
UNIDENTIFIED FEMALE: This meeting is now being recorded.

CHERYL LANGDON-ORR: Thank you very much, and a little bit of administration before we get into the standard business on today's call. Today's call, #23 of the Support Organization and Advisory Committee Accountability Subgroup from Work Stream 2.

Today's call, we will be taking the attendance from the Adobe Connect room. If you're not connected to Adobe but you're only attending on phone, if you could let yourself be known now. Not hearing anybody. Obviously, anyone who joins [inaudible] this who is only on phone will probably let us know. We will take the attendance from the Adobe Connect room.

I have received one apology from Greg Shatan, work commitments have taken him away from being able to attend this meeting. An urgent thing has cropped up. I'm not aware of other attendees sending their apologies, but if they're sent to the list, obviously staff will note that as well.

With that, I'd want to remind everybody if they could be so kind as to – try again – to speak clearly and relatively slowly for those who do not have English as a first language, and to also give your name when you begin making an intervention so that the record can reflect who is speaking.

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Kavouss, thank you for the note in the chat. When I referred to light participation, I will give the data – seeing as you seem to insist on them being given to the audio record. They will of course have been recorded in our metrics but Kavouss wishes us to note formally that apart from the rapporteurs – and there are three of us – there are five other people other than staff attending the call.

However, I think the rapporteurs do have a reasonable contribution to make as well, so we can note the eight who are listed as participants. With that, I'd like to ask, has anybody got an update to their Statement of Interests that they need to make? If so, please let us know now.

Not hearing anybody, let's briefly look at the action items from our last call, which was on the 22nd of February. There were two action items, one of which didn't seem to get a lot of obvious input. That's the first one, which was for everyone to go through the document as modified after last week's call, and respond online or to the list.

We weren't besieged by comments. Perhaps that means you're all delighted with all the text we have in draft, and if that's the case, today's meeting might be delightfully short. But we'll go through that shortly anyway, at least certainly focusing on the recommendations and the executive summary which I don't believe was included in the draft 1.3 that was distributed yesterday.

The second action item was to let us know if you're going to be present at the face to face meeting in Copenhagen. I'm not aware of anyone formally letting us know that. If possible, if you're in today's call in the Adobe Connect room and you are attending, please just let us know in

chat, and what we might do is take an action item for us to ask to the list so that people can respond to the list if they are going to be present in our face-to-face meeting on the 10th of March in Copenhagen.

With that, I'm going to call for any updates from activities for this working group that are not outlined in our discussion or agenda items to the rest of this call. I'm unaware of any, but if there is any, perhaps people could let us know now.

It appears silence is golden so far in today's call, but I'm trusting that will not be the case as we get into our substantive discussion on our draft documentation reading and review, and I'll note some other people are joining our call now, which is a delight to see.

We are now up to – for those of you who just joined – agenda item number three, which is the primary agenda item for today's call, where we will be going through the next 45 minutes or so as a second reading for this work team on the consolidated draft report.

Steve DelBianco and Farzaneh will be taking you through this. I'll help by managing queue if need be. We are intending to have at the end of this call an agreed upon, clean version of this draft ready to be sent to the CCWG so that it is meeting the seven-day deadline which of course is today, by the close of today, so that our work can be seen as a first reading by the CCWG plenary during the Copenhagen meeting on the 10th of March.

With that, and that being our intention, I'm going to ask now, is it going to be Farzaneh or Steve who takes over from me at this point? Who's going to jump in first? Steve? You?

STEVE DELBIANCO: Sure, Cheryl. Cheryl, thanks for setting that up. I do want to indicate that the Chairs, the Co-Chairs of the CCWG and staff have said that we need to circulate the draft we want to review on the 10th of March. We need to circulate it seven days in advance of that, so we would need to finish our second and final reading today or tomorrow, and then circulate by Friday, the 3rd of March. We'd need to circulate to the entire Plenary in order for it to be in order to the review of our colleagues on the March 10th meeting. And Cheryl, do I have that right? Do we need to circulate it seven days in advance?

CHERYL LANGDON-ORR: That is correct, which means assuming that we talk about after 23:59 on the 2nd of March, we will be right for circulating. But it means it does have to have gone out to the CCWG on 3rd of March.

