
TERRI AGNEW: Good morning, good afternoon, and good evening. Welcome to the At-Large Review working party ITEMS and MSSSI team call on Wednesday the 21st of December, 2016 at 21:30 UTC.

On the call today we have Tijani Ben Jemma, Holly Raiche, Cheryl Langdon-Orr, Maureen Hilyard, Olivier Crépin-Leblond, Ayden Ferdeline, Andrei Kolesnikov, Kaili Kan, Alan Greenberg, Leon Sanchez, and Alberto Soto.

We have listed apologies from Satish Babu and Fatimata Seye Sylla.

From the ITEMS team, we have Tim McGinnis, Tom Mackenzie, and Nick Thorne.

From staff we have Larisa Gurnick, Charla Shambley, Lars Hoffmann, Heidi Ullrich, Ariel Liang, Silvia Vivanco, and myself, Terri Agnew.

Our Spanish interpreters today are Veronica and David.

I would like to remind all to please state your name before speaking, not only for transcription purposes, but also for our interpreters. With this, I'll turn it back over to you Holly. Please begin.

HOLLY RAICHE: Thank you Terri. Holly Raiche for the record. And the agenda is on the right hand on the screen for Adobe, and it's about to be changed, and this is because of the call yesterday that we had, the ALAC call, and the feeling from a number of people was, that they would like an additional opportunity to comment directly to the ITEMS team.

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.

Now, let me just review the timeline. We are now very close to Christmas, it's the 22nd in Sydney. The draft report, which is due to go out to public comment, is on the 6th. The opportunity for comment that was agreed upon the last meeting was on the 22nd at 23:59.

That very much limits the amount of time we have for an additional session with ITEMS. That said, I think the first item should be both, can we squeeze another call in if that's possible? We're checking with both Larissa on the timelines and ITEMS on the timelines, as well as what feasible for ALAC.

So, for of all, Tom, what is possible? And let me clarify what I mean because I've had a look at what Alan had to say, in summary, and that was a suggestion that after comments there be another report before it is released for public comment. Now that would be, I think, a lot of additional work on ITEMS part, because you've already done a draft, if you do another draft, and then before public comment, it's a bit of work.

Now, Alan, was that what you were asking? Or were you asking simply for another opportunity to comment on this report?

ALAN GREENBERG:

What I was talking about was, what was requested by a significant number of ALAC members yesterday, specifically, an opportunity for the ALAC to comment on the draft report, then it would be revised, then issues for public comment. That was explicitly what was asked for by at least four or five ALAC members at our meeting yesterday.

I understand that delays the timeline. I understand that that increases the amount of work. That is what was asked for.

HOLLY RAICHE: Okay. Now, in one sense, it doesn't require additional report. My translation is, it is a comment on this report, and that the comments made in additional session, are incorporated into what is released for public comment. Is that a mistranslation?

ALAN GREENBERG: Yes.

HOLLY RAICHE: Okay. Tom, you want to comment on...

ALAN GREENBERG: My understanding of what was asked for, other ALAC members can comment, or other people who are on the call can comment, was a request for ALAC to be able to review the next draft of the report, and comment, and those comments be factored in prior to the public comment.

The rationale was that it would be inappropriate if there were significant disagreement within the ALAC, or within this review team for that matter for something to go out for public comment, and have us contribute at the same time as the other, rest of the community. That was the comment that was made.

That it would be more appropriate for another revision to be made with a higher level of degree of agreement from the At-Large community, prior to going to public comment.

So I'm just trying to make sure everyone is clear what was being requested.

HOLLY RAICHE:

Okay. Cheryl, are you saying that should only be a slight delay in timeline? [CROSSTALK]

CHERYL LANGDON-ORR:

Holly, as I understand the request from ALAC, and clearly articulated to my mind from Alan, it would be something that should be able to be done in extraordinary short order. It shouldn't be a particular delay in timeline, providing that it's not forming any sort of contractual issues.

And so, ITEMS, what the ALAC clearly wanted is an opportunity for a preview, a special meaning, with a bit of feedback, before the next iteration after this little, shall we say, [inaudible] public exercise that we've been through, goes out for public comment.

Not just reviews, if it's not a problem contractually, and it's not going to be an issue significantly to the timeline, and if all parties agree, I can't see why it isn't a good thing. But let's see what people who have control over these things, which is certainly you or I Holly, think.

HOLLY RAICHE: That's exactly next. I'd first like to hear from ITEMS. I would also like to hear from Larissa. Both Tom and Tim have their hands up. Tim first and then Tom. Please go ahead.

LARS HOFFMANN: Do you mind if we talk first, and then we pass on to Tim or Tom? If that is okay. I think it would be helpful if Larissa or I spoke first. Sorry, this is Lars.

HOLLY RAICHE: Absolutely. Lars, go ahead, thank you.

LARS HOFFMANN: Thanks Holly. Larisa may want to add to what I want to say. So, [people were sad?], there is some... The timeline for responding or providing feedback, is suggesting according to the needs of the working party. So, that statement, as [inaudible], that still stands.

Having said that, we're obviously now in a situation where it is the 21st, tomorrow is the 22nd, which was when the deadline was. And so, while I can happily say, yes, of course you can extend it to the holidays. I think we should give Tim, make Tim and Tom and the entire [inaudible] comment on that.

I have made a quick look, had a quick look at the time table. So I thought, from a managerial perspective, I think it might be very beneficial if the draft plenary report... So, you might recall, once discussed for public comments, ITEMS will provide the final report,

which then gets passed back to the working party, provide similar feedback that you have done now, then issued as a final report.

