

---

TERRI AGNEW:

Good morning, good afternoon, and good evening. Welcome to the At-Large Review Working Party and ITEMS Call taking place on Wednesday, the 14th of December 2016, at 21:00 UTC. On the call today, we have Holly Raiche, Olivier Crepin-Leblond, Avri Doria, Maureen Hilyard, Tijani Ben Jemaa, John Laprise, Glenn McKnight, Cheryl Langdon-Orr, Sebastien Bachollet, Alan Greenberg, and Alberto Soto. We have listed apologies from Kaili Kan.

From staff, we have Lars Hoffmann, Heidi Ullrich, Ariel Liang, and myself, Terri Agnew. I would like to remind all participants to please state your name before speaking, for transcription purposes. Also, from the ITEMS team we have Tim McGinnis, Tom Mackenzie, Nick Thorne, and Rosa Delgado. Our Spanish interpreters today are Claudia and David.

And as a reminder, not only for our transcription, if you could state your name, but also for our Spanish interpreters. With this, Cheryl, I'll turn it back over to you. Please begin.

CHERYL LANGDON-ORR:

Thank you very much, Terri. This is Cheryl Langdon-Orr for the transcript record. We first of all are going to add something to today's agenda, and that is having had our roll call, you will note that whilst the working party is some 23 people strong, we don't have, and I'm afraid this is a symptom of any meetings, we seem to be getting lower turnout than usual for calls at this time of year, but we do not have a full complement of our working party members with us today. So, we will

---

*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.*

---

probably be needing to do some more list work before our next meeting.

That said, there has been a request that observers be able to join, or still able to join, because they have always been able to join, our working party meeting, and Holly has asked if we could agree on this call that everyone is happy with observers being able to stay in today's call, and in any of our calls from now on. The rationale for asking this question would be obvious to anybody who has been reading all sorts of lists, but we will cover that in our next agenda.

So, first of all, does any member of the working party object to observers being still invited and welcome in our calls. If you object to that, please make yourself known now. Alan, over to you.

ALAN GREENBERG:

I am not objecting, but if we are going to have closed calls, then either they should not be on the public agenda or should be flagged when they are on the agenda. We have a very long tradition of not having closed meetings, so, just a comment.

CHERYL LANGDON-ORR:

Thank you, Alan. And I can't from a personal perspective imagine why, other than for high confidentiality in which we are discussing individuals, for example, some of the appointments, et cetera, why we ever would have closed calls. Now of course with Alan's point, that means that these calls do remain open, and I think that is a wise choice. Thank you everybody for making that choice.

---

But I am going to ask, however, that we have particularly people who are observers who are only just joining our activities and who have not been involved in the almost now over a year long process of moving through and working in the pre-appointment of the examiner phase, the working with the examiner phase, and the now continuing to work with the examiner phase we are in, that you do respect our timelines, our processes, and our practices, and would remind you all that what we are currently doing is engaging in, or is the model for a current review of part of ICANN.

And the model means that at this point in any one of our processes, it is the external examiner, the independent viewer that has been looking at us and how we or do not meet our performances, and our working party having an interaction and iteration on early draft material by December, the next version of material will be available, that we always take into account a number of comments in any direction that we are heading right now, and will continue to have, via an invited Google docs system.

But this is very early drafting that you are looking at, and I've used the sausage making example a number of times, and I'll use it again for the record. Most people who really love sausages would not be very fond of them if they saw them being made, particularly the blood sausages and the offal sausages.

So please, as observers, remember that what you are looking at right now is all the offal being thrown up onto the table and the pig gut casings being collected, so we can start making our sausage more effective, and perhaps a great deal more palatable. So with that

---

hopefully graphic image ringing in your imagination, let's move on to our call.

We have a number of preexisting questions that have been raised by a member of our working party, and they are questions that we've noticed to, ICANN teams, for reaction today. They do reflect questions that have been raised by a number of people, and in fact, some questions that were answered on the previous call. So now I want to check, is Holly on the line?

TERRI AGNEW:

Cheryl, it's Terri for an update, no, we're still working on her audio, thank you for checking.

CHERYL LANGDON-ORR:

I will continue on, then, that's fine. Let's now move to our particular questions and then perhaps getting to some of them the other detailed discussion after that. The questions which I trust ICANN has had time to look at, are listed here in the agenda, and I'm wondering did you want to take them one at a time now and respond to them, and if you do wish to do that, I would suggest that for the record, because it is something where people like to listen to the recordings and look at the transcripts of our calls, that we have the questions read to the record before you respond. So, I'm going to read the first question and then hopefully Tom or Tim, or somebody is going to respond.

The first question is, "All internet end users with an interest in ICANN's policy development remit will be able to become involved in At-Large

---

policy advice processes. Removing the current requirement of membership of an At-Large structure, or ALS. What are the different motivations that future individual users will have to achieve greater participation than current ALSs?" Now, that's the question at the moment, and I'm now going back to see who is going to respond, and it looks like Tim, over to you.

TIM MCGINNIS:

Okay, well, I can try to respond to that. We are prepared to answer all your comments and questions that are put in the Google doc, the answer to this question is quite obviously the same motivations that currently exist. We're not looking to change those in any manner, whatsoever.

CHERYL LANGDON-ORR:

Okay. Thank you, and the reason I picked on you, Tim, was your mic open, so you see, I see a mic open, I assume you want to speak. Tom, over to you.

TOM MACKENZIE:

What I would say about this is one of the feelings we have had, really since starting this review, and from participating in two ICANN meetings since the review started, we're all seasoned ICANN participants, but we've taken two meetings as part of this review, well, one thing we've noticed and one thing that we've been told repeatedly, is that it's a real challenge for many people to get involved with At-Large, or least for certain types of people to get involved.

---

For example, we've seen at the last meeting that there people who put their hands up during the public forum and said that they had tried to approach At-Large, that they were interested in ICANN policy making, they thought that the At-Large would be the obvious sort of way in, and that they just simply didn't understand the processes. So, to put it very simply, our sort of primary motivation was what could be done to simplify entry into the At-Large community.

