th meeting of the SO/AC Accountability Work Team and it is 19:00 and some minutes UTC on the 8th of December.

With this, we're going to move onto our agenda items, but as I move onto our agenda items I'll ask now, is there anyone who has any known other business they'd like to bring up at the end of the call?

Not hearing anyone or seeing anyone in the AC indicates that our lives begin at the end of the call for Any Other Business but if not, without any additions to the agenda, we'll move on to our Item #1 which is a review of any action items from our last call which was on December 1st. The link to the transcript and notes from that recorded in the agenda. We've allocated five minutes to this item but I don't think we will be taking that for our occasion because the only action item on this meeting was to interact with and make some any comment or edits to our documentation which we will be discussing in our updates and in

the rest of today's call. So as far as [inaudible] the time, our action items were completed for last week's call, and I did mention at the end of last weeks' call that an outstanding action item on Thomas had been passed on to me that he was following up with RSSAC for getting someone to join us in our work team to look at the incoming information from our questionnaire/survey. He followed up in detail later that day and there is an e-mail exchange now between himself and myself and people in RSSAC to see who we can get to join that group. That's another one back action item that we can tick the box on.

With that item completed, I'm now going to ask if we can move next to our updates, and the first update is our expected input from surveys that we sent out. And I'm delighted to say that we are getting material in as was requested at this time in December. We have only had one request for a very small extension of time which doesn't seem to be problematic because the examination of the data capture won't be happening until next week anyway.

So with that, it looks like we will have sufficient material coming in from the various SOs and the ACs to get started with. It may be that some of the constituencies within the GNSO get their data in a little bit later but I don't think that's an enormously difficult task for us to get our work team to bring that in to whatever data capture process they're going to go through. But we will certainly have enough material to work with and, considering it was a relatively short time, I think we should note for the record our thanks to all of those involved in the GAC and in the ccNSO, and hopefully eventually the ALAC, as well as the [inaudible] GNSO and the GNSO Council who've already worked so hard in getting their materials together.

With that, I think we can now ask if Steve would be so kind as to take us through some of the subteam updates between this time last week and this time this week. Over to you, Steve.

STEVE DELBIANCO:

Thank you, Cheryl. Steve DelBianco here in the noisy venue at the IGF. I hope you can hear me. I wanted to pick up on the action item for Subteam 2, which is in this case from last meeting which was to update our draft report document so that it reflected the [inaudible].

Yvette, is that me?

YVETTE GUIGNEAUX:

I believe it is, Steve. I don't see anything on this end but I'll keep working on it. You're fine now, though.

STEVE DELBIANCO:

Alright, I'll try again. So we updated our draft report document to reflect the discussion we had on our last call with David McAuley and the rest of our colleagues on whether the IRP would be applicable to AC and SO activities.

Farzie, myself, Matthew Shears, and perhaps one other person who comes across as anonymous on the Google doc made edits to the section which begins on page five of the Google doc. Yvette is kind enough to load it right now, and page five is where we want to go.

Yvette, I think you're controlling the scroll, so if you take us to track 3 on page five, everything we want to discuss with respect to the IRP is on this page alone and I have accepted all the edits that came in. There was one comment that Farzie provided but [it] applies actually to the prior page.

So I hope that you can all see that on Track 3, page five, on the IRP. On the question of whether IRP should be applied to SO and AC activities, our answer is – it would not be applicable in the current Bylaws, and while it could be made applicable by amending the Bylaws, the IRP should not be made applicable to SO and AC activities. So we have concluded the answer was no, it should not be.

We then expand that three-part answer in three different paragraphs on those sections, and they're shown at the second half of page five. My thanks to Matthew and Farzie for adding significant detail necessary to explain our conclusion.

So at this point, rather than wordsmith it, I would prefer to do that offline the way we've done for the last week. My request to all of you now is to validate that the conclusion we reached on last week's call is still the way you're thinking and validate that the way that it's reflected on page five is how this particular SO/AC Accountability Group would like to present our conclusion. Again, our conclusion once our group is comfortable would go to the full CCWG as part of our draft report. I don't think we'd send it up until we finish our work on Mutual Accountability and the questionnaire responses from the SOs and ACs.