And so, I clearly, I think that report would either be ready or presented in, or shortly before, Copenhagen. So that, as much as the At-Large community can take part even in person, in the feedback on the plenary. So, I think, from a logistical point of view, it would be good to keep that deadline for the final report, and make that a workable deadline for ITEMS as well.

And if, and you know, this is another decision we can make. ITEMS will speak next. But if we were to extend the deadline until the 4th or 5th of January, so into the first week of January, maybe have a call right on the 2nd, or on the 3rd...

CHERYL LANGDON-ORR: Lars, please read the chat. It's not this version. It's the next they're requesting. It makes no difference to this time table at all.

LARS HOFFMANN: Oh, there is a difference... Thank you so much Cheryl. The one after the public comment?

CHERYL LANGDON-ORR: No, before [CROSSTALK]...

LARISA GURNICK:

Lars? May I cut in. It's Larisa for the record. I think that there is a way to bridge both of those things. I understand that ALAC would like an opportunity to comment on the next draft. I understand that that is the ask. But, so what I would like to highlight is that that would not be in line with the process of reviews, or other reviews. This would really be adding a step and other communities did not have the same opportunity to do that, in a way that you're describing.

However, if the intent of ALAC is that whatever differences of opinion or disagreements there might be between the working party and ALAC, and within all of these teams, if it's your intent to resolve all of those, and rationalize all of those points of view into something cohesive, then I think that what Lars was suggesting is spot on, which is to give you all more time to go through this process of collecting feedback, and standardizing, and reaching your sort of understanding or compromise, or agreement, before we ask the independent examiner to do another draft, and then another draft.

I think that would probably be more effective, and also in line with the charter of the working party, which is to serve as a liaison between ALAC, the rest of the At-Large organization, the Board, and the independent examiner. So I think that process would be very much in keeping with what your task was doing. Thank you.

HOLLY RAICHE:

Thank you Larisa, and allow me to intervene here. What I'm hearing is that the request for an additional version, is not in line with the processes that are being followed. However, the request for additional

time to make comments, and for those to be incorporated following, nevertheless, the agreed process, is okay, which means there is a revised timeline without the possibility of an additional draft.

Now, Larisa have I captured that?

LARISA GURNICK: Yes Holly. This is Larisa. This is exactly what I was proposing.

HOLLY RAICHE: Excellent. So we would need possibly an additional timeline, but what Lars was also mentioning is, we should have something that can be worked through in Copenhagen. Now, Copenhagen is not until March. So, there is a bit of flexibility there, and I think it's up for the working party executive to work with ITEMS and Larisa to slightly alter the timeline.

Okay. That said, I have got three hands up. Let's start with Tom, and Nick, and then Alan. Tom, please go ahead. Thank you.

TOM MACKENZIE: Yeah. Hi. So, we've heard lots of things, and the one thing that I would say straightaway is that, we have only heard about all of these suggestions about shifting timelines. Literally, minutes before this call. And so, we have not had time as a team to properly come to our own sort of an idea or agreement on exactly what our position is.

But, the one thing I can say is that we would not, we are not sympathetic to the idea of an additional draft. That's clear. And we do not want to do that. What we do think, though, is that it's very important that you, the community, have the time, the necessary time to comment on the draft that you already have.

We, as a review team, are absolutely committed to taking into account your comments, and we... And as reviewers, we will arbitrate as to the comments that need to be taken into account those that we decide not to act on. But if you feel that you need a bit more time to make those comments, well then, that's, I think, I can speak to the team to say that's fine.

What we do not want to do... What we are feeling about this particular draft is that it's very important at this stage, that we quickly identify, you know, possible problems with the document, possible inaccuracies, and things like that, and you've already been doing that, and that's fine. We will address all of those issues in the next draft of the document.

It is your responsibility to inform us, to flag anything which you think, you know, is an in accuracy, and we will... And it's our responsibility to act on your comments. We will do that prior to the next draft, but we don't... So, just to repeat, we do not want to add another draft in between now and the next submission.

HOLLY RAICHE:

Thank you Tom. It's very clear, and I think what... Within the parameters of what both Larisa and Tom have said, I think that working

on a timeline and timeline for additional comments is in order, and we can do that. Nick, go ahead please.

NICK THORNE:

Holly, having listened to you, to Larisa, and now to Tom, and please bearing in mind that this issue was complete news to me, at least, before this all started. And if you want more time to make comment, then fine. We'll need to look at the rest of the schedule, which may need to be adjusted accordingly.

But Tom, I think, just made it quite clear that we have a contract to produce a draft, taking into account comments made during this comment period, and that's what we intend to do. Thank you.

HOLLY RAICHE:

Thank you Nick. Alan, go ahead please.

ALAN GREENBERG:

Thank you. I was acting on behalf of the ALAC in making the request, and I stand by that request. It was only made yesterday, late yesterday. So, it is not as if this has been sitting around for a long time. I'll just point out that Larisa said that this review is patterned after previous reviews.

My understanding is that it is patterned after one previous review, the GNSO review. If the GNSO review had done like this one is going, at this point, with extreme negative comments and somewhat radical major changes, although I understand the review team doesn't think that, but

deciding how the ALAC is composed, for instance, is a major change, and a change which I understood was out of scope for this review.

If that review had gone the way this one is going, including extensive discussion of the review on social media, at this stage in its process, which means we are reacting to a larger group than just the review team, and the ALAC working party, I suspect the GNSO review would have followed it from pattern at that point.