So that really started us thinking about simplifying or even eliminating the stage which currently consists of having to be a member of or the founder of an At-Large structure. So it was more direct participation by individuals. So that was, I would say, our driving motivation, a simpler, faster access, and it was at that point that we started thinking about the structure of our entire membership model. We can go on, if you like, or if you want, provide more details about more specific questions on this particular issue.

CHERYL LANGDON-ORR:

Thank you, Tom. Let's just take the queue a little further and see where that leads on this question, and I'm very aware that we do have a number of other questions to get through, and these are questions we've noticed, let alone the questions that may come up without notice. Alan, over to you.

ALAN GREENBERG:

Thank you very much. I understand the attractiveness of creating new acronyms and buzz words, but for the regions that have individual members, how is this different? And by the way, the comment that you

---

quoted at the open meeting was one I answered, and I answered incorrectly, and I was advised by ICANN staff I should not try to correct it at a later meeting.

The question specifically was: how does an individual join APRALO. Individual members had been approved at that point, which I was not aware of and that was soon afterwards. But for the regions that do have individual members, how is this really substantively different and why do we think people will flock to it when they're not necessarily flocking to it now.

TOM MACKENZIE:

The first thing to say is that yes, we have seen three of the RALOs, the NARALO, EURALO, and APRALO, do accept individual members. In the APRALO region, at least listed on the At-Large website, there were only three members, I think, that have signed up as individuals.

On EURALO, there is an interesting sort of end users association that has been created, but we have issues about the way that has been created. Then in the NARALO region, that is in some ways, possibly the most numerous, I mean, it's got the largest numbers of end users involved, and that's an interesting sort of example.

But the one problem immediately that we can see, is that in those three regions that have introduced the possibilities for end users, is that the criteria for participation are not uniform across the regions, so that it's one set of criteria for North American participants, and quite another for an Asian, and nonexistent criteria for two of those regions, Africa

---

and Latin America. So that's one immediate sort of impression that we had and that we thought needed to be addressed.

So, at least part of the solution is uniform criteria across all regions. So that's one thing, uniformity of criteria which we thought was very important. Then, when it actually comes to how those participants engage, if you look at the European example, the European association of end users, we participated, we attended meetings in Hyderabad where it was very clear from people who are members of that association, that they found it very difficult to understand exactly what rights they had to get involved, how to get involved, how much of a voice they had, how significant their voice was, in elections, that kind of thing.

One fundamental change that our model introduces is that individual members immediately, from all regions, and those individual members earn voting rights within the new At-Large, voting rights which they previously, or in the current system, certainly would not have been earning as individual users, as we understand the current system. I would stop there, but that's the starting point for our new model, uniform criteria and real powers for individual members as soon as they can show that they are actively part of the community.

HOLLY RAICHE:

Cheryl, may I interrupt you?



---

CHERYL LANGDON-ORR: Thank you Holly, I was actually going to note your hand up, but I also wanted to note that Alberto, who handles these questions in the first place, has had his hand up and down a couple of times.

HOLLY RAICHE: Why don't we first go to Alberto, and then I might relieve you of your duties, if you would like to be relieved, mind you.

CHERYL LANGDON-ORR: No, I'm perfectly happy to share, I'm sure we can [inaudible], go on.

HOLLY RAICHE: Alberto, go ahead please.

ALBERTO SOTO: This is Alberto speaking, thank you very much. The question that I'm asking, actually, is the following, maybe it was not very well understood. It is said that ALSs are not really fulfilling their role, because maybe there are inactive ALSs or there are ALSs that do not really work in the field that they should work.

It is true, this happened with some of them, and some others, this does not happen, but the question is, what would be the motivation for an individual user to be interested ICANN policies and to work with ICANN policies, that are different from the current policies that ALSs have? I think they can participate, they can be involved, actually in the CRALO we've had individual users who can access, they have no vote, but they

---

have worked in our working group, and they have actually been very significantly involved.

So what different motivation does an end user on an ALS so that they can ensure that the inclusion of many, because we will have many individual users, will result in giving a better result in ALSs who aren't involved in big events or who can call big events, so that they can be the right link to have the right feedback within a bottom up system. That was my question, thank you.

CHERYL LANGDON-ORR: Tom, do you want to go ahead?

TOM MACKENZIE: Well, I can go ahead if you want. The different kinds of motivations, or if anybody else on the team would like to jump in. Anybody else on the review team? Otherwise I can...

CHERYL LANGDON-ORR: Tim has his hand up. Tim, go ahead.

TIM MCGINNIS: I'll take a stab at that one. I think what might be very useful, we produced a 1-page, or 1-1/2 page FAQ for you folks that I hope you have access to, just in the last 36 hours, we sent it to Lars. I know there is a lot of focus on this, and we wrote our first set of Frequently Asked

---

Questions about this, so I would urge you to read that document that talks about the treatment of what you currently call At-Large structure.

The notion that a group of people can participate in ICANN processes as a group remains the same in our model. We never intended to remove the notion that a group of people could participate in our model, and we are sorry that you have read it that way. We do emphasize standardization of individual participation across the globe.

But I see some comments in the chat, it's a return to the 2000 model, and we kept that year 2000 experience in mind when we developed the model, and we have developed safeguards against that. There are formal criteria, although they are quite minimal, in terms of voting rights, for individuals, for other At-Large members. I would suggest you read the FAQ that goes into some depth about how groups and individuals can participate.

CHERYL LANGDON-ORR: Thank you Tim. An action item please. Ariel, would you put that FAQ up on our review page, please? And that may actually answer some questions, and that would be very helpful. Thank you. Holly?

HOLLY RAICHE: Cheryl, you also need to send that FAQ to the working party apart from [CROSS TALK]. But I certainly haven't seen it. So that would have been nice to have done so before this call. I apologize if I've missed it, but I certainly hadn't seen it as yet.

---

HEIDI ULLRICH: Cheryl, this is Heidi.

CHERYL LANGDON-ORR: Yes, go on.

HEIDI ULLRICH: Yes, I'm in the same boat, and I've just noticed that the subject was [inaudible] to draft initial report, and it was sent out yesterday, and we are trying to put it up -- [CROSSTALK] Yeah, [ADONMs?]. The subject line does not have FAQs in it.

CHERYL LANGDON-ORR: That is the rush to open that email, isn't it? Not. We'll get to it, now we know what the hell it's called, thank you.