So with that, Cheryl, I'd be happy to take a queue on whether page five – let's just stay on page five – and assess whether we validate [now] both the conclusion and the rationale. Thank you.

CHERYL LANGDON-ORR:

Thank you, Steve, and I don't see a queue forming yet but let's give people a moment or two to digest the material. And would it be appropriate – we do have the time in today's call – does the group want Steve to take us through a read-through so you can react, or you're all happy to read? Just put a little green tick up if you want a read-through.

Steve, it appears that at least one person also would like to have a read-through, so with time in our favor today and it does go towards the next discussion anyway. Perhaps it would be worthwhile going in a little more detail through the text as modified. We also would be taking this question to the list, of course, we do have a lower turnout than usual today so it's important that we send a message to the list and ask them to review page five and ensure that this is the current thinking of our group.

So, Steve, I might toss back to you and see if you'd like to take a [preliminary] brief read-through and then ask if there's any comments at the end of the variously appropriate points when the grammar allows. Back to you, Steve.

STEVE DELBIANCO:

Thank you, Cheryl. I'll read each of the three sections, and after each one take questions or comments.

The first section was to say, “IRP would not be applicable to SO and AC activities as is currently described in the Bylaws. In the current [ITM] Bylaws, the IRP has been extensively explained in Section 4.3. The IRP is designed for ICANN Board and staff action and inaction that harms specific individuals and amounts to violation of the Articles of Incorporation or the Bylaws. The IRP is not an appropriate mechanism to call SO/ACs into account. Its jurisdiction for the Bylaws does not include disputes brought against or involving SO and ACs. An IRP panel would dismiss the claim if brought against an SO/AC due to lack of jurisdiction. This is made explicit in the Bylaws definition as covered actions to which the IRP is applicable. 43.B2 defines covered actions as covered action are defined as, ‘Any actions or failures to act by or within ICANN, committed by the Board, individual Directors, Officers, or staff members, that give rise to a dispute.’”

“SO/ACs are not [inaudible] covered actions. Further, it is explicitly and implicitly stated in the [Bylaws] the IRP is a vehicle [to bring] claims against the Board and staff, and not against SOs and ACs.”

So that’s simply explaining why we concluded that as it is today the IRP would not be applicable to SO and AC activities. Are there any questions on that paragraph?

I’m well aware of several typos in that paragraph. And that’s a group of us doing the edits. I’ll promise to all of you that I’ll clean up the typos.

Seeing none, let’s go to the next one. Number two:

“We note while the IRP could be made applicable by amending Bylaws significantly, it might face other challenges. For example, SO/ACs are

not legal entities and would need to have legal standing to be called into account under the IRP. There will be additional substantive issues to be dealt with, including which actions or inactions of SOs/ACs could be challenged in the IRP. Such substantive non-technical matters will increase the complexity of such a Bylaws change, although this complexity alone is not a definitive reason to forego use of IRP against SOs and ACs.”

Any questions on conclusion two?

On three – this is the third and final conclusion:

“The IRP should not apply to SO and AC activities because it is a complex and expensive, and there are easier alternative ways to challenge an AC or SO action or inaction. IRPs do not render monetary judgment...” I’m not sure why that comment is important unless you consider the next sentence which says, “But when the Panel awards costs it can escalate. An SO and AC might not have a budget to cover such costs.” Getting to the notion that IRP is expensive.

So I do think having read through all three we ought to add a definitive conclusion line that definitively says that our SO and AC team therefore concludes that it is not – to answer the definitive question in front of us – that the IRP should not be applied to SO and AC activities.

Cheryl, that’s a read-through. I think Julf was the one who asked for it. So back to you.

CHERYL LANGDON-ORR: Thank you very much, Steve. And I think we could note that as a first read-through with only minor edits towards a concluding sentence as an added and with that addition, I would like to suggest we make that addition to the text, Steve, before we send – and can I suggest we send just the extract, [miss] just this page five, as an extract to the list for them to review. I don't want to get them confused with other bits of the document because we really just need this ticked off and then we can move on to other sections.