So, although I grant we have no control over this, it's between ITEMS and the ICANN staff overseeing this, let's not pretend that we're following a long established pattern, and that this is similar to that one. Thank you.

HOLLY RAICHE:

Thank you Alan. Tijani? Go ahead please.

TIJANI BEN JEMAA:

Thank you very much Holly and all. I would like to confirm exactly what Alan just said, and I would like to propose other thing. I will not ask you to make our draft, but you may have hatched, give us the changes you may make on your actual draft, and give it to us, and we will perhaps react on this, so that you will have more, if you want, more reaction from the ALAC, the At-Large community.

So that you may take it into account or not, it's your decision. But you have more information, more [inaudible] from us. This is, in my point of view, important because what you proposed wasn't a normal review, it was a restructuring. Not only for At-Large, but for the whole ICANN.

And I will explain that when we come to the section. Thank you.

HOLLY RAICHE: Thank you Tijani. Now, Lars, is that an old hand or a new hand?

LARS HOFFMANN: New hand, Holly.

HOLLY RAICHE: Go ahead please. Thank you.

LARS HOFFMANN: This is Lars. I would just like to make a point on Alan's statement that Tijani just seconded. So, while it's absolutely true that this process has only been followed throughout the GNSO review to date, it is however, true that the GNSO review process including this one, so the review process, includes the working party what put in place is exactly to the situation that we used to have.

So, what we used to have is that the report would go, would be at this very moment, out for public comment, right? There would be no working party, there would be no first bite at the feedback apple, and there won't be no updated draft that goes for public comment.

There is something that was instituted with the GNSO working party, and although was not [inaudible] public media, there were certainly some very controversial things that have been suggested that led to great aggravation. During the discussion of the working party, as well as

the submission of the final report, that if you go back to the recordings, is not comparable with the action that you have, and I'm very happy for that, for the reaction that was voiced by the At-Large.

Now, including another feedback, I think is very counterproductive. I strongly believe that during the public comment, we have the opportunity to provide another round of feedback. I see no clear rationale why the working party should have a second bite at the apple, and what would prevent the next review from wanting a third report?

I know this seems unlikely, but quite frankly, it also seems unlikely that, you know, until now, there would be a second draft. So, I don't... I think... I hear Alan's argument about the precedence. I don't think that is entirely applicable here, and I would be very reluctant to agree to a second draft for those reasons.

HOLLY RAICHE:

Thank you Lars. I think where we're up to, and open for comment. Tijani, thank you for your useful suggestion which is that the working party may include, and Tom, we can talk about this, some of the things that your suggesting that would not be included in this draft. So that what the next meeting would be, that is, prior to the public comment, might include a discussion about any additional feedback and responses to that.

So that there is at least a little bit more comfort by ALAC members on what is being said. That said, clearly we're not asking you to change your minds on a number of things, but perhaps more a change in emphasis, or whatever.

I think what we have to go... Before we actually review the comments, and clearly many of them had been made over the last 24 hours. I haven't had a chance to see them, but I think what we're talking about now, at the very least, is an additional timeline, and possibly not released for public comment until mid-January, but I think that's something that we've got to work through.

That said, do we want to go over the next item on the agenda was to go through what has been said so far. Now, right now, we've got... I have had not had an opportunity to read either Olivier or Maureen or anybody else, so the responders that I've had at the time of my checking last night, there was seven working party members, and two ALAC members who were not members of the working party.

Has anybody had a chance to go through, in the last five minutes, and see who else has commented? Because clearly, there are at least two others, and they've been more extensive comments.

Okay. Olivier, I know you're on mute, but you can add to what I have to say. When I reviewed the comments, and this was 24 hours old, the themes that I picked up, and then Tom, I would appreciate your feedback, and then we can have a discussion on the items, there was, I guess the initial comment, what is ALAC? Does it represent end users? Does it represent the interest of end users? But some lack of clarity on, in fact, the mission of ALAC.

There were a number of issues in terms of people getting involved and those include things like, first of all, everybody is a volunteer, so time is limited. The technology, many parts of the world have phone systems,

internet systems, connectivity problems, which makes participation really difficult. Another issue that's raised by several was actually the lack of understanding of ICANN.

It is difficult to understand what the issues are, before you participate. And there are other issues. Things like disability, language, and so forth. So, participation and the difficulties is another theme. And part of that was how to support that participation.

There was some comments about liaisons, and one point was made about the SSAC, which has their own rules about who participates, so I think that's a minor comment, but nevertheless, one that should be taken into account. There was some discussion about ISOC chapters and involvement, comments both ways.

In terms of meeting fair amount of comments about the ATLAS and regional meetings, which would require a lot of discussions. And then the whole restructure, the role of NomCom, individual memberships, the inconsistency in rules, as well as, how we actually manage the individual memberships, what that means for voting rights and so forth.

So that's my summary of what those comments are. Tom, did I miss anything?

TOM MACKENZIE:

Hello, yes. This is Tom again. I don't think, Holly, you did miss anything, I mean that is pretty much what the situation is at present. This is not avoiding getting into discussions, but I think that the list of issues that you have just gone through just shows the sort of complexity of the

issues that we're dealing with, and the range of issues that we're dealing with, each one of which would need, you know, an entire sort of hour, or two, or day, to discuss.

Now, if it's okay, I mean, what I think I just need to say really at this stage is that for us, it's very important, very, very important that we simply get more and more people... At the moment, I think we only have one, two, three, four, five, six or seven people who've replied or commented at length, on the Google Doc.