HOLLY RAICHE: Nick, you also would like to say something, and I think that probably we've answered, or at least the FAQ may answer some questions. After Nick, I have a question, and then we can proceed with the next issues. Nick, go ahead please.

NICK THORNE: Thank you, Holly. I'd just like to reinforce what Tim said. The ITEMS team went through a great deal of trouble to product that list of FAQs. It is unfortunate that you haven't got it. But the idea was to meet some of the questions, indeed, most of the questions that have been raised so far. We would like from this call to keep our responses very, I repeat for

---

all concerned, very short. Our intention is to listen to you, if you have specific comments, having had a conversation here, please enter it into the Google document and I promise you they will get full consideration and we will give you a considered response.

HOLLY RAICHE:

Excellent. Thank you, Nick. Now I have a related question, and that is, I take your point, Tom, which is the rules about individual participation are really quite, they're not consistent, and probably they should be, in terms of criteria and in terms of what a person is entitled to once they do participate.

One issue that was raised by Heidi at the last meeting was we do have a system of voting, and I think, I'm not sure if this is answered in your FAQ, because I've also not had a chance to read it, but how your model would impact on that. And maybe, don't answer the question now, but certainly I would ask you to look at that situation, because it will also impact on what the significance of being an individual member is.

Now, just for the APRALO, and this one more you might want to think about, if somebody wants to join as an individual member, then as a group, individual members have one vote, which means they do have an opportunity to meaningfully participate as a group, but there still is an avenue for individuals to just be seen as a group. I'm not sure if that's an ideal model, it is a model. But it does answer the question that was asked a week ago, which is if you are entitled as an individual to vote, how does that match up with the entitlement of a group which may have 100, 200, 300 members to vote.

---

And that has been a question that has dogged us for a very long time, and something that maybe we should be asking ourselves as to what that means. So, I think we can move on. Do we have any more questions about the model, and is there any wrap-up statement, Tom, that you would like to make?

TIJANI BEN JEMAA: Holly, Holly, Holly?

HOLLY RAICHE: Yes, Tijani, go ahead please.

TIJANI BEN JEMAA: Holly, my hand is raised before Tom, and you asked another question after, why you are ignoring me? I don't have the floor? Why? Excuse me.

HOLLY RAICHE: You have the floor right now.

TIJANI BEN JEMAA: Okay, thank you very much, thank you very much, thank you. So, for the item, I would like you to know that when ICANN began, there was not At-Large, you know the story, most of you, I know that Tim knows very well, he was there, he was around. At-Large was created because there was a lot of criticism of ICANN. It was seen as an American

---

enterprise, or an American society, if you want. So to give more credibility, At-Large was created.

At-Large was created to bring people to defend the public interests, because governments are still defending their political interests, businesses are defending their business interests, and no one is defending the public interest. At-Large was supposed to, and is there, was created to defend the public interest. Public interest, by the way, is in the articles of corporation of ICANN, even before At-Large was created.

So, At-Large was created for this reason, to have people all over the world defending the interests of end users. So, they wanted it to be all over the world, they want ICANN to have presence all over the world through the end users. If you change the model, if you remove the ALSs, there will not be any presence on the ground, because an individual will not do anything, we want the ALSs to organize something in the name of ICANN, we want the ALS to bring the point of view of the community in the region or in the country to ALAC so that the voice of the end users come from this region. When they are individuals, and as you know, individuals are, if they don't have a permanent point where they are always there, so the mention of presence in the countries all over the world will disappear.

Second point, very, very important. When you replaced ALSs by individuals, how will you guarantee that there will not be capture? You know that especially today, because today we have the [inaudible] community, so the accountability made that ALAC or At-Large has a voice among five. We have one over five part of the decision.

---

So, suppose you will remove all the ALSs and you will be now individuals, what will prevent one of the other communities to make individuals from their community come and register as individual end users, because they are individual end users, in fact, and how are you sure that those people will not capture and make in the future the party who was and who is supposed to be defending the public interest not defend the public interest anymore, but the rest of the other parties. Because anyone can be individual end users and anyone can be part of this "At-Large community."

Those are the two main points that make me really concerned about changing from ALSs to individuals. Having individuals with ALSs, it's very good, because in the region, in the country, people know each other and when there is an individual coming, people know him. But when there is no difference, no ALS, anyone will be member and you are not sure the interest of the ALS will be defended as it should be. Thank you.

HOLLY RAICHE:

Thank you. Now we've got a number of comments, we've got hands up, and we've also got a couple of comments. I haven't replied on the chat, but John Laprise has an interesting side note, which I think we can at least deal with, if not now, we've got the question of voting, and I think Olivier, maybe you want to talk to that. But before that, Tom, is that an old or a new hand?

TOM MACKENZIE:

It's a new hand.



---

HOLLY RAICHE:                   Okay, Tom, and then Tim. Go ahead.

TOM MACKENZIE:               Holly, you asked, I think lots of people you asked, and we can see that Olivier is now asking about voting rights for individual end users, and that is one of the specific questions that we did cover in our FAQ which you should now all have received, and so that explains quite succinctly the precise powers that our end users, our individual end users will have, the voting powers that they will have once they have shown or proven to the community that they are engaged. Engaged means being an active member of a working group for a certain amount of time. And it's against that criteria that members will be described as active, and that they will earn voting rights. But I do invite to look at the FAQ for the specifics of how that will work, or how we envisage that working.

To Tijani's point, well, I think calls like this are too short to be able to get into a very long debate about At-Large structures, and I think I would only echo what Tim said earlier, which is that we do not envisage the disappearance of At-Large structures. We want to preserve them and we envisage absorbing them into our model, so that they will continue to exist, but the most significant change, if you like, is that the representative of an At-Large structure will essentially have the same powers, the same powers of representation, the same opportunities, to become a liaison or what we call a repertoire, and the same voting rights as an individual end user. And I'll stop there, if there are other questions.

---

HOLLY RAICHE: Thank you very much for that. Tim has his hand up. We do have another call exactly a week from now, and I suspect after we've all had a chance to read the addendum and think through the voting rights, there will be comments, and clearly they are welcome, and I think that we would have a lot of comments that can be made to you beforehand, so we can work through the question of voting rights, and indeed, we can work through the additional issue that you raised about uniform criteria. I think they're all part of the same important package that all of us are trying to get our head around. And thank you for the addendum and putting that up. Tim, did you have something to say about this issue?