STEVE DELBIANCO: Great. Thank you, Cheryl. And Farzaneh is also on the call. Over the past week – that is since our last call – we had circulated two new revisions of our document, taking into account suggestions that all of you, our colleagues have made on the last call and in-between. One of those was to pick up all of the recommendations and consolidate them in a list, and that was done so now that all of our individual track one recommendations appear in one place. I think that's helpful.

Then I was able to incorporate responses from the Root Server System Advisory Committee, the RSSAC. They had circulated them to a few

members of staff and Cheryl and I, probably over a month ago. So it's my mistake, we had missed that the RSSAC had put them in. And that left only two groups that had not given us written responses. The registrars, and the Nonprofit Operating Concerns Constituency, both of which are subgroups inside of GNSO.

Now, the NPOC did provide several written comments to the draft you have on the screen in front of you, they just never provided a written response to the questionnaire that we circulated in November. And unless I have somehow missed it, I'd appreciate staff, Cheryl and Farzaneh, check your e-mails to see whether the registrars had given us one. Just in case I had written almost two weeks ago to James Bladel, Chair of the Registrar Constituency, reminding them that we had not received their response, but I got nothing back from them.

I would say that once the entire Plenary gets a copy of this draft, if all goes according to plan, the registrars are unlikely to provide a response so that they wouldn't be left out as the only one who didn't provide any response at all. If that were to happen, I don't think it's any significant difficulty to simply add their responses to the document the way I did with the RSSAC.

It only takes a couple of hours to do, and it's not likely to change our conclusions about what the best practices are in track one. So, what you have on the screen in front of you reflects what I hope is our final reading within our working group. I want to thank Farzaneh for circulating three new best practice recommendations

Those were circulated a few hours ago, and you'll find them summarized in the long table that's on page six. But they also live on the individual sections of track one below. So, now we're up to 24 best practice recommendations, and I have checked diligently the Google Doc we circulated and I find no comments or edits in the Google Doc either.

With apologies, some of you may have tried to edit the Google Doc at some point and perhaps [some] just don't understand the Google tool well enough. Tom Dale for instance, and members of the NPOC were able to add edits to it, but some of you have written me e-mails suggesting that you could not.

If there's anyone on this call or you're aware of anyone who wants to make edits, let me know and I'll do my best to make sure that they can edit the Google Doc.

Alright, Farzaneh, did you want to talk to us about the three additional best practice recommendations that are on page six?

FARZANEH BADII:

Yes, thank you, Steve. I came up with these three recommendations. They're a little bit drafted. Maybe we should kind of polish them, but the essence was that this number 22 is to address the accountability measures of SO and ACs, and it says that the officers, decision makers and the nature of their decisions – binding or non-binding – should be clearly defined in the Bylaws and communicated with the SO and AC Subgroup members.

The reason I have added this is that the members and the non-members who want to challenge decisions of SO and AC, they should know who makes what decision within the governance mechanism of the SO and AC. So, this is why I thought we emphasize on this point.

I added #23 and 24 in the updates and revision of the procedures. Number 23 says that the review should not be prolonged for more than one year, and that means that the reviews to the Bylaws. And temporary accountability measures should be considered if charters and procedural rules do not address or ignore an accountability concern.

I have add this because when I looked at, again, the Bylaws revision of various groups, it seems like it takes two to two years to get them passed by the various levels. And it's not in the SO and AC hands, I would say. It's like the whole process of ICANN.

So I thought maybe we should have a measure that it should not be prolonged as much as possible, so we have to like review the way that we add to the Bylaws and try and not prolong it. And also, probably a temporary relief for those who are affected by decisions that Bylaws have not predicted any kind of relief for them.

They're on page six, Kavouss, on the screen. So the #24, I thought I emphasized although in many of the processes of the review of the Bylaws and procedures of SOs and ACs, the members are fully involved. But [inaudible] reemphasized that the members should be involved in the revisions and provide comments and feedback.

These are the three [inaudible] that I have added recently, so we can discuss these if there are any comments.

STEVE DELBIANCO:

Farzaneh, thank you very much. I appreciate that. Farzaneh, I wanted to mention that of the 24 items in the list, what we could do is make sure that if someone read them without reading the underlying Accountability, Transparency, Participation, Outreach, etc., that they'd know which section each of them came from.

So if there's no objection in our final draft, I'll put little headers on the 24 items so that they know that the first three come from Accountability, the second six come from Transparency, etc., but they'll still be in one place. I just think we could break them with headers so they'll understand.