A couple of who have submitted information which was added in at the end of the document, which is also fine. That's no problem. But we need to be able to centralize all this information that you're putting into the process, as effectively as possible, and only then will we be able to provide you with feedback, which essentially is the substance of our next report.

It's what goes into our next report. But, I'm just trying to attempt to do sort of billing to any of these issues at this stage would be premature. So, yeah, to really... Or just to sort of summarize, so it's very important that the ALAC, the members of the working group, have said all of them... All of you have said everything that you want to say about all of the different issues, push back on the recommendations if that's what you feel, corrections about some, you know, factual things which you feel maybe are being represented.

All that information is that it's very important that we have it now, and I tell you why it's so important. Because we will, and we will be responsible for taking that information into account, and you, I think, I

hope, can trust us that we will rectify anything that needs to be rectified at this stage in the report.

And if, subsequently, down the line, one month, two months down the line, we are bringing out, we are producing a subsequent draft report, which contains, you know, factual errors and things like that, well then I'm afraid that's going to be a reflection also on you, for not having put the, given us the corrections, or the information on time during this period.

Just so that it's clear how we have been working, we were under a lot of pressure in the two or three weeks after the Hyderabad meeting to begin this, you know, this report which covers a very large number of issues to deal with the At-Large community. It's inevitable, you know, with this kind of process for there to be, you know, inaccuracies here and there.

We did our best to try and identify them and to make sure that there were as few as possible, but there will be those kinds of things in the report. It's now your responsibility to give us your feedback and we will, you can trust us, but we will stand, take that into account for the next draft.

HOLLY RAICHE:

Thank you Tom. Now, Olivier, please go ahead. Thank you.

CHERYL LANGDON-ORR:

Cheryl too.

HOLLY RAICHE: Olivier, are you there?

OLIVIER CRÉPIN-LEBLOND: It takes me a little while to un-mute, sorry. Thank you very much Holly.
Olivier Crépin-Leblond speaking. Can you hear me?

HOLLY RAICHE: Yes.

OLIVIER CRÉPIN-LEBLOND: Yes, thanks. I do have an overall concern on the list of issues that you've mentioned. The first one that you've mentioned, which was to do with whether At-Large represents end users, or whether it represents the interests of end users, and it's clearly said in the bylaws, it does not represent end users.

How in the world are you going to be able to represent the 2.5 billion end users now? It's completely impossible to represent them as such, and even if it's said it represented them, you would easily have people say, well what is your legitimate [inaudible], representing people that have not even heard of you.

But more so, one of the concerns I have with the report is that it actually puts into question the ALAC's legitimacy with regards to end users. And to me, it actually puts a question mark over the legitimacy of the multistakeholder system as a whole, and that includes the Internet

Governance Forum, that includes anything that deals with internet governance that is not government run, run by people who are elected representatives from different countries around the world.

And I'm really concerned that a report that would be published within ICANN, would cast such a question mark over the multistakeholder model itself. I think it's detrimental to ICANN, it's detrimental to the model, and it really gives weapons and the arguments for those people that are basically saying that internet governance, and the running of the internet's critical internet resources should be given over, handed over to the United Nations. Thank you.

HOLLY RAICHE:

Olivier, thank you very much. First of all, when I listed the issues, I didn't express an opinion. I just said that this was an issue raised, and I completely agree with you. And Tom, that's a very important point to be made. Tijani, your hand is up, please. And Cheryl. Wait a minute, Cheryl first. Cheryl's hand was up first.

CHERYL LANGDON-ORR:

It's all right, Holly. Tijani can go first. I can wait.

HOLLY RAICHE:

Tijani, Cheryl is giving you the floor, please go ahead.

TIJANI BEN JEMAA:

Thank you very much, Cheryl and Holly. First of all, I will make written comments yet. I dedicated the date of tomorrow to do so. So, it will be done tomorrow [inaudible]. Second, there is a measure of problems. The first one, since you say that the membership is based on, [inaudible] membership for any end user, without exception, I will ask you, if so, how will you know that any other part, as you know, any one, is end user?

A registry is an end user, a registry is an end user, and everyone can become a member of At-Large in this case. If we change the more to an individual membership, mainly a [inaudible] membership, how do you know that the other party for which the At-Large was created, At-Large was created to balance, because at the beginning, ICANN was only a registrars and governments.

So, there is only the policy and the commercial or commercial interests. End users are there to represent the public interest. So, this is the main reason to create the At-Large. If we done it the [inaudible] membership, as you said, how do you know that those other parties will be part of the empowered community to decide on anything? To have all of this power that the new accountability mechanisms brings.

How do you know that those other parties would have permission [inaudible] don't become members of At-Large. And in this case, the public interest would not have, at least it would be diluted by all of the other communities, and the public interest will not be part of anymore. This is the first point.

Second, very important point. You say that the At-Large members will have the opportunity to volunteer for a position [inaudible] of ICANN [inaudible]. And to say, and you link this to the travel slots, the travel report. You are modifying here the rules of the whole ICANN, because ICANN doesn't fund people who are [reporters?] of the working groups.

You are changing everything. And I noted that it is as if you are trying to say that At-Large is taking the travel support, so we have to reduce the number from 25 to 15, because you want to produce the number of travel support, and in any part, you speak about funded travel, etc.

I think this is not the aim. The aim is to reduce the number of At-Large people in the ICANN meeting. I think it is a big mistake. We need perhaps more voices of people who are defending the public interest in these meetings. If we want to reduce that, I think that we are [inaudible] the system. We are, as Olivier said, we are [inaudible] the multistakeholder model. Thank you.