TIM MCGINNIS: Well, yes, I just wanted to reiterate and reassure Tijani and everyone that At-Large groups, groups of people, are still going to be the core way to participate in At-Large and choice of participation, whether individual or as an aggregate of individuals, will be left to each individual group. So, we tried to develop a system of participation which gives end users the greatest flexibility.

HOLLY RAICHE: Thank you. Now, I will first note a comment by John Laprise, and then go to Alan, whose hand is up. "It's an additional issue, the favoring of groups with status presupposes that freedom of association is evenly distributed, which is not the case globally," and I think we are all away of that, and particularly in APRALO where we have run into some issues

---

about who can and cannot participate, as one can imagine. Maybe we can leave that as an issue, let me hear from Alan first, and Olivier, I suspect it's still about the structure, so we can deal with that, and then we can go on to John's point. But Alan, you've had your hand up, go ahead please.

ALAN GREENBERG:

Thank you very much. I put my hand up to ask that we not use this call as an opportunity to debate, to prove who is right and who is wrong. There are going to be opportunities for that, I think we want to raise issues here, not necessarily settle them, so, please. Now, I do have a number of other issues to raise on other issues, and I'll put my hand down, and when you get to me in the queue, when we stop talking about this, but really, having a debate is not likely to be a productive use of this time.

HOLLY RAICHE:

Okay, Olivier, on that note, do you have an additional thing to say about this particular issue? Or can we go on to other issues?

OLIVIER CREPIN-LEBLOND:

I have plenty of things to say about this particular issue, but given what Alan has said, let's just identify the issues, and we'll have plenty of other moments to discuss those in further detail.

HOLLY RAICHE:

Okay, thank you. We do have another call scheduled and we can probably schedule more. So the next issue that's raised by John, "Is it

---

really or not about freedom of association which is not global?" My response to that is yes, we are all very aware of that, and I'm not sure how we can deal with that in this call, but certainly it is something that every so often APRALO has had to deal with that in a slight way, and I'm sure others have. John, do you want to go ahead? Your hand is up.

JOHN LAPRISE:

So I guess in making this comment, I'm thinking about the changes that are being recommended in the report, at least this version of the draft report, and in consideration of that, the present structure of At-Large favors communities that are able to organize into groups, and I'm not sure that either is advantageous or disadvantageous. It's certainly disadvantageous to some people in some countries, and advantageous to others. So it's just a point to be mindful of and moving towards an individual model I think will lower that bar, as it were, for participation.

HOLLY RAICHE:

Thank you John, and I think that's the other side of the issue that we've been dealing with, and that's a useful contribution. Now, Alan, you said that you had other issues, and Olivier is that a new hand with other issues?

OLIVIER CREPIN-LEBLOND:

It's a new hand, and I just want to set the record straight.

HOLLY RAICHE:

Please do.

---

OLIVIER CREPIN-LEBLOND: Thanks very much, Holly. I think we're really making a huge mistake of equating participation with voting. These are two entirely different things. Participation can be done by everybody and anybody, in whatever structure or lack structure that they are doing. Voting is a different thing, and for voting at the moment, we have the At-Large structure and we have the individual for some of the RALOs.

But At-Large is not about voting, in fact, we work 99.9% on consensus. It's only to elect people on the ALAC, it's only to select people on the RALO leaders, and it's only to select a board member that we go through selection process and voting. It's also through this that we have the ratification of ALAC statements, but all of that stuff happens after all the rest of the work is done, and I'm really sorry, but what we're missing are people during work and working groups and going into the DNSO processes, and that's what we're missing, we're not missing voters, we have plenty of voters, plenty of people who are ready to vote after the work has been done by other people. And I'm really sorry, but right now what we're trying to work out is to get more voters, and even less work done in the groups. Thank you.

HOLLY RAICHE: Olivier, that's a very good point, thank you very much. And that certainly is noted. Now, Alan, you said that you had some additional issues, and I think you're quite right to say that it's important that we get all the issues out and give the ITEMS a chance to get their head

---

around the issues that we do have. So, Alan, fire away with your additional issues.

ALAN GREENBERG:

Alright, I'll start on one of them. I understand bad perceptions are not a good thing. I also understand that with ICANN, there is a vast amount of misinformation and lack of knowledge about how groups operate. I once gave a talk on how the GNSO operates, and there were people from the GNSO in the room who said, oh is that how it works. And across boundaries, it's even larger. So I have had a significant problem with the verbatim quoting of people's perceptions in the report and then treating them as facts.

One of them that I will talk about is the revolving door issue. I in fact have analyzed quite carefully ALAC participation and I understand the proposal merges ALAC participation and RALO leadership, and I can't speak to that, because that's not something that has happened before. But in fact the proposal says that you can serve two terms on the ALAC and after that you have to step off before you can come back on again. In fact, over the entire period of the ALAC, ignoring those who were selected by the board at the very start for the interim ALAC, and ignoring the transition clauses, where some people served 2-1/2 years in a term, or something like that, up until this last meeting, we have only had three people on the ALAC who ever would have violated the rules that are being proposed.

So, I think there is a difference between fact and perception, and I believe the review has to be far more cognizant of it. Moreover, there

---

was a table published in the report of funding, which is not the same as membership, which had some very blatant errors in it, and I think that you are doing a disservice to all by publishing things as facts, when indeed there are significant problems in them. So, that's number one.

Number two, there is a section on the board representation, there were several things wrong. First of all the ALAC, the At-Large Director, does not represent us. That would violate the bylaws and California corporate law if the person represented us. So asking whether we are well represented was simply the wrong thing to add, and on top of that, the concept of if you are well represented, even if representation is the right word, then you don't need a second director, which was the conclusion drawn, I believe has some flaws in the logic. I can talk about the details of why, and I will in my comments, but I just wanted to raise the issue, that when you start off with incorrect questions, there's a real problem with how you analyze the answers.