It ends up being important, because otherwise when you mention the words, "The review should not be prolonged for more than a year," that'll be much clearer it's under the heading that says "Reviews and Updates to Policies and Procedures." Any objections?

Alright, we'll put those little headers in. I appreciate that. Alright, so we can take a queue about any other comments or edits. I see that Kavouss, your hand is up. Please go ahead.

KAVOUSS ARASTEH:

Sorry, I have no objections, but I have some comments or question on how these recommendations will be included in the Bylaw, because some of them are talking that we have asked SO/AC to do so, we have received the reply so and so. All of this should be included in the Bylaw, or the recommendation itself should be included in the Bylaw?

And then we have to be very careful, at least all of us, and particular you know how the Bylaw will be changed. If this will be included in the Bylaw number one will be in the standard Bylaw and number two will be in the other Bylaw, fundamental Bylaw. I hope it would not be fundamental, and then the change of [that] would be difficult, but I have some difficulty whether it should be included in the Bylaw or cross-referenced in the Bylaw and included elsewhere, because the reply even is reflecting the course of action being taken.

This course of action they take may change upon a time period, and therefore Bylaws should not be changed as such. So I have some question, the modality, how to include and what to include. Some of them are historical [inaudible]. They're not to be included in the Bylaw, would be included in the report or [covering page of recommendations.] What text really should be included in the Bylaw? Thank you.

STEVE DELBIANCO:

Thank you, Kavouss. Kavouss rightly observes that all of the subteams in Work Stream 2 have the option of making recommendations which might result in changes to the ICANN Bylaws, and that ICANN's Board would need a two thirds vote to reject recommendations, including recommendations that would change the Bylaws.

And while that is true in general, Kavouss, I will tell you now that none of our recommendations for best practices or for track two or for track three would require any changes to the ICANN Bylaws. They are best practices in track one, would not be in the Bylaws.

Track two, we concluded there was no need for – other than mutual accountability roundtable – to be included in the Bylaws, and we did not believe that the Independent Review Process should be modified in the Bylaws to apply to ACs and SOs.

So having said that, we'll be sure to include in the executive summary that our recommendation is for no changes to the ICANN Bylaws. I hope that answers your question.

KAVOUSS ARASTEH:

Yes. You have answered to my question, and that is good if [this is no change] to the Bylaws. Because if there is change to the Bylaws, a very serious process will be followed, whereby the community and so on and so forth, I hope [inaudible] question, it is to all groups, but we are discussing your group. Therefore, [I'm there to say this issue.]

It's good if we don't have anything to change the Bylaws. That would not be – that comment would be [inaudible] reflected would be somewhere in the report of the CCWG Work Stream 2, and [inaudible]. Would it be included somewhere? [inaudible]? You and other colleagues have [experience of] when should it be reflected if it is not any change to the Bylaws. Just a question. Thank you.

STEVE DELBIANCO:

Kavouss, it was a good question, since there are some Work Stream 2 groups who will recommend Bylaws changes. We will not. And on page five, we begin our list of best practices with a key sentence that you've all helped to craft, and it says, "Our review leads us to recommend that

each SO/AC subgroup consider adopting the following best practices where applicable to their structure and purpose.”

So that does not show up in the Bylaws. These are simply recommendations. We put them out for public comment if the CCWG plenary accepts it. The public comment might suggest otherwise, but we aren't recommending Bylaws changes, just best practices that would be given to SOs, ACs and subgroups with a recommendation that they be adopted. But it is not required. Sébastien.

SÉBASTIEN BACHOLLET:

Yes, thank you very much, Steve. And yes, definitely Kavouss' question is a good one, and your answer is also okay. I just think that when we will have the report from the ninth subgroup, it may be useful to see if there are enough substance to do – I will say – another document, a specific document where we will not have to check each Work Stream 2 what are some best practices or what are some requests on it who are not going to be into the Bylaws, but we need to be in one single document to say to somebody or one group if they want to look to the output of the Work Stream 2, there will be some Bylaw changes and there will be some other information like these best practices from this subgroup.

But it's maybe time to start something in French I will call [inaudible], in English could be operating system or rule of procedures or whatever names we want to give, but one single document to avoid the fact that we will need to go to each and every subgroup to look at.