HOLLY RAICHE: Thank you Tijani. Cheryl, you're next.

CHERYL LANGDON-ORR: Thank you Holly. Cheryl for the record. I worked with models before 2000, and I'll work with models, models plural, post-2000 to probably 2018, and I'll work with whatever is in place with that after that. So, I'm not going to die in a ditch. I will work with whatever model that happens to come out, and once more, I'll do my damndest to make it work well.

That said, I'm also not adverse to change, and I don't want to be, in any way, shape, or form, suggesting that ALAC either jointly or separately, is adverse to change and improvement [inaudible] of these review processes. However, there are after to some things, it's not going to happen, so be it.

That means that all comments will be required to come in this public comment with the At-Large advisory committee, having exactly the same standing in its comments, as my Aunt Mary, or a member of the non-commercial stakeholder group of the NCUC or NPOC, and that's fine too.

However, I do have a request that I promised that I would pass on, and this is something that ITEMS will need to consider, and so they can take, this is a question without notice. At least one of the At-Large advisory committee members, who is not a working party member, was concerned about, from a personal perspective, having their views, either jointly or separately, with others, put in a public, public forum way.

They felt that, for them at least, it would have a chilling effect, and what they may or may not say in response to a future draft, I said that I would pass that concern on in this meeting. I'm doing so now. Just so you all understand before Lars, he feels he is expert on all process, apparently, I've been a tad longer, Lars. I know a little bit about process as well.

If I could take people back to the ATLAS 3 SOB ATRT review one, we did in fact, have the ability, even through public comment, to have public comment sent directly to, at that stage, the ATRT review team, but here

it would be the independent examiner, and the independent examiner then has access to that comment to do with what they will, just as they would in a, put it to publically listed commenting.

Then, if they wish to use that material, they would obviously use it in an anonymous form. I said I would request that ITEMS consider that as an alternative. And before Larisa and Lars think that's a terribly, horrible thing to do, my suggestion is they think very seriously about the benefits of it. It shouldn't make any time cost difference at all.

Now, that said, I have one other thing which is a personal matter. I know I was one of the earliest commenter on the document. In fact, I commented before it became such a popular thing to be reading. But I have searched, under your name, Tom, for any email with the link for me to be able to continue to comment, and I have not got one.

So, if it were sent, it needs to be resent. I have your original email, back when it was sent as a Word document, and the original now protected document, but all documents I have access to, are listed as protected, at least from me. So, fix that, and then by the deadline, you'll have even more to work with. Thank you.

HOLLY RAICHE:

Thank you Cheryl. And may I just add, very quickly, an action item on Tom. Would you please resend a link to the working party members to make sure everybody does not have any difficulty commenting. Thank you. Tim, you've had your hand up...

ALAN GREENBERG: Holly, may I...? It's Alan. May I intervene? The issue is not the link. We've all gotten that. The issue is the user on Google Docs being authorized to actually use that link. Thank you.

HOLLY RAICHE: That's what I mean, Alan. Tom...

TOM MACKENZIE: Okay, if you want, I can make a very quick document, use of document comment, which is that I did, I have sent out individual invitations to the document to everyone on the working party. And you should have received those. I've used the emails that were sent to me by ICANN staff.

I just... In answer to Cheryl's specific request, I'm not sure why my emails have disappeared. But in any case, I've resent the request, and you should get that within a few seconds. And I can see there are lots of people on the document as we speak, but I will, yes, send out requests, or invitations, to edit the document.

Again, just to make absolutely sure that everyone has got it. And Alan, if I can, I saw that you were on the document the other day, and you wrote a comment, and I said, yes, this is exactly how comments should be made in answer to your comment.

And so, I hope that was sort of proof that it really does work, and that you're able to carry on using the document in that way.

ALAN GREENBERG: To be clear, I didn't say that I couldn't, I said some people have reported that they have not been authorized to get into the document. I thought that was what Cheryl was saying, apparently I was wrong, she just didn't have the link.

HOLLY RAICHE: Thank you very much. Larisa? Go ahead please.

LARISA GURNICK: I want... This is Larisa Gurnick for the record. I wanted to respond to a comment that I think I heard Cheryl make, and I just want to make sure that this is clear that, I think Cheryl said that the comments from ALAC would then have the same standing as anybody else's comment period. But that isn't exactly accurate based on what we are proposing, and we're proposing that if ALAC feels that they need more time to interact with the working party, and to make their voices heard, and their comments or clarifications incorporated in this phase in the process, that we will get the time and we will make sure that there is sufficient time for that to happen.

And clearly we will work through whatever technical issues to make sure that the technology doesn't get in the way of all of you being able to provide your comments at this phase, and then [inaudible] would consider all of those comments, in preparation of the next draft.

So, I don't think that ALAC opinions, and views, and comments would have the same standing as everybody else. I think that they would have a different standing, the intending standing as part of the community

that's under review, which is tied in with the whole purpose of the working party. So, I hold [inaudible]. Thank you.

HOLLY RAICHE: Thank you Larisa. There are two hands that have been up for awhile. Tim, you've been incredibly patient. Go ahead, please.

Tim?

TIM MCGINNIS: Thank you Holly. Sorry. I just had one comment on, well, a variety of things that I've heard today. But I just want to assure you all the review working party that everything we have written, and examined you on, is in scope according to the goals of the review. That we know the community quite well, we've already debated internally, many of the topics and issues that you've already commented on the document, will take into consideration all of your comments for the next version.