HOLLY RAICHE:

Thank you Alan. Tom, you have your hand up. And by the way, I have not ignored what is in the chat. I will be reviewing everything that is in the chat when we draw up an agenda for the meeting. What I'm doing is trying to identify the issues that have been raised. A lot of them have to do with individual members, group members, and Olivier is absolutely right to say there is a very real difference between participation and voting. We have to treat those matters differently and will do. But Tom, you have your hand up, and has Tim. So, Tom, go ahead please.

---

TOM MACKENZIE:

Yeah, so, quickly an answer to Olivier's questions, I think the very simple answer to that is that there will be implications for voting, but the main reason, the first reason that this whole model has been conceived is as a fast track for end users to get involved in ICANN working groups. And that is the main driver for this model. It's a model which may need to be tweaked and we hope to be working with you in the weeks and months ahead to tweak that, but that's the main driver.

And then of course, there will be the implications for voting. In answer to Alan's point, the positive impressions, I don't think you should be worried about any sort of negative impressions that we've been getting, and it may have come through on this draft report. That is something which is inevitable, I think, in any review process. But we're not swayed one way or the other. Our objective, when doing a review like this, is to take all impressions on board and to make recommendations which will help the community to emerge better and stronger in the future. That's our motivation as reviewers.

Now you mentioned, and I think that's also important, you mentioned about finding certain errors that you have noted in one of the sections. Don't hesitate to tell us about those. That's also something which is likely to happen in a first draft of a report like this, and it is our intention to make sure they're all cleaned up, or as many of them as possible are cleaned up, by the time we submit our next report in early January.



---

HOLLY RAICHE: Thank you, Tom. Tim, your hand is also up. Thank you. Or is that an old hand?

TIM MCGINNIS: Well, yeah, it is an old hand, but just on the table, Alan, if you can give us the table number.

ALAN GREENBERG: Seven.

TIM MCGINNIS: If you're talking about the tablet regarding travel, that came from ICANN Staff Directory. So we don't know --

ALAN GREENBERG: If the table came from ICANN Staff, they made the mistake. If you interpreted ICANN information, then you made the mistake. I don't much care who made the mistake.

CHERYL LANGDON-ORR: Cheryl here, if I can just jump in. That's one of the points I made in my comments. I cannot speak for everyone else on that table, but I certainly know that there are some errors, based on my own knowledge of whom I was serving when I was a sponsored traveler for some of those meetings. So, a number of us, and I guess I'm one of those characters, we left the ALAC a long, long time ago. We may have other

---

roles now, but there have been many years, not just two, between when we served in leadership there and what we might be doing now.

And so our travel from a constituency travel perspective has been under other auspices when that has happened. So some of it is being mixed. There's a bit of tweaking that needs to go on, but also the data does need to be ratified on some of the statements, if the statements have been taken into action. I think that's Alan's point, and a point I do agree with. Sorry to jump in Holly. Thanks.

HOLLY RAICHE:

That's fine, thank you very much, Cheryl. I think that's a matter that can be taken up with the ITEMS team, because they've been given data and clearly we need to sort out what that means. And I'm not laying blame here on anyone at all, I think they were asked for information, they gave it to the best of their ability, and clearly it needs to be interpreted. So I think that's a take-away for the ITEMS team just to check back and perhaps check with people as to whether it is ALAC travel or it's other travel. Now, Sebastien, you have your hand up, go ahead, please.

SEBASTIEN BACHOLLET:

Yes, thank you very much, Holly. Just an observation as an observer, yes, there are mistakes in this table, and that is very damaging. I think it could have been asked each individual to see the data before. And the second point is that all are not treated equally. Just look at the previous board members and the current board members, they are not treated the same. Thank you.

---

HOLLY RAICHE:

Thank you. Well look, first of all, just to remind everybody, originally this document was going to be seen simply by the working party, and then through some accidental happenings, it's been released further. So originally, Sebastien, this would not have been a public document and people would have had an opportunity to have a look and make sure that it is correct.

Now we are doing this in a bit more public way than we meant to, but nevertheless, this is the first chance that all of us have, to have a look at it and to not only contribute to issues, but to say, look, I think some of the data that you have, although not correct, may or may not have been, probably, most likely it was supplied quite innocently, but it may nevertheless not be correct.

And so be it, we have to deal with that, with have to deal with that separately, but we're going to doing is simply correcting it, so that when the final report is out, the final report is out. It's not out yet, and this is exactly why we're having this meeting, and it's exactly why we're having a meeting next week.

Now, we have covered a lot of aspects of pretty much the same issue, which is about membership, and it's about, as Olivier has pointed out, it's participation on one hand, it's about membership on another. It's a different model that may encourage participation, as well as membership, and also the other aspect of that is voting rights and how do they attach, because that's actually quite critical.

---

But we all have not seen the FAQ before now, so we all need to go away and have a look at the FAQ and see if that actually addresses the issues, and be prepared to come back, maybe on Skype, whatever, but come back for the next call with some additional contributions and remembering what we first said, which is about if the aim is participation, does this model increase participation, and what does it mean for voting rights, as well. Because that's the other aspect of that. Cheryl, you have your hand up, go ahead please.

CHERYL LANGDON-ORR:

Thank you, it is really hitting us more than any other business point, Holly. One of the things I just wanted to remind all of the working party members on this call, and all the working party members, that it is an action item to remind them on the list, is that we still need, and you've got until the 22nd of December, to get your comments in to the Google doc, so working party members make the comments in the Google doc, or if you can't access the Google doc, make them to the list and someone will proxy them into the Google doc. But that's the place that things have to be accumulated.

I for one having been, I think the first non-anonymous commenter, I'm ready to go back in and put in probably the same amount of comments in again, that was just my first run through. So, you know, even if you've been in one and you Google doc that, you know, go back in and have another go as you thought about more things.

This is really important to be done sooner, rather than later. If you are an observer, however, and you've read this existing document in its

---

existing draft form, and you have an issue that you want to make sure is addressed, then give that issue to any one of the working party members, and we will make sure that comment goes into the Google doc on your behalf. So there are no barriers to input, but the method of input is, as it was meant to be, working party ITEMS. Is that okay, Holly?

HOLLY RAICHE: That is absolutely fabulous. Now this is this an hour or an hour-and-a-half call? I thought it was an hour-and-a-half. Tom?