And then with that we should be quite satisfied with us getting a little bit further along in our progress. Well done, everybody. Hopefully we won't get substantial changes coming in from the list.

Christopher, I see your hand. Over to you.

CHRISTOPHER WILKINSON: Can you hear me now?

CHERYL LANGDON-ORR: You're a little bit loud for me, but [inaudible].

CHRISTOPHER WILKINSON: Can you hear me now? [Inaudible] speaking. [You can't hear me]. [Inaudible].

CHERYL LANGDON-ORR: Yes, go ahead, Christopher. We can hear you. You're fine.

CHRISTOPHER WILKINSON: Okay. [Inaudible] I said before on a previous call so I agree to this expansion. The text seems to be fine. I think it's in the agenda. I think the text, in other words, the [options], degree of detail which I wouldn't have done, but if that's the way it's displayed, I think [inaudible] that's fine by me. Off we go. Thank you.

CHERYL LANGDON-ORR: And thank you Christopher because I know this was one particular part of our topic that you've raised concerns about since the very beginning, so to get a green tick from you and have you on the record supporting this text I think is very influential for the rest of the group. So thank you for that.

Let's now take that as our discussion part on this part of our agenda. I don't know why I was trying to turn it into an action item but with the only action item from it to send the extract of the slightly modified from what text you've seen in front of you to the full list in as short a time as is reasonable for the complete team review.

Thank you very much, Steve, and Farzie and Matthew. I know you did the back-break on that work, and it certainly has shown that with the very successful discussions after our briefing last week we've been able to come to a very prompt and I think a very satisfying conclusion on one of our major topics. So yay us. Well done.

Moving now to something that Farzaneh wanted just to have on the agenda today, and that is starting to develop a first draft on

recommendations regarding any sort of Mutual Accountability – we’re still calling it “Roundtable” because that’s what the first concept of any form of exchange on mutualism and on mutual understanding or sharing came from – Willy Curry’s document from Work Stream 1 – we also said. In our brief discussions previously on this topic that we would be more than happy to have other terminologies and other concepts discussed. We will obviously be moving into these discussions in the next phase of our work, but Farzaneh did want us to raise with you all that we are waiting for input on this topic. So this is going to end up being an action item on us all between now and the calendar new year to start fleshing out in writing some of our opinions and alternates and concepts on any of this particular mutualism – if I can use that as a word – appropriate at this topic.

Steve, is there anything you would like to raise on this before we open for a queue in discussion?

That’s a no in the chat from Steve. Very concise. Of course, I don’t have to look at the fine print. I’m working off a 10-inch tablet screen here so his itsy bitsy tiny no just jumped up at me. Thank you, Steve.

What we’ll do is hope that in the same way as we have managed our discussion and conclusions on the IRP question, that if we gather some comments to our Google doc and remember of course, as ever, if you are unable to access the Google doc just send the comments to the list and we will add them to the Google doc, the Google doc being a repository then of everybody’s comments so we can ensure that they are all duly discussed and in most cases once agreed to – and most of them that we’ve had come in recently are things that are agreed to I

would say by the rest of the group – they'll get incorporated and accepted into the Google doc. So that's really a plea from Farzie, Steve, and myself, to let's get the conversation started on this in almost a two prong attack, specific comments on the MAR as reached by Willy Curry and also opening for any suggestions and proposals – and we had a couple of very interesting ones come into chat and in our discussions last week. So we want to make sure that they're captured and that they can all come in to the Google doc and be incorporated into our text for early next calendar year.

Yvette, you asked me in the chat – and I'm sorry I didn't see that is there until now – if I can repeat Christopher's comments. Yes, there was some distortion on the line, and please, Christopher, type into chat if I do not paraphrase you accurately.