The second point is that one of the questions would be or could be also who will take care of that after we as Work Stream 2 disappear? And that's part of the question I would like to discuss in the new version of the document I will send before my tomorrow deadline for the Copenhagen meeting about Ombuds office, the Complaint Office and the possibly with plenty of question marks as [inaudible] office in the document. Yes, once again, I will send it by tomorrow with some enhancements from the first draft. Thank you.

STEVE DELBIANCO:

Sébastien, thank you. I hope that staff will carefully note Sébastien's request that when Work Stream 2 is complete that there be an online source where each of the reports can be accessed. But I believe Sébastien also requested a summary I think of the outcomes of each of the Work Stream 2 when they are all completed.

They would be summarized in one place online so that anyone could see what the recommendations were from each group, and those recommendations in some cases are outcomes that translate to procedural changes at ICANN such as the Ombudsman practices that Sébastien mentioned.

In other cases, there may be changes to the Bylaws, such as the changes that might [inaudible] from the Human Rights group. But we are still several months away from the completion of all of the Work Stream 2 groups. Some of them have quite complex and even controversial topics like jurisdiction and human rights, so we are not there yet, and it isn't an action item for this subgroup to work on.

But Sébastien's points are well noted, and I would ask staff to be sure that they get communicated to the full CCWG, and should be part of the agenda of the Plenary on March the 10th in Copenhagen.

Kavouss.

KAVOUSS ARASTEH:

Yes, I have a problem that you assigned this work to staff, but I think this is [something] for the working group, for your group. In your report, you should mention that the output of this activity does not require any change to the Bylaw. However, the result of the studies and so on and so forth needs to be reflected appropriately and perhaps there would be some suggestions.

I would suggest that when you have the Bylaw in paragraph [which] refer to this activity, it is appropriate that all of these materials could be the annex to the Bylaws, not to [inaudible] Bylaws, but it is something that could be useful for the people to have [inaudible].

We don't need – we should not have these [inaudible] and forgotten after one or three years. A lot of work has been done in the [inaudible] so it should be reflected somewhere. So I feel it is perhaps up to this group to have some suggestions [inaudible] staff to provide that.

We should suggest that if there is no change to the Bylaws and the activity has been done and good suggestions made, these suggestions should be reflected somewhere in a documented manner and in a physical manner in order not to be forgotten. This is my proposal. Not to staff, but the group. In your cover letter or your executive summary, it

should be mentioned one or two paragraphs some suggestion about these things. Thank you.

STEVE DELBIANCO:

Thank you, Kavouss. In my case, I am unable to hear everything very clearly, but I sense that you're suggesting we don't want to just drop these recommendations and leave them forever. I have two responses to that. It's my belief that many of the other Work Stream 2 groups will have recommendations that don't make their way into the Bylaws, and that the full Plenary at our next meeting in Copenhagen should definitely discuss what is the appropriate follow-up.

There are many of our colleagues who believe it's premature to get into that, since many of them haven't – in fact, none of us have – survived the public comment period on the recommendations from Work Stream 2. So it's a little early for that, but I'd like to acknowledge that not only will we bring it up at the Plenary meeting – and staff has noted it in our meeting minutes – but I believe in our report, perhaps in the executive summary, we could note that while we are not requesting any changes to the Bylaws, we would suggest that future Accountability and Transparency Review Teams or ATRTs examine implementation of the best practice recommendations when they do their systemic reviews of accountability and transparency with ICANN.

Does that idea meet with approval? That would be an opportunity every five years where the ATRT – a community-led review – would have the opportunity to say, "Hey, we looked at it and there are two ACs and SOs that are still not choosing to implement best practices." There is no

power to force them to do that. You can't force everyone, because they're just recommendations, and best practices don't in all cases apply to each and every AC and SO. So, I'll put that into the executive summary as well.

Before we turn to the executive summary, Farzaneh, I think you also included in your most recent e-mail a couple of other ideas that while they were not in the draft document, they were just sort of draft ideas, we'll see whether there's acceptance in this group. Farzaneh?

FARZANEH BADI:

Thank you, Steve. I sent an e-mail – I thought while these two recommendations that I've made, they are kind of overall recommendations for improving the accountability of SOs and ACs. One is that each SO and AC provide an annual report on their accountability mechanism. They can state what they have done during the year to enhance their accountability, where they might have fallen short of, and what they have done or are planning to do to overcome their accountability shortcomings.