TERRI AGNEW: Holly, this is Terri, really quick, we do have it scheduled for 90 minutes today.

HOLLY RAICHE: Oh, okay, that's what I thought. Okay, Tom, go ahead please.

TOM MACKENZIE: Yeah, I just have a quick point, which is an organizational point, which is, when we heard the other day that the document had gone to a sort of wider audience than was really intended, one question we had was on the level to which working party members could comment within the group confidentially, without other people outside the group looking in at this stage. So what we've actually been able to do since the other day is to shut down -- the link that was distributed widely should now be inactive.

---

And the only way of getting back in onto the document is through the individual invitations which I have sent to most members of the working party. I actually found when I was sending out the invitations individually, that I didn't have absolutely everyone's email address. So if you haven't received an individual to join, let me know.

CHERYL LANGDON-ORR: Ariel, as an action item in the next 5 minutes or perhaps the next 10 minutes, would you go through with Tom and make sure he has the email of every working party member? Thank you.

HOLLY RAICHE: That would be very helpful. Okay, let me repeat, I was going to do this at the end of the meeting, but I'll do this now. The executives of the working party met, and we agreed to a few things. We did note that the actual document had accidentally been released further than it should have been, because the working party always intended we have the first go before it's released for public comment.

We as the working party have until December 22nd, I said midnight, Alan says 23:59, there's a minute's difference, I think if you are 1 minute late, we'll accept it. We have until then to actually comment, and now that we've had this presentation and the FAQs, we are in a better position to inform ourselves and make comments. The ITEMS team has from December 22nd through the 6th to take on board all of the comments that they have had, and come out with a draft for public comment.

---

And of course, at that stage, anyone can comment. ALAC I'm sure will comment, and I'm sure everyone else will comment. It is a public document and it's public comment time. Once that public comment period is over, the ITEMS team will review all the comments received and they will draft up a pretty well close to final report, but it is the working party that will be given an opportunity to review that report before it actually goes to the Board.

So again, the deadline for the working party to make comment before this document goes to public comment is the 22nd, but as Cheryl has told you, and as I have told you, if you have comments, simply go through a working party member, and indeed, Cheryl and I will make sure that if there are comments that are made, whether it's on the list or whether it's Skype, or whatever, they will be taken into the account by the ITEMS team.

So, please, read the FAQ and whatever, and I think the next call we have, which is next week, we can raise two sets of issues, either further look at the issues that have been raised, or raise completely new issues. That's where we're up to. So, now we've got half an hour in front of us, and two hands raised. Tom, is that a new hand?

TOM MACKENZIE: No, I'll take that down.

HOLLY RAICHE: Thank you. Alan, go ahead please.

---

ALAN GREENBERG: Thank you very much. Two comments, number one, if there was only 1 minute difference between 23:59 and midnight, I wouldn't have wasted my fingers typing.

HOLLY RAICHE: What's the difference?

ALAN GREENBERG: The difference is midnight can mean the beginning of the day or the end of the day. In fact, midnight technically means the beginning of the day, so midnight on the 22nd is the start of the day, 23:59 is the end of the day, that's why we use 23:59 instead of midnight, so it is not confusing.

HOLLY RAICHE: Okay, I stand corrected Tom.

ALAN GREENBERG: Thank you very much. Number two, there was no leak. The document was posted in a publicly accessible agenda and advertised in a worldwide accessible calendar, that was not a leak. It was inadvertant, it wasn't planned, it wasn't thought through...

HOLLY RAICHE: That's what I'm saying.



---

ALAN GREENBERG: But it wasn't a leak. You used the term "leak," and that's a derogatory term.

HOLLY RAICHE: Sorry.

ALAN GREENBERG: Meaning someone sent it out without permission. That was not the case. I don't want people blamed for doing something which they didn't do. Thank you.

HOLLY RAICHE: Sorry, sorry, I used the wrong language, sorry. Okay, now I think we have looked at a range of issues, all of them related to the membership issue in terms of both membership and participation. Do we have any further comments on that matter, because if not, then we can raise additional issues, and I would ask that everyone who is on this call, please look at the FAQ and perhaps go back and look back at the transcripts.

See if the FAQ answers the questions that have been raised, and if not, what additional issues are raised, so that we can actually deal with the issues in the next 90-minute call, okay? Now, do we have other issues that people would like to raise? John Laprise, do you want to follow through on the additional groups, or is that covered by what have said so far?

---

JOHN LAPRISE: It's already covered, thanks.

HOLLY RAICHE: Okay, Cheryl, go ahead please.

CHERYL LANGDON-ORR: Thanks Holly. One of the things, it's more than a desirable and it's an essential, I would think, the file reporting. I would like to see some indications, now this is a very general comment, some indications now where possible and where practical, where implementation suggestions and/or guidelines are also being seen with the recommendations that is coming out of this interim report.

I know how much you can disconnect by going through a few of these types of reviews, obviously not all of them in this newer system, but I do know that there can be a significant disconnect between the rationale of why a recommendation was made and the assumptions that are coming into play when implementation is planned. And so wherever we can minimize that, even at this interim level, I think that would be very, very valuable, as well. Thanks, Holly.

HOLLY RAICHE: Thank you, Cheryl. Now, Alan, go ahead please.

ALAN GREENBERG: Thank you, I'd like to support what I think Cheryl said, and I'll say it in a different way, and then she can tell me if I'm saying the same thing. I

---

have strong support for much of the analysis was done, not all, but much. The suggestions of how to fix the problems, I differ quite significantly on. So, I think it's really important to identify not only the recommendations, but the problem the recommendation are trying to fix.

And in some cases, I believe, and again, I will identify in my comments, a complete disconnect between the identification of a problem and, my perception anyway, that the solution will solve that problem. So I think we need to be really clear as we go forward, and especially in the next version of the report. Thank you.

HOLLY RAICHE:

Thank you, Alan. Actually, that was going to be my next comment, and that is, I think my reading of the report starts off in a very positive way, which is ALAC is by and large appreciated, and there is general acceptance of its role.

There is a great deal of commentary on issues that have been raised, both by At-Large participants and others, and there are then recommendations. And I think it would be useful to more closely tie some of the comments that may be positive or negative to some of the recommendations. But Larisa has her hand up, Larisa go ahead please.