Christopher is traveling in the next couple of weeks, starting to travel tomorrow, so he probably won't have time to put this list so he wanted to have it recorded here that he is very satisfied with the text and with the outcomes that our group has come to on this matter of IRP. And I believe he's particularly noted that concerns about the cost and complexity which he'd raised earlier seem to be properly characterized in this text.

So if I've paraphrased you inaccurately, Christopher, let us know and have a look at what the staff has captured in the notes section to make sure it's an accurate reflection of your commentary.

Okay. So with that, I don't see any hands up. If anyone has any comments to make on us starting now to move forward as a group on

our comments and discussions and deliberations on mutualism, we will make that our next piece of group work. But parallel to that we will have the group work that will be going on from the small subteam that will be dealing with the input from our questionnaire, and we will be looking at both of those pieces of work as we move forward for our last couple of interactions and meeting times until the end of the calendar year.

I'd like to open now up to our discussion of where we are in terms of our activities and timeline. Let us assume, if I may, that we should have by the end of this calendar year at least the beginnings of text on our data capture from our survey. We might have substantial discussion on it but we will have the beginnings of whatever tabulation matrix or formatting created from our data capture exercise. That will obviously still continue into January, but by the end of the calendar year we should have something substantial to look at.

We will have agreed on our page five documentation regarding our IRP recommendation and we will be continuing to edit and modify our master document for our current report but with a particular focus on our next step of work which is to deal with our mutual accountability question. I'm going to hand over to Steve now for some commentary, then I want to come back to the group to look at some timeline options for that, noting that we will want to have documentation through to CCWG Plenary well in advance of deadline for Copenhagen meeting in March.

Steve, over to you.

STEVE DELBIANCO: Thank you, Cheryl. With respect to the Mutual Accountability Roundtable I think we moved past that on the assumption that we were waiting for input. And I don't think that's strictly true.

Starting two calls ago we put a preliminary conclusion right at the bottom of page four of the document. I'll give you a moment to scroll there. It is only three sentences long. And that preliminary conclusion we're awaiting, I guess, a reaction from this group on that preliminary conclusion as opposed to new input on the Mutual Accountability Roundtable because there was quite a bit of input several weeks ago and that was all summarized in this preliminary conclusion or justified by the preliminary conclusion. Is there anyone who needs me to read the preliminary conclusion – three sentences?

CHERYL LANGDON-ORR: Steve, I think it'd be worthwhile doing.

STEVE DELBIANCO: Thank you. It says, "We conclude that the Mutual Accountability Roundtable as originally described is more of a transparency exercise where best practices may be shared. While this exercise is viable, we do not recommend it for formal implementation. SO/AC Chairs convene regularly for calls and meetings with the ICANN CEO which creates an appropriate and adequate forum for sharing of experiences and best practices on Accountability to their respective stakeholders."

And that is the end. It is three sentences long, and we're answering the challenge of whether it's viable and whether we'd recommend it to say while it's viable we do not recommend it. So Cheryl, it would be more constructive to get whether you want to do a straw poll or any kind of reaction to see whether that conclusion survives a first reading on today's call to accelerate our progress. Thank you.

CHERYL LANGDON-ORR: Okay, Steve. I'm happy to take both comments and then some polling. I'm just very aware of a very low turnout on today's call, so I think any sort of polling we do on that text would be just a temperature taking exercise and we would certainly be taking it to the full list. I see Greg's hand up. Over to you, Greg.

GREG SHATAN: Thank you. Overall I'm happy with the conclusion but I'm not entirely sure about the fact statement in the last sentence. Between the change between Fadi and Göran, I think Göran might be taking a different approach in talking to SO/AC Chairs, and maybe S, G, and C, Chairs, which is my personal vantage point. But we should check whether this is in fact taking place before citing it as the potential place where this conceivably could take place. Thanks.

CHERYL LANGDON-ORR: Steve, back to you.

STEVE DELBIANCO: Thank you, Cheryl and Greg. Farzie raised a similar comment in the Google doc, Greg. And it might be best, perhaps we could rephrase it to say that, "SO and AC Chairs may convene calls and meetings at any time which creates an appropriate and adequate forum for sharing of experiences/best practices." So the first part of the sentence, Greg, would be, "SO-AC Chairs may convene calls and meetings at any time." How would that be as a substitute, Greg?