So one is the annual accountability report, and the other one – which is a little bit more inspirational and –

STEVE DELBIANCO:

[inaudible]

FARZANEH BADI:

[inaudible] Yes.

STEVE DELBIANCO: Yes, why don't we take a queue on your first idea, on the request to provide an annual report? And I do assume that's a recommendation. A best practice would be that each SO/AC – and I assume you would also include the subgroups in that. Is that true?

FARZANEH BADII: Yes, we should.

STEVE DELBIANCO: Okay, so the recommendation – I'll put it in the chat – is that each AC and SO and subgroup would provide an annual report of what they've done during the year to enhance their accountability and where they might have fallen short, and what they did to overcome it.

This is Farzaneh's suggestion. Wasn't in the draft, but let's discuss it here. Is this a recommendation we'd like to include under track one? No objection to that. No support nor objections, but Farzaneh, I believe it's a good idea, and would recommend including it. I can make that edit when we add the annual report in.

Farzaneh, would it probably go with the Accountability, the first section, wouldn't it?

FARZANEH BADII: Yes, I think it would. Yes, you're right.

STEVE DELBIANCO: Got it. Okay, Farzaneh, why don't you go through your second idea?

FARZANEH BADI: Okay. The second idea which I thought it might be good – well, I'm just going to say it. So, we can have the SO/AC of the Year Award with regards to their accountability mechanism. It was my attempt to make an inspirational recommendation while we don't need negative competition or create conflict between SO and ACs, would be an award can kind of create some kind of environment of good excuse that we look at the accountability mechanisms that we have in place.

But there might be downsides to this. No one might want to participate in the award competition. I was thinking kind of in line with the [inaudible] award. But having an accountability award competition would need a lot of processes, so I'm not very sure. I don't know how the group feels about this.

STEVE DELBIANCO: Thank you, Farzaneh. So, this is an idea for recommending that I guess the community or ICANN itself create a process. I guess that would involve some group of judges and criteria that those judges would use to assess all the ACs and SOs and subgroups. And I suppose Farzaneh they would assess the annual reports that are produced, because it's an awful lot of work to do the research on your own.

So I guess it would only be done on those who have provided an annual report, and there'd be the additional step of determining if the annual report accurately reflected what had happened.

I am aware that we are only publishing best practice recommendations, not requirements, and it strikes me that I love the creativity of the idea, but I believe the structure it would take to pull together the judges, define the criteria and to do the work of giving the award might exceed the value that it could deliver. Why don't we take a queue on that and see what others think?

CHERYL LANGDON-ORR: Is that a new hand from Kavouss, Steve?

KAVOUSS ARASTEH: Yes. I have no problem with the suggestion, but it is too raw. We have to carefully study what we mean by judge, how the judge [acted,] who elected judge, what would be – I think we should be quite careful. We have to see the suggestion in a written way on a paper, and we would not agree to any agreement at this stage. [inaudible] views express the usefulness of, and then we say what we suggest without saying that this is what we agreed to do.

I think there are several legal consequences of that, several financial consequences of that. So, you have to be quite careful. I have no opposition to any idea. Most welcome, but you have to see the idea on a paper, the modality of implementations, any consequences – intended or non-intended – or so on so forth. So please, kindly do not take that as agreed with any suggestion at this stage. We're just going to review that. Thank you.

STEVE DELBIANCO: Thank you, Kavouss. Sébastien?

SÉBASTIEN BACHOLLET: Yes, thank you very much. I am not too fond with this competition, but I think that the aim is to find a way to have a kind of review or report produced, and really, I think that this could be – in general it seems that we need to handle it how we will follow those best practices, how we will help each and every subgroup to take them into account, and how they can evolve.

My point of view is that we may find that in – once again the discussion on the paper I will send could be one way to think about. But the content of the message, it's important. I don't like competition like that, but I get the meaning. Thank you.

STEVE DELBIANCO: Okay. Any other comments? Kavouss, is your hand up again?

KAVOUSS ARASTEH: Yes, my hand up again. Sorry for that. I think the [inaudible] problem for me, because there's no talk about competition, there's no talk about judgment, there's no talk about criteria. It's a report of what has been done in the previous year and indicating any shortcomings, deficiencies and the way [inaudible] is good. It's very good, in fact.