LARISA GURNICK:

Thank you Holly. I wanted to echo the point that Cheryl and Alan just made. When we continue to prepare for the public comment, the ITEMS team will deliver in response to this, we are hoping to provide

---

some suggestions for how the comments and the questions can be organized in such a way to address the problem versus the solution, so that perhaps it would be helpful to collect the feedback for the ITEMS team to understand whether the discussion and perhaps the questions and the disagreement, by what their findings of what the problem is, versus what the solution is.

So that's item number one, but also item number two, which I think speaks to Cheryl's point, is further in the process, and you will see some reminders of what the process is, there will be an opportunity for the working party to take a look at the feasibility and usefulness and implementability of the recommendations when they are further down the line of being closer to being final, and to provide feedback as to whether is useful and feasible.

So I just wanted to assure you all that there will be a place in the process to really focus on that. At this point perhaps it might be a little bit easier to think about whether the problems that were identified in the report is something that everybody can agree on or correct, if they're based on information that's not factually accurate, and then perhaps have some further dialogues about what options are available for the solutions, because clearly the information that the independent examiners are putting forth are a set of recommendations, but there might be others. Thank you.

HOLLY RAICHE:

Larisa, thank you, that's very helpful on the way forward, which will be for our next call, and it's something I've also thought myself. If we have

---

identification of what are seen as the issues, then how the solutions that are proposed, the recommendations that are proposed address those issues. It may be a very useful conversation. Tom, you've got your hand up, go ahead please.

TOM MACKENZIE: Okay, this is just another sort of an organizational point, really. What would be helpful, one or two of you have said you've noted that there are areas which are maybe not factually completely accurate. That is actually sort of an inevitable part of a first draft. But what I was going to say is, if in your comments you could just point this out and then very briefly you could add a link to the resource, the part of the At-Large site, which can show us, which can highlight that specific kind of issue, that would be very helpful. Sometimes mining the At-Large website is a complex undertaking, so any pointers that you can provide us with in your comments would be very useful.

HOLLY RAICHE: My personal comment, Tom, is you should have seen the website before. It is vastly improved.

TOM MACKENZIE: I know.

HOLLY RAICHE: And it is improved because all of us were using the website and finding it not particularly functional, so I think you should in private

---

congratulate Heidi and the team, and particularly Ariel, for turning our website from something that was incomprehensible into something that is far more useful, and even I can find my way around it. If you have further problems with the website, all of us do have further problems with the website, but it is so much better.

TOM MACKENZIE:

Yeah, this is not a criticism of the website. In fact, I think we have a short section in our report on that issue, and I think we say very succinctly that it is a very attractive site when you enter it. If you want to go deep mining into At-Large affairs, it becomes a more complicated matter, but it's only when you really want to burrow deep down that it becomes more complicated. But it's true, and we've heard, in fact, from many of the people that we have spoken to, that it's a vast improvement on what it was, but that was before our time.

HOLLY RAICHE:

Well, as Heidi noted, they're still implementing some changes, but I've got say, we're a long way down the track, and I am very happy, we are a long way down the track. But any changes, get a hold of Heidi and Ariel, if you think it could be improved still, it takes time to do that, but take it from me, it's a much more friendly website than it was.

Okay. There's certainly an action item on everybody in the call, which is, first of all for areas that are not factually correct, and this is not a blame on anyone, it's simply saying that it's quite possible to have misinterpretations, or whatever. Please let the ITEMS team know with

---

links to or pointing to where the information can be corrected, so that our final report does have a correct analysis.

I also would repeat the suggestion that Larisa made, which is a connection between the issues that have been identified and how the recommendations can relate to those issues, and I think is something we can all do. Cheryl, you have your hand up, go ahead please.

CHERYL LANGDON-ORR:

Thank you, Holly, and I know it's a closing comment, but having just received my invitation to edit, I've now looked into the document and I did notice that we still have what are anonymous comments. Were those anonymous comments the ones that I couldn't see before in the last edition, or are they new anonymous comments? I just wanted to know, because I didn't think we were accepting anonymous comments.

HOLLY RAICHE:

Listen, I've got a big confession to make, the first ones that were there were mine, because I had forgotten how to log in on my Gmail account. So the first ones are mine. If somebody has done any more since then, I'm not responsible. [CROSS TALK]

CHERYL LANGDON-ORR:

Okay, I just wanted to know if they were the original ones or not, that's all. Thanks.

---

TOM MACKENZIE: Okay, I would say on that one point, if those anonymous comments which are towards the end of the document which are still there, we will, I think, have to remove them, and we were just waiting for this call just to say that if anybody on this call has contributed those comments, when then they should very quickly go an remove them and put them onto a proper comment on the side of the document.

Otherwise, I'm afraid we are going to have to remove them ourselves. That's the one sort of simple editorial rule that we have established for this process, which otherwise just becomes impossible for everyone. If everyone is editing in the text, it becomes very complicated, so we have to sort of draw a line on that, we cannot accept it.

HOLLY RAICHE: Tom, you're allowed to eliminate it, it's fine. You have my permission.

TOM MACKENZIE: Okay, alright.

CHERYL LANGDON-ORR: Thanks for that, Tom. I was just concerned that we were getting fresh anonymous ones, and we said we weren't going to accept them. Thank you, the old ones are okay.

TOM MACKENZIE: Okay.



---

CHERYL LANGDON-ORR: But it does then mean that only me and on other have made substantive comments. Come on working party, get your act into gear.

HOLLY RAICHE: I was going to say, do we have any further comments, Alan, you've got your hand up, Alan go ahead, further comments.

ALAN GREENBERG: My further comment, I've been trying to make comments, but I was told I had to ask for permission to access the document, so whoever is the lord of the document gives me permission, that would be nice. Thank you.

TOM MACKENZIE: Okay, I am the lord of the document, and what you have to do, and this is for everyone, when you get that request, and this as I say is the more sort of narrow request, this cannot be spread widely, so when you get that request, click on the button that says that you need to request permission, and then I will get a message, and as soon as I click fine, then you'll be able to get into the document.