GREG SHATAN: Yeah, I think if we take out the CEO-driven concept, that's good. And if you'll for good measure you could also add that the SO-AC Chairs have a standing e-mail list.

STEVE DELBIANCO: Yet is that a practice we can rely upon to continue? I guess we could.

GREG SHATAN: Well, the standing e-mail list, yes. As to self-generated meetings, we've had at least one that [inaudible] grass roots effort as opposed to one that was called by ICANN staff. So I would expect that to continue. The one I referred to is actually an SO-AC SGC RALO call, so what the SO/AC Chairs do amongst themselves is not a group I can talk to. Obviously someone like James Bladell could. Thank you.

STEVE DELBIANCO: I've pasted into the chat the revised sentence and I'll read it out loud. "SO and AC Chairs have a standing e-mail list and may convene calls and

meetings at any time. That creates an appropriate and adequate forum for sharing of experiences and best practices on Accountability to their respective stakeholders.”

CHERYL LANGDON-ORR:

I’m putting myself in the queue. I must say this is the part of the text which I was less comfortable with, so thanks, Greg, for bringing it up. And just for the formal record here, the very first of the joint meetings between AC and SO Chairs was held back in Sydney’s meeting a long, long, time ago. It was a radical and somewhat horrific to some Senior Management in ICANN’s views at the time activity, and it resulted in later the formalization of the mailing list and then the meeting between successive CEOs and the Leadership Teams which later included, as Greg outlined as is only right, the opportunities also for the RALO and the Stakeholder Groups to be involved as well.

So in fact way back in the dim, dark, distant, historical, past, it was in fact purely an initiative of the AC and SO Chairs that started this type of interaction off at all. So I’d hate to lose that for the record, because I think it is important that community – and now an Empowered Community – can be seen to have been interested in its own mutualism and sharing mechanisms.

I’m wondering if we can put that text as you’ve modified now, Steve, in and send it to the list for some comments because it may be that some of this – and I would count myself as a possible [inaudible] haven’t finished contemplating it yet – that we might want [to] as it creates one of a number of appropriate or an appropriate – I’m just wondering. I

don't want it to just be seen as the only mechanism that we would be necessarily recommending, that we'd want to recognize that it's a good idea to do this and have some sort of mechanism but we're not trying to be prescriptive about what type, but allow it to be more than just this particular mail list creation.

I, for example, wonder what the Empowered Community itself from time to time may choose to do so, so we might just want to wordsmith and have the opportunity to do wordsmith on the Google doc again. It might be a good idea, Steve, in my view at least, to just send this out as a second excerpt so that we concentrate our comments back specifically on the list just to this section so we don't muddle page four and page five together.

I'm not sure whose hand went up first because I use a tablet that doesn't give you an order. Was it you, Greg, or Steve had their hand up first? It was Greg. Go, Greg.

We're not hearing you, Greg.

STEVE DELBIANCO: Cheryl, I guess I'll go first real quick then.

GREG SHATAN: I think Steve put his hand up first.

CHERYL LANGDON-ORR: Okay. Go Steve.

STEVE DELBIANCO: Yeah, as a practical matter this is a five-page document where page five was the IRP and page four was the Mutual Accountability Roundtable. Pages one, two, and three – one and two are the background on what we’re supposed to be doing and page three was just a stub for the real work we have to do on evaluating SO and AC Accountability. And for that reason, Cheryl, it would be my preference to try to keep people focused on our draft report in its entirety. My preference would be to send a link to the doc describing the two preliminary conclusions for first reading on pages four and five, and inviting either responses to the list or proposed edits to the doc, and do that with one e-mail rather than two.

CHERYL LANGDON-ORR: Obviously I’m not being very clear today, which is perfectly understandable if you follow my social networks. I was hoping that in a single – fine, that’s not a problem, just one e-mail is okay and yes, with the links to the full document – that we put separately the excerpts from the pages so that the list has the text without going to the Google doc is what I was trying to say.