But as soon as you come to the competition and judgment and panel and so on and so forth, I would have some difficulty with that. So, the

text you have drafted, I have no problem. Beyond that, I have difficulty. Thank you.

STEVE DELBIANCO: Okay. Farzaneh, I would think that the reaction to the contest and judgment idea is encountering some resistance. So, at this stage if you'd like to press on with it, please do. Otherwise, that might not make the grade for the final report.

FARZANEH BADI: Yes. Thank you, Steve. Yes, that's absolutely [inaudible]. That's fine, thanks.

STEVE DELBIANCO: Okay, fantastic. Thank you. Alright, with no other hands up, I have to assume that with all of the transparency we've done by circulating now four different versions over the two weeks of readings that the report substance itself has now made it through this working group and is ready for final cleanup and publication.

There is one extra section. I've put a placeholder for an executive summary, and I'll ask staff to please bring up the draft that I've circulated earlier today. A very short, 380-word executive summary, and I guess that is the final thing for us to approve on this call.

In case some of you haven't read it, it fits neatly on the screen, and I will make the changes we've discussed as far as the number of recommendations. I'll reiterate that we are not requesting changes to

Bylaws, but I will reiterate that a future ATRT may want to look at the implementation of recommendations and best practices in the future.

Kavouss, your hand is up.

KAVOUSS ARASTEH:

Yes, just a question. In the executive summary, do you intend to also mention the subgroup or subparts of the constituencies [inaudible] GNSO or not to which you have sent a questionnaire and [inaudible] reply. Yes, if they [then] reply, you indicate. Because it's good to know that the subgroups – how many subgroups there are.

It was in the first draft, many of the subgroups, but I don't know whether you would indicate that in the final executive summary that the questionnaire sent to these groups and answer received from these groups. Plus, their sub-constituencies, would we like to mention that, or you would not mention that? Thank you.

STEVE DELBIANCO:

Thank you, Kavouss. They are listed in detail on page four. Every subgroup and constituency that responded is listed, and then we mentioned that we did not receive responses from the Registrar Stakeholder Group or from NPOC, although NPOC members of the working group have added to this document. So, it is mentioned on page four. Kavouss, I really don't think we would call that out in the executive summary, however.

Are there any suggestions for changes to the executive summary?
Alright, so I have been making notes about what our final read document would look like. Oh, Sébastien, go ahead, please.

SÉBASTIEN BACHOLLET: Yes, sorry. Not quick enough. Maybe I need to read it again, but I have no changes I guess. It reflects the work of this subgroup and [inaudible] SO and AC. I don't want to reopen the discussion about mutual accountability, and I didn't have time to work on that specifically. Too much other tasks.

But I really feel that no, ICANN is not just an additional SO and AC, it's also one single organization, whatever the name we want to give. And I think that some mutual something needs to be put in place, because we keep going and pushing and working on silo for that. But once again, nothing against what you write, because it's the reflection of the discussion and the consensus of this group, but I just wanted to raise that I am still not completely convinced that we don't need to do something about mutual something. Thank you.

STEVE DELBIANCO: Sébastien, thank you. And please keep in mind that that's track two. It's only one page long, it's down near the end of the detailed report. And it probably won't take very much time for you to decide whether you want to offer any edits to that.

We were hoping today was going to be our final reading. Having said that, I will add the executive summary, I will make the changes we

discussed on today's call, and in several hours – it's the middle of the night right now, but when I get up in the morning – I will make these edits and circulate within our workgroup one final cleanup.

And of course, the Plenary, I guess any of us who had second thoughts – and even though we were part of the working group, if we believe we'd still like to change something, we will be able to do that throughout the plenary discussion and review, as well as the public comment period after the CCWG Plenary approves it for publication.

So, Cheryl, I'd like to turn it back to you with that promise to circulate a final draft for cleanup several hours from now.

CHERYL LANGDON-ORR:

Thank you, Steve. I really want to call out for the record the exceptional amount of work that my co-rapporteurs have undertaken in all of this drafting. We did have an ad hoc drafting team put together, and for whatever reason, perhaps the time of year, perhaps pressure of other work, with a couple of notable exceptions such as Tatiana's contributions just to name one – I know there were several others – we really didn't get the amount of drafting input that we had hoped we would get out of our wider group.