But we are, we're pretty clear on what we heard from both At-Large folks and folks outside At-Large, and have based our recommendation upon what we've heard from At-Large and external folks.

HOLLY RAICHE: Thank you Tim. Alberto, has a [inaudible], could we...? Alberto is next. Please.

ALBERTO SOTO:

This is Alberto Soto speaking. Sorry, I was un-muting myself because as Olivier said, it takes some time. Well, I would say that I do agree with what Cheryl had said, and I believe that we really have little time... I mean, you're saying now that we need more time, we will have more time, but up until now, that was not the case.

So, and you are saying that the team is having a great pressure in Hyderabad. So, we have very little time, and we have a more pressure than you, and you are saying that we are responsible for providing information.

So, I am a bit concerned about this. You know, I'm always working in favor of transparency and responsibility, and I work in order to comply with all of the objectives. Of course, I do understand that we need to change something in At-Large. But I'm worried about the pressure that we have in terms of time, and secondly that I make many comments, it seems that decisions will be made, taken into account, some comments, but these comments are not reflecting the whole opinion, or they are not in line with the decision making.

So, I think that we should speak about those particular cases. But I have certain concerns about this, and of course, we have responsibility in this. Thank you.

HOLLY RAICHE:

Thank you Alberto. Tom, is that a new hand?

TOM MACKENZIE:

Just very quickly, I can say to Alberto Soto that, thank you for his comments. You are one of the few, or one of the handful of people who have provided comments in exactly the way that we hoped that people would be able to provide comments. So, we're very... The type of comment that you have provided in the format that you have provided, is exactly the kind of comment that we will be able to arbitrate on, and take into account in the preparation of our next draft.

So, as far as you're, there is nothing to be sort of worried about. We're just hoping that everyone else takes the same time that you have taken as to, well, the same.

HOLLY RAICHE:

Thank you Tom. Now, where we're up to, I think we've... Are there any other issues that people would like to raise? Because the final item on this call is the timeline, and obviously, that will have changed considerably. We've had enough discussion about, at the very least, be able to allow additional time for comment.

And Tom, may I ask your response to Tijani's suggestion, which was, is it possible to have another call where we can have a little bit of a flavor about how you might respond to, if you will, the general issues that I and others have raised. And that may be very helpful and provide some comment.

TOM MACKENZIE:

Okay. This really is now answering, without having been able to consult with my teammates, and so we do and try to make decisions as a group.

And so I'm a little bit hesitant just to give you an answer straight out,.
But, I think generally speaking... There is a bit of an echo. Sorry.

HOLLY RAICHE: Now you've disappeared completely.

TOM MACKENZIE: ...to the original schedule, I think what we've agreed during this call is if you need more time to comment between now and, well, the end of December, early January, that's fine. We would rather that you had collectively provided all of the input that you want to provide, and that we have all of the information that we need in order to rectify certain things, polish, correct, you know, everything.

But another call, we will note it down, I will note it down, as an action item for our own group, and we'll get that to you very quickly.

HOLLY RAICHE: That's fine. I think we're very clear between, listen, you were very clear that there was not going to be a next draft, but I think that what was seen as a possibility would be another call, so that people can have a feeling for where we're going. And at the same time, raise issues. So I think it's for the executive, and you, and Lars, and Larisa, to work through a schedule.

Lars has already made some suggestions for it. I think the aim is to have something available for Copenhagen, and clearly there will have to be a public comment period before Copenhagen. So, we're working with

those timelines, but I think that that's probably an action item on us to have another call to work through a possible timeline.

So, if we can do that with Lars, and Charla, and/or Larisa, and [inaudible], that would be very helpful. I think that's where we are now.

TOM MACKENZIE:

I think, you know, generally speaking, that's what we want to, I think that's fine. We will, we can, work towards that kind of agreement with an additional call put in somewhere. And we'll find a date with Lars and Larisa.

HOLLY RAICHE:

Excellent. Thank you. Tijani, go ahead please.

TIJANI BEN JEMAA:

Okay. Thank you very much Holly and all. I would like to make my proposal here, what I propose is that in 24 hours, the comment period for the working party will be closed. So, you will have all our comments, written comments.

And you [inaudible] according to those comments, in another call, [inaudible] in your point of view, what in your point of view can be changed in your actual report? Actual draft? And we will give you our feedback about that. So, that's really been informed about all of our point of view for the drafting of the text that will be submitted for comment.

This is my proposal. Thank you.

TOM MACKENZIE:

Okay. [Inaudible], I mean, we're a little bit... We're not going to make too many sort of statements about what could be in the next draft and that kind of thing, because it's too early. However, the one thing that I think we are clear about is that there is a need for reform. We have identified that there is a need for reform, and what we have done is that we have proposed a radical new model for the structure, of the At-Large community, which was the question that was put to us when we started out the review process.

That is the one thing which we believe is necessary, it's a big reform, but it's a necessary reform for At-Large to function better. Now, I think... Now, to come back to it, your point earlier, and I think to a point that Olivier was making, I think one thing that we need to be clear is that what we have sent, what we have heard during these calls, to a certain extent, is that you, is the sense that maybe we are coming in, we're attacking the model, we are undermining, we are seeking to undermine the multistakeholder, you know, mechanisms on which, you know, this entire At-Large is built, which is, could not be really any further from the truth.

We come to this project, obviously, as independent, neutral reviewers, but we are supportive of the multistakeholder model. And the one thing that drives us a review team, and looking for a way in which the current system could be improved, it's sort of... In no sense could you

have sort of imagined that we could spend even a minute of our time trying to undermine what is going on within At-Large.