STEVE DELBIANCO: Glad to do that in the e-mail, and I’ll draft that e-mail today for you to review. Alright?

CHERYL LANGDON-ORR: Great. Thank you.

STEVE DELBIANCO: Let me react to your statement about the Empowered Community – not all ACs and SOs are in the Empowered Community at this point. Therefore, it is not appropriate to suggest that the Empowered Community is a forum under which all of the ACs and SOs could do a discussion similar to a Mutual Accountability Roundtable. So my recommendation is to not mention the Empowered Community structure at all in this document.

CHERYL LANGDON-ORR: Okay. Before I go to Greg, Steve, obviously I'm absolutely inarticulate and incapable of making myself understood today. I did not suggest that we would identify the empowered Community at all. I said I don't know what the Empowered Community in the future may do, and I didn't want us to indicate that it was narrowly only this one mechanism as identified. I also said I hadn't finished thinking about it. I just wanted to make sure that it wasn't seen that we as a group were putting forward only a singular alternative with our rejection of a Mutual Accountability Roundtable model and the suggestion that a suitable, existing [forum] is currently in play.

Two things, [inaudible] will it stay in play? One would hope so but things can change and I didn't want the assumption that it is more than an example – an existing example but an example nevertheless. Let's work on that when we get to community input such [as our] list input on the document. Sorry, Greg, I've taken far too much time. My apologies. Back to you.

GREG SHATAN:

No problem, Cheryl. You've given me even more to talk about. First, I would also not mention the Empowered Community here. My view, having spent far too much time on working on that conceptually, is that it's basically a [gholam], it's a shared tool of the communities when they need to empower themselves to deal with an outside problem and it's not any kind of a forum to discuss anything other than how to use the Empowered Community. But that's not why I put my hand up.

My hand is up because the Mutual Accountability Roundtable concept – if you go back up to the bottom of page three – the three-line description I think matches to an extent the description or characterization that's at the end – our preliminary conclusion that it's more of a transparency Best Practices forum. And then with the last sentence, it talks a discussion to create a space for mutual accountability. That opens a can of worms which is fully opened by quoting at length Willy Curry's May, 2015, e-mail which talks a lot about... It starts off by talking about the idea of mutual accountability. And I have to say that the idea that we've adopted mutual accountability is... There's no evidence for that and indeed I think that is quite the opposite and we are skirting the issue of whether in fact... I think to have a Mutual Accountability Roundtable you first have to accept the idea of mutual accountability. So I think there's a major step or a leap that's been taken here or would be taken here [it] even talks about it.

I'm not exactly sure how to deal with this in our text but the point is that if you read Willy's e-mail and not just the three-line proposal, it's

clear that we're talking about actual mutual accountability, or to put it more pejoratively, a circular firing squad. What I would say is that in order to enact or to implement a Mutual Accountability Roundtable, you would first have to discuss and adopt the concept of mutual accountability, and particularly mutual accountabilities at the SO and AC level of each SO and AC to each other in a specific manner and Willy talks even further about calling to account other SOs and ACs.

Just judging on what went on in Hyderabad, if you went into an Accountability Roundtable I think the place would have gone on fire. I really think that you can't talk about the Mutual Accountability Roundtable until you've talked about mutual accountability. We haven't talked about mutual accountability. [We] certainly haven't adopted it, so I think it's premature at best to approach it and I think at most what should be taken from it as a current idea is encouraging discussions should the SO-AC Chairs so desire of best practices in Accountability within their institutions.

So I think that takes it back to our conclusion, but the idea of Mutual Accountability or a Roundtable as such is just so far premature to any thinking about Accountability of SOs and ACs that we've done that we should just... It's future thinking at best. And we're just not there. We probably we may never be there. Thanks.

CHERYL LANGDON-ORR:

Thank you, Greg. I'm wondering if you could perhaps when you have a brief moment make that in terms of synopsis as you said here today in terms of a little comment into the Google doc as well because I don't

think we should lose track of that point and it may also echo with a number of other people's views, again, recognizing we don't have a very large turnout in today's call.