With that said, I'm more than happy that as a group we've had ample opportunity to get our draft documentation now – subject to a final [inaudible] as Steve just outlined – in a good order for it to go to the Plenary.

And remember, that is the stage we are up to. We are simply now – by the end of today, so the beginning of tomorrow to fit with the seven days in advance rule – are going to share with the CCWG for the purposes of our Plenary review this drafting.

It will then go through another complete set of editorial and commentary phases, and then of course, beyond that, there is still the opportunity in public comment phase for modifications to go on. So, let's not see this as set in stone, but if I can continue the metaphor a little, I think it is an excellent foundation.

So, thanks and a shoutout to all of you who have contributed to the development of this documentation, getting it to this stage. And might I say, in quite a timely manner considering we had major community breaks at critical times in our work program.

Kavouss, over to you, and then I want to come back to the rest of the agenda. Kavouss, we're not hearing you.

KAVOUSS ARASTEH:

Yes. I made the suggestion that we refer to the SO/AC and subgroup, and it was mentioned that is in page four. I suggest that an executive summary, a third paragraph [inaudible] SO/AC and subgroup we open it on bracket and cross-reference page four, that the reader of the executive summary knows that which are these groups and particularly the subgroups. Just a simple cross-reference to page four. Thank you.

CHERYL LANGDON-ORR: Thank you, Kavouss. I'll leave that for Steve to consider out of the [inaudible] amendment, a simple referral rather than going to any detail may be appropriate. I'm personally not devoted one way or the other.

To Steve's question in chat, looking at the percentage complete for the purposes of the dashboard, at the end of February – which is the current dashboard calculation, Steve – I would suggest we were probably somewhere between 30 and 38%, so assuming the dashboard works in 5% increments, I would propose that the [inaudible] dashboard – as I suggested when I responded to that naturally – probably needs to report at 35%.

But as of the end of today and the beginning of the 3rd of March, we would be sitting at the 40%. In other words, at the point where a near final draft for Plenary consideration is together. But that's all, I think, subject to some more discussion, and we can look at our March dashboard in greater detail, because we will have time during our March meetings to go back to some of these less time sensitive but still important pieces of administrivia. Steve, you've got your hand up. Do you want to pick up on some of the points you've put in chat? Please go ahead.

STEVE DELBIANCO: Okay, thank you, Cheryl. Yes, the percentage, 40% felt low given that we were concluding our draft report for the Plenary. I realize that we may have edits from the Plenary and edit from public comment, but I guess the way that the CCWG co-Chairs have set it up, you're suggesting that

the most we could be is 40% if we are only just now submitting our report to the Plenary. Is that the way that those percentages are set up?

CHERYL LANGDON-ORR: That is in fact the case. It is a very particular set of criteria for each of the increments. It's nominal, but it is applicable across all of the work teams, so I guess it's fair.

STEVE DELBIANCO: Okay, thank you very much. And then with respect to Kavouss's suggestion, I was a little confused. I had thought I heard wanted to enlist the participants of the workgroup, and I believe we should definitely do that. And maybe even a number of meetings that we held in terms of a date range. That would be a very appropriate thing to put in an annex. We don't have an annex of any kind. I could list in an annex the participants and the number of meetings that we held.

In the chat, Kavouss, you have said something that it was your suggestion to cross-reference SO and AC subgroups. Well, in a list of participants, I believe we would indicate which AC/SO or subgroup they were part of in the annex. Would that be satisfactory?

CHERYL LANGDON-ORR: Kavouss, go ahead.

KAVOUSS ARASTEH: Yes, my [simple] suggestion was [inaudible] second line, then you say SO/AC and subgroup, just say, “Please see page four.” That’s all, and nothing else. On page four, we have the list of the subgroups and SO/ACs. Just I wanted to say, as simple as that. And no other proposal I made. Thank you.

STEVE DELBIANCO: Thank you, Kavouss. As your rapporteur though, I will say to you that the executive summary – I don’t know why we would make a callout to page four when it would be necessary to be consistent to do callouts to multiple pages in the executive summary.

The executive summary is not a place where you refer people to a particular page, because the idea is to do a quick read through the executive summary. I think that the ICANN community knows well who the ACs and SOs are, and if they don’t know all the subgroups of GNSO, by the time they get to page four – just two pages from here – they’ll see a pretty detailed list of all the subgroups in GNSO.

So, I don’t think we need to break up the executive summary by referring to a particular page number for detailed list.