What we would like to do is to strengthen it. And that's why we even came up with a name of the empowered membership model, the EMM, which we believe will give end users, end users, the people in whose interest the At-Large operates, a better and a stronger voice within ICANN.

And that, I think, is the... We know that is what you have been working at. We know that you have been working at that tirelessly for, sometimes, many years, what we believe that we are capable and hope to introduce with this new model is a mechanism to strengthen what you have already, in many ways, been achieving.

Now, obviously we're not coming at this in a dictatorial kind of way. We are... We have introduced a radical reform, but we do have this phase now, and the next phase, in which we very much welcome your input into what we have suggested, to see if we can improve it, because that is something that we can do in the weeks and months before the end of the whole review process.

So, I'll stop there, but you know, we just to say, it's really just to say that we are, we want to be in a constructive process with you, and in many ways, I think this is what these kinds of calls is about. It's about a constructive dialogue, and we hope that it will continue in that way. I'll stop there.

HOLLY RAICHE: Thank you Tom. Tim, go ahead please.

TIM MCGINNIS: Thank you Holly. Yeah, I think that Tom has gotten the basics right. I mean, it really depends on your perspective. I don't think it's a radical reform. I think it cements a lot of the status quo. It expands the base. That's why we have come up with a set of changes that we hope further allows At-Large to follow its mission.

And in answer to your question, Holly, about where we're going, we're going to the ERM. We think that this is the right track, it's the right set of reforms. These are the types of things that need to be done, and we have debated extensively what would happen if this case, this use case, what about this corner case? And we have, you know, come up with this complete model that takes those things into account.

So, that's where we're headed, Holly. The empowered membership model.

HOLLY RAICHE: Thank you very much Tim. I think probably the model is for some or many people, the real change. I think some of the other issues are, while very important, perhaps less, let's say, less novel, and I think part of the discussion that we'll have to have, possibly January, most certainly January, would have to be about the structure in terms of membership, in terms of membership, the voting rights, the individual rights, and the organization.

I think that... I'm going to suggest something like a webinar or structure, but I think that has to be talked with the executive. I think what now is clear is another call, or another opportunity for comment, that will probably have to be the focus because that seems to be of significant concern.

At this stage in the agenda, we've looked at the overview of the comments made. We've looked at the recommendations, Tom has spoken to them, and one of the stand out items is this new model and how we work through that. The timeline will clearly have to be changed, and that is a matter for the executive, it's a matter for discussion between Cheryl, Alan, and myself, Larisa, Charla, Lars, and the ITEMS team.

So, I think we're...

I'm hearing somebody talk. Is that to me or not?

ALAN GREENBERG: It's background, Holly.

HOLLY RAICHE: Okay. Is there anything else we need to do on this call? Because clearly, there will be another call.

ALAN GREENBERG: I think you need to call on me because my hand is up.

HOLLY RAICHE: I'm sorry, I didn't see it. Alan, go ahead please, and Tom. Tom, is that a new hand? I think so, okay.

TOM MACKENZIE: No, that's not a new hand.

HOLLY RAICHE: Thank you.

ALAN GREENBERG: Thank you. I had my hand up before, I was going to respond to something Tim said, and then I decided to keep it to myself, but based on several recent comments from Tom and Tim, I think I have to say it. The concern that generated the ALAC request that we started this call from, was that the next report, or next draft is going to come out, for public comment, that will still have substantial parts of the concerns of the working party and the ALAC not addressed.

That's why there was a desire for another pass before it went out for a formal public comment, and then on to the Board. What I'm hearing right now is that there may be valid reasons for that concern. That is, I'm hearing from certainly Tim, and to some extent, Tom, that we did our analysis, we identified the problems, and we're sticking with what we're proposing.

I believe a lot of the analysis was correct. I believe the concept of what are being called empowered users, which I disagree with the name, by the way, but ignoring that, I think is a good direction. I think there are

aspects of it, however, which are very wrong-headed, and if they remain, our comments notwithstanding, I think we're going to see a collision course. Thank you.

HOLLY RAICHE:

Okay. I think at this stage, I don't see that ITEMS has got their hands up, but I assume, Tom, that you'll be looking at all of those comments, and I think when we schedule a call, I think the suggestion from Tijani, which is that there be responses to the major issues raised, would be very, very helpful because the concern amongst many ALAC people is the report goes out in a way that is not only negative, but is not justified.

And we will have to actually encourage people to make comments, to point out why those comments may, the feeling may be that they are not justified. I'm not sure if we can make progress now, I think I would like to read the comments that everybody has made in the last 24 hours, because apparently that's a lot.

And there will be another call, which will be scheduled. Tom, go ahead please.

TOM MACKENZIE:

Yeah. So, we don't want a collision course. These are sort of dramatic sounding terms, but is there going to be change? No doubt. And that's an inevitable part of... Or is...? I should put it another way. Are we recommending change? Yes, we are. And this is, and we are very clearly recommending, you know, the model that we have outlines.

Now, the one thing that I just wanted to say before we end, is that it's very important to repeat, we need your comments. We don't want to hear, you know, after we submitted the final report, you know, there are certain things that you're not happy with, or if there is anything you want to say, say them now.

Tell them now. Write them down. Put them into the document, and we will have that record of that, and then, as you say, we will be running through the process as laid out, and we will take them, we will take all comments sort of [inaudible] into account, and arbitrate those comments where we seek to take action or not. So please make your comments, that's the most important thing.