Steve, back to you.

STEVE DELBIANCO:

Thank you, Cheryl. I agree with Greg's analysis, and fortunately we were not asked to evaluate some generic concept of mutual accountability. Instead we were asked explicitly to evaluate the proposed "Mutual Accountability Roundtable" – not proposed, not the general notion, of mutual accountability, but a single as proposed Mutual Accountability Roundtable. And then I noted on page three that our CCWG final report unfortunately quoted only a tiny excerpt from Willy Curry. Greg's right, that tiny excerpt uses the phrase "create a space for mutual accountability." But in our draft document I included the full text of Willy's May, 2015, e-mail where Willy walks it back, way back, to where it is only about transparency and discussion. And with that understanding that I believe that the proposed Mutual Accountability Roundtable is an explicit and single implementation proposed by Willy about which we conclude it is viable, but we do not recommend it.

That would avoid the need to speak more generally of mutual accountability mechanisms. That wasn't asked of us. The way Greg articulated that might perhaps make for a good paragraph after the conclusion as a note. I don't believe we have to get into all of that to answer what the charter required us to do. Thank you.

CHERYL LANGDON-ORR: Thank you, Steve. It seems to me that we need to take the opportunity to get the input from the rest of the group, but that we are also going to have to take the opportunity to discuss this further. But our action items remain the same. It's the in or going out with the excerpts to draw people's attention to the exact text as it is currently and slightly modified on both page four and five, and to seek input over the next week into the Google doc or from the list on that text so we can continue our discussions.

And I note, Greg, in all your copious spare time you'll get to the Google doc. I think you must have some magic ability to create extra spare time because I'm well aware how busy you are and how much work you're doing in so many subteams and groups in ICANN at the moment. You astonish me sometimes. But it certainly is appreciated because your interventions are certainly I find extremely valuable and quite often quite amusing.

Christopher, I think that sign is saying you've stepped away, not that you wish to speak. But I just want to check that it isn't that you'd like the microphone.

Christopher, did you want to make an intervention?

I'm going to assume not, but please let me know in chat if that's the case.

With that and with just the last less than 15 minutes of the call in front of us, I'm just wanting to now take us through a little bit of a [fourth] exercise on where we think or do you think we will be where I indicated I'd like to be by the end of the calendar year, in other words, that we

shall have settled our page five of this document, substantially modified if that is indeed the case, or agreed to if that is the case, the text on page four. So that is the IRP matter at a point where we can then pass on a completed recommendation to the CCWG on the matters of Mutual Accountability Roundtable that we are substantially developed in our discussions on where we may be putting final recommendations – well, I think the final recommendation is probably relatively predictable – but the specifics of text in the final recommendation should be substantially if not completed by the end of the calendar year.

Is there anyone who does not think that that is a reasonable timeline, that we shouldn't be able to have our pages four and five totally completed and [four] completed if not substantially completed by the end of the calendar year?

Sorry, Greg. [Inaudible] it's this discussion between Greg and Steve in the chat does merit reading but I'm going to catch up with it later. Someone should alert me if there's something that needs to come into the current agenda item or later stuff.

Nobody seems to be thinking that that is unachievable, so let's make that our aim. [Carrying] this end of calendar year time, the data capture exercise will be in its [inaudible] phase and the subteam, the little work Drafting Subteam, will be starting their work. So we would accept at our beginning of 2017 calendar year that we will be able to start focusing in on a discussion and analysis of that material, and most importantly, begin to fill out the information that we would like in our text for page three.

So if you all scroll back to page three now of the documentation, which I think is where Steve indicated the placeholders for our the end of the other Track – and so it’s basically page two and three I should say – that is this Track 1, “Review and develop recommendations to improve SO and AC processes for Accountability, Transparency, and participation would be helpful to prevent [capture].” That is going to be the substantial piece of work that we will be starting off in our 2017 calendar year, and it is desirable if we can have that substantially completed in advance of the Copenhagen meeting.