CHERYL LANGDON-ORR: Thanks, Steve. I note Kavouss you’re responding again. If this is going to be an ongoing discussion about this particular aspect of a very simple sentence addition, I don’t mind how it’s resolved, just that it’s resolved promptly. Because we’re perfectly capable of either leaving it in, adding it or hauling it out when it becomes a final report.

This is – might I remind you – a draft report, and as such, even annexes [with material] that is already I believe reflected in the dashboard preparation that staff collects and collates is probably not necessary. That said, back to you, Kavouss, for a short intervention. We’re not hearing you, Kavouss.

KAVOUSS ARASTEH:

Yes, I’m sorry. I don’t know why is Steve resisting to my simple suggestion. He believes that everybody is like him or like you or like Avri, or like all those who know everything by heart. This scope [isn’t] community. When they see subgroup, they don’t know what subgroup you’re talking about. You’re talking about subgroup of Accountability, subgroup of what? Just say, “See page four.” That’s all. What is difficulty with that? Why are you resisting that? See page four, that’s all. Not mention any of them, just cross-reference, “See page four.” After subgroup, run back and see page four. That’s all.

And that is necessary. Not everybody knows that how many subgroups are there in GNSO. 90% of the people, they don’t know that. The readers.

CHERYL LANGDON-ORR:

Thank you.

KAVOUSS ARASTEH:

[inaudible] only present people [inaudible]. Please do not resist clear suggestions. Thank you.

CHERYL LANGDON-ORR: Thank you. And I'll remind everybody that this is a draft report, not the final. It's going to be subject to considerable change, so I would suggest that nobody feels too sensitive about what should be added or not added, especially at the level of the suggestion that Kavouss is making.

However, I'll leave that up to Steve to consider your plea, and if you would like to continue interacting with the rapporteurs on that matter offline in the next hour or so, Kavouss, you are more than welcome.

But that said, if it was not added as you requested, there's plenty of opportunity for you to request it to be added in the Plenary so that it does become part of signed documentation, assuming that it gets general support to do so.

With that, I would like to briskly move on to the end of our agenda and hopefully finish on time. We don't have any particular action items out of today's call, other than to be aware of the fresh version that will be coming out in a very short number of hours after today's call. That will be going to the list, and we will be asking that if you have strong and deeply held, significant objections or concerns to it, you make it known to the list.

Failing that happening – and I believe we had consensus, so I would be not only surprised and astonished, I would be deeply dismayed should that happen – we will be sending this to the CCWG for Plenary considerations and a first read of this draft during our Copenhagen meeting face to face on the 10th of March, which is our next meeting.

I'd like to raise your awareness however to the other two meetings that are scheduled for March after Copenhagen, and that is the 23rd of March at 05:00 UTC and the 30th of March at 13:00 UTC. And the agenda for today – and the notes from today – will also have the link for the master schedule so that you can all start penciling in our meetings that will continue after the Copenhagen meeting.

We have two minutes to spare, and I'm still noting that there seems to be – obviously, it seems to be a deeply held belief that the addition of some half a dozen words to the executive summary is essential. I'm not going to ask for a consensus of all of the attendees for this.

I would suggest that the [least] line of resistance would be to put it in and make sure that we don't have any unnecessary obstruction to us getting a consensus signoff for this draft to go out as an agreed second reading document.

Noting, of course, that there is still plenty of time for this document – which is not set in stone – to be modified as it goes through the next phase of review. Kavouss, are you satisfied with that? Just a yes or no will do. Perhaps you could type yes or no.

With that said, I think we at the top of the hour now can be wrapping up today's call. For those of you who are traveling to Copenhagen and who will be meeting with us on the 10th of March, I would like to wish you all on behalf of Steve, Farzaneh and I safe travels, and to that end, thank each and every one of you – including staff – for attending today's call which of course not at the friendliest of times for many of you.

With that, keep an eye out on your e-mail list for the fresh or clean document, and we will assume just a very quick turnaround if someone has an overwhelming objection, but failing that being made clear to the list and getting an agreement, we will be putting this document to the CCWG.

If one or only two of you have deeply held objections and concerns, of course, as ever, you have the opportunity of raising it up when we go to Plenary. With that, thank you very much. We can wrap this meeting up for today. Bye for now.

[END OF TRANSCRIPTION]