ALAN GREENBERG: So, two things, you should have such a message, which apparently you haven't click on yet, and number two, it is not intuitively obvious from everyone's email address, who they are. Mine happens to be Greenberg.alan, you can probably figure out who it is, but other people use more cryptic IDs, you may want to think about that. Thank you.

HOLLY RAICHE: There is an act item on Tom very early in the piece, to get the email addresses, and I trust that is in hand. Ariel will work with Tom.

TOM MACKENZIE: Ariel has been extremely efficient and she has provided me already with all the email addresses that I did not have. So thank you very much for that.

HOLLY RAICHE: I knew she would.

ALAN GREENBERG: She may not have all the Gmail addresses.

HOLLY RAICHE: I'm not sure everybody has a Gmail address.

TOM MACKENZIE: It doesn't matter, it doesn't matter if they don't have a Gmail address, they can still access with another address. It's easier, it's better if they have a Gmail, but if they don't, it's not a problem, they can still get into the document.

---

HOLLY RAICHE:

Excellent, thank you. And just to remind everybody why we have done this, and that is that way for the whole schedule for this review was set out that the working party would have an opportunity to respond to an initial document before it went public. This is our opportunity as a member of the working party to respond to the document, to make any suggested changes, clarifications, whatever, before it goes public. It will go public on the 6th of January, when everybody, obviously the members of the public, can comment. But this is our opportunity to get the document into a shape that ITEMS and ICANN working party, ALAC working party, are comfortable with.

As we have said before, if you are a member of the working party, you have the access, Tom has given you the access, to be able to comment. If you are not a member of the working party, you could nevertheless contact somebody who is, and if you have comments, they will be taken into account.

So, in fact, it is as open as it can be, but we are now in a position where this is the working party looking at this document and getting into a shape that everybody is comfortable with, to be released for public comment. And a reminder, we have another call a week from today, and we have a deadline which is the 22nd, and as Alan told me, it's 23:59. Now Tom, is that an old hand or a new hand.

TOM MACKENZIE:

Oh, sorry, old hand.

---

HOLLY RAICHE: That's okay, Sebastien, go ahead please.

SEBASTIEN BACHOLLET: Thank you very much. I was following this interesting discussion. I just wanted to add one point. A point that you made by the review team who may be, I will say, a little bit [inaudible] for other people. I know that it might not be the intention, but when it is written, and I was not part of the ATLAS II, as I was a board member, but when somebody outside of 200 people who make the work, it's written, "demonstrates that quality of recommendation is not impressive," I think really that it's too much.

And one of the reasons this document is taking so much passion is that in some of the impression put in, if I want to return you the compliment, this report is not impressive, and if we enter into this type of discussion, it's bad. And maybe you can remove this bad impression and make positive things about what work is done by all those individuals who are volunteers. Thank you.

HOLLY RAICHE: Thank you, Sebeastien, and I'm sure the ITEMS team have noted this. Do we have any other comments at this stage? Because if not, we can have an early mark on the premise that everybody is going to go and -- Go Cheryl -- everybody before I call on Cheryl, everybody is going to have the time to read the FAQ, to go through, you've got the members of the working party have access to the document through the emails that Tom has sent.

---

Make comments, I urge everyone to make comments, and we will meet again in a week. We have already identified a major set of issues relating to both issues and participation and membership and how that happens. Cheryl, a last comment before I wrap up. Thank you.

CHERYL LANGDON-ORR:

Thank you Holly. As your Co-Chair, I can assure you I'm equally keen to the wrapping up in a timely manner. But I wanted to follow the specifics of what Sebastien was just saying, because the line he just quoted is one that rankled with me, as well. I can assure you, my hackles went up very, very quickly when I read that.

Of course, I don't have the luxury of going, oh yes, but I know why that took so long, and I also understand why an external examiner simply looking at the facts as presented from an observer's point of view would not understand why that took so long, to take it from the recommendations of the ATLAS II to the final Board, presenting to the Board as completed.

I don't need to tell everybody who is involved with the heroic amount of hours that have been put into transition and accountability work, that it is the heroic amount of hours that literally sapped the effort and the energy in the area, in exactly that same timeframe from the people who would normally have been involved in the implementation and finalization of our ATLAS II work. That is simply an observable incident. Therefore, we need to make that comment into the doc, so the reviewers have that additional information and then they can make whatever value judgment they damn well please, based on that.

---

To me, it means that we should always recognize that these are, across most of ICANN, volunteers, and volunteers usually still have to have gainful employment, unless you only want the independently wealthy retirees, or yet to be employed because they're too young, or the students until they become employed, as your volunteer pool.

So assuming that you want people who are also going to be gainfully employed, you are always going to only have a proportion of their time, a valuable proportion, but nevertheless, a proportion. And so when volunteer lows comes into play, that goes across all of ICANN and certainly across us, and things come out of kilter. Now there has been positives that ITEMS may take out of knowing that additional information.

So even the new people have seen something that is, oh my heavens, the sky is falling, look how terrible that sounds, think about why share, why you're concerned, and indeed, what information you may have around it, and then that is additional material that the independent examiner can use, and it least may or may not take into consideration. That's my play, thank you.

HOLLY RAICHE:

Thank you, and it is said far better than I could have, so thank you for that. We still can end 5 minutes early, but a reminder, there is a deadline for comment, and we are expecting another call. Please have a think about what we have said so far. Please read the FAQ. The transcript of this will be available, read through it, see what has been

---

said, what should be said, and we will talk again in a week. Now Alan, go ahead please.

ALAN GREENBERG: Yeah, I just have a request to keep this meeting going for another five minutes.

HOLLY RAICHE: Bad luck.

ALAN GREENBERG: I'll then be in my tenth hour of conference calls today.

CHERYL LANGDON-ORR: Not if it would buy an hour darling, sorry.

ALAN GREENBERG: I have no doubt, and you did it throughout the middle of your night.

CHERYL LANGDON-ORR: I start my days at midnight, just like UPC time.

ALAN GREENBERG: I do support us ending 3 minutes early.

---

HOLLY RAICHE: Thank you very much. Thank you everybody, we will talk in a week. In the meantime, you've all got a bit of homework. So, thank you for your participation and we'll talk soon.

TERRI AGNEW: And 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]