That’s as we currently see the time course and our immediate work load. I’d be very interested to know if anyone has a different view or belief that this is unachievable. Let us know now. We’ll discuss it again next week.

Okay. Well, contemplation on that continues. After next week’s call I would like to perhaps make a modification of our timeline, but I certainly want to work much more closely with Steve and Farzie on that to see if we can get some very specific dates and they will include the dates to be provided to us from staff on cut-offs for their planned dates for public comment and, of course, to match in with Plenary meetings because we need to get our work to the Plenary for the Plenary to have sufficient time to discuss and then the next phase to happen after that as we move towards reporting documentation Copenhagen meetings and public comments, so there’ll be some work to do on specific dates but in general terms I think we’re starting to see a pathway for when we need to deal with what pieces of work.

I encourage you all to contemplate that and to make any comments to the list if you think of something that is either a additional piece of work we need to slot in somehow or whether or not you don't believe some of this will be achievable. We need to know sooner rather than later.

With that, I'm going to let you know that our next meeting will be held on Thursday the 15th of December at 05:00 UTC. That's Thursday, 15th of December, 05:00 UTC for our next subgroup meeting which I'm counting as Meeting #15, but for whatever reason I seem to have it in my calendar as #14 – but whichever number it is, it'll be next week at 05:00 UTC.

Staff, can you tell me do we have another meeting scheduled before the staff break-up for the holiday season in the U.S.?

YVETTE GUIGNEAUX:

Cheryl, what I do see, the 15th is it and that no, we do not have another meeting scheduled before the holidays.

CHERYL LANGDON-ORR:

Great. Okay. Thanks, Yvette. I didn't see it in my calendar but that just may mean that my calendar isn't updated that far yet. I wanted to double check. So that means next week will as I feared be the last one for this calendar year. We will have to, of course, request that under their own schedule they have obviously the ability to get various technology assistances. They can use Skype chats and things. But if they need to sort out a call it will be a call without staff support. But of course, the subteam working on the data capture can always be

facilitated to gather and do their work even though they may not have staff support on a call during this end of December/early January period.

That will mean our meeting after the new calendar year, 2017, begins with on the 12th of January. So next week we will need to have a full, frank, and fearless discussion about what work, including homework, that we will be able to do in that very long break from teleconference meeting times.

With that, I'd like to call in the last couple of minutes for Any Other Business.

Not hearing anybody and not seeing anyone in the AC room raise Any Other Business, I can assume that what we can now do is move towards the close of our call which is a good thing for those of you who are in the Internet Governance Forum meeting because I gather you are in a very noisy environment – probably not the most conducive.

Seun, did I see your hand go up? Seun, go ahead.

Seun, if you're talking we can't hear you.

SEUN OJEDEJI:

No, I'm not saying anything. Thank you.

CHERYL LANGDON-ORR:

Okay. Sorry, I thought I saw your hand go up briefly and it's gone back up again. One of those funny little things that happen sometimes in the

Adobe Connect room. Okay. I just didn't want to miss out if you had an intervention you wanted to bring in.

So if there's no other comments and no other Any Other Business, the action items will be upon us all to respond to the e-mail that Steve has got a personal action item to get out to the list regarding our page five and our page four of the Google doc.

I'd like to thank those of you who've managed to join today's call. Thank you for the progress. Thank you for your contributions. I want to thank staff for their support. I especially want to thank Steve and Farzie and Matthew for the work they've done on the drafting, and thank the rest of you including Greg in advance for your comments that we look forward to receiving on our Mutual Accountability Roundtable and table text because that is the next big piece of work, and if we can tick that one off it means in 2017 we have one major thing on our plate to complete.

So with that, and with I think three or four minutes left on the call time, I'll give that back to your lives and want to thank you all and look forward to everyone turning up for the last call of 2016, next week, on the 15th of December at 05:00 UTC.

Bye for now. Staff, you can turn off the recording. This call is concluded.

[END OF TRANSCRIPTION]