HOLLY RAICHE:

I have a question about process, Tom, as to, and also the members of this working party. Do we continue to insist on a deadline for comments, which is essentially tomorrow, or not? [CROSSTALK]

TOM MACKENZIE:

No, I'm sorry to interrupt. I think that's the one deadline I think we can agree to relax that one, because we, because not everyone has had the opportunity to go through the document yet. So, we need to agree, and I'm not sure what the sort of, the right [inaudible] would be, but we can sort of push that, this particular date forward.

And so, and that's would allow more people to connect.

HOLLY RAICHE: What about timing that with the next call which we've forecast would happen, although we don't have a date yet, but maybe have the deadline move until a couple of days before the next call, so that people will have additional time, you will have time to read what everybody has said, and then be able to respond. Okay?

Does that work?

I mean, you will need time to see what people have said, and see...

ALAN GREENBERG: Holly, it's Alan. When can you possibly schedule a call given that much of the world stops working in a day and a half from now? And will not get back until a couple of days before their draft report is due.

HOLLY RAICHE: I think we're relaxing the timeline, Alan. We have to.

ALAN GREENBERG: I haven't heard that the time line of the 6th is being relaxed. Maybe I've missed it. [CROSTALK]

HOLLY RAICHE: I think that was implicit. Lars, go ahead.

LARS HOFFMANN: Yeah Alan, I actually missed that at the beginning of the call, said that there is a need for adjusting the timeline for the sake that it is

something, obviously, we have to look at with ITEMS as well, what their work load and calendar looks like, but certainly from our side, there is no issue from extending that deadline to make sure that everybody can comment, and if there is need for another call, you're quite right.

I'm happy to meet between now and the new year, I'm sure not everybody is the same, and that's fully understandable. So if we need to do that in the first week of January, I think that is something we can look at as well. Thank you.

HOLLY RAICHE:

Yeah. I mean, my understanding was in fact, the [inaudible] there is, in fact, going to be more comments. So, I think that we have to say that the first week of January, possibly into the second week of January, there might be a call, after which time it can be released...

Now see, Alberto, bless his socks off, I'm free on the 24th. That's Christmas Eve. Now that would be [inaudible]. Alberto, I don't think anybody is going to join you on Christmas Eve, I hate to say it, but I'm not. I think the action item on the executive list, together with ITEMS and Larisa, At-Large, and Charla, is to extend by probably a couple of weeks, the release of the documents for public comment.

To repeat what Lars said at the beginning of the call, we do have a deadline, there has to be a document that reflects public comment that can be available in Copenhagen, but there is some flexibility there, we just have to work through what it is. Okay?

So Alan, it means that the 6th is a moveable feast, and it has just moved. Okay? I think that's it. If anybody has any further comments, let me know, otherwise... Tijani...

LARISA GURNICK: Holly, it's Larisa. I want... Or maybe Tijani can go first, and then you can call on me.

HOLLY RAICHE: Go ahead, Larisa.

LARISA GURNICK: I wanted to add some clarity to our expectations for ITEMS, and for that matter, any independent examiner in this position. When comments are provided, we cannot compile them to agree with points of view that we have provided, but we can, and do, expect, and we've had endless conversations about this, so I think this is all, we're all on the same page, that we do expect that the ITEMS team, and any other independent examiner, would provide their justification for why they disagree, or why they feel that their proposal is the better proposal.

So, we do expect that they will take onboard and think through and respond to all of the comments, even though they may not necessarily agree with that. So, that is our expectation. I think the ITEMS team will agree that that is incumbent on them. So, I just want to assure all of you that the time that you take to read and make comments, and express your points of view, and express factual inaccuracies more

importantly, in which you see in the report, will be considered and will be addressed.

Whether they'll be addressed to everybody's satisfaction, I cannot say about that. Thank you.

HOLLY RAICHE:

Thank you Larissa. We've got two comments, and then I think we can finish this call because we, as yet we don't have a date. I would suggest that it's going to be in early January. I think I need agreement between all of the parties before I set a date. Tijani, go ahead and then Tom can finish. Thank you.

TIJANI BEN JEMMA:

Thank you very much, Holly. I don't think you will have more comments after 22. That's why I prefer to keep the deadline for 22, to give ITEMS team the time to read, to think about all the comments we've already done, or we will do until the deadline. And I propose to perhaps change the deadline of 6th of January to a little bit later, to give more time, because you will have the holiday time, and nobody will be working in this time.

So, I prefer that we postpone, or we change the deadline of 6th January and keep the one of 22 December, so that we may have a call with ITEMS in which they will have in their head how they will react to our comments, and we may discuss this together during this call.

So that they will have more information, and more comprehension of what the At-Large or this working party think about this. Thank you.

HOLLY RAICHE: Thank you, Tijani. We'll take that into account. Tom?

TOM MACKENZIE: Thank you. Yes, no, I don't really have too much to add, really, at the end of this conversation, which has been, you know, it has been a very frank exchange, and so we're grateful for that. If you have more comments to make in the days to come, please make them.

We will talk, I think, the best thing to say is, we will be in contract with Larisa and Lars to fix a... You know, the date if that is going to move at all, and there is not much more to say than that. I think the way Larisa summed it up just now, I think we are in full agreement with.

HOLLY RAICHE: Yes, okay. Well, look, I think with that, we can end this call. There is an action item on all of us to fix a date that will be done, and I can only say thank you for everybody for your comments, and for those who have not commented, please do so. And if I don't talk to everybody beforehand, have a very happy holiday season.

[END OF TRANSCRIPTION]