
MARIO ALEMAN: Welcome, everyone. Welcome to – my name is Mario – welcome to the At-Large ICANN Evolution call on Thursday the 7th of September, 2017 from 1600 hours UTC to 1730 hours UTC. On our participant list, we have on the English channel, Olivier Crépin-Leblond, Cheryl Langdon-Orr Tijani Ben Jemaa, Sarah Kiden, Barrack Otieno, Gordon Chillcott, Glenn McKnight, Alan Greenberg, Sebastien Bachollet, Tatiana Tropina, and Yrjö Länsipuro. We have Aída Noblia, Alberto Soto, and Vanda Scartezini just joining. We have apologies from Bastiaan Goslings, Holly Raiche, Kan Kaili, and Satish Babu. On behalf of our interpreters, we have Marina and David, and on the Staff that we have, Heidi Ullrich, Silvia Vivanco, and myself, Mario Aleman, doing the roll call and the administration for this call. I would like to remind all participants to please state your name before speaking, and also speak loud and clearly, not only for our recording, but also for our transcription and for our interpreters. With this, over to you, Olivier; you can begin the call now. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Mario. Olivier Crépin-Leblond speaking, and welcome to this call. I don't know if we've missed anybody in the roll call?

Looks like we haven't. So, welcome back. It feels like “welcome back” to this ICANN Evolution call. Our last call dated from back in February this year, but since then, there has been an enormous amount of work that has taken place in the Work Stream 2 Accountability Cross-Committee Working Group Work Stream. And it felt like a good time

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now, ahead of the annual General Meeting, to take stock of what has been going on in each one of these sub-Working Groups. So, the agenda that you have in front of you has, effectively, the usual lists – including one which says “IRP Phase 2,” and it says “if needed.” I’m not sure whether that will be needed, whether it’s some separate topic. And there’s also another one, which was “ATRT2” that was in previous lists, and I wasn’t quite sure whether this would also be covered. So, if you think it should be covered, please write it down and then we’ll add it to the list.

ALAN GREENBERG: It should be covered, Olivier. It’s Alan.

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

ALAN GREENBERG: It’ll be a very brief item, but we should cover it.

OLIVIER CRÉPIN-LEBLOND: So, we’ll add it after J. We’ll put it as K. K: ATRT 2. 4K. Any other amendments to the agenda?

Seeing no one else put their hands up, okay, let’s then move on to the review of the Action Items. And these are very old Action Items; they’ve all been covered with reminders on the ALAC At-Large Accountability Document and so on, and the work that took place back in February.

So, I would suggest that we just mark them as all done and move on swiftly to Agenda Item Number 4. It's on here. Anyone going against that?

So, there is agreement on this; let's go to, then, 4A. There, we have quite a few people following this group; or at least, there used to be a number of people – quite a few people – following the group. Human rights. Big topic. The order, by the way, is just a cut and paste from previous times, so we're not looking at things in any particular topic. But I note that the last time we did have some reports and so on, on the human rights, and on transparency, and jurisdiction. So, this is why these were ahead of the other topics.

So, let's start with human rights, and for this, I see one name that is highlighted, and that is Tatiana Tropina's name, so perhaps we could start with her. Tatiana, are you on the call, and are you able to give us a quick update on what's the news on the human rights?

TATIANA TROPINA: Hi, everyone. Can you hear me well? Because I'm not on the dial-out; I'm on the computer microphone.

OLIVIER CRÉPIN-LEBLOND: We can hear you very well.

TATIANA TROPINA: Good. Thank you very much. Tatiana Tropina is speaking, for the record. In February, we have quite a lot happening at the Human Rights

Working Group. The Human Rights Working Group already a few months ago submitted the final document, so we are past all the fights about how the document should look like. The document looks like two parts. Framework and Interpretation, the first part was – I mean, you probably all saw it during the public comment period, but if you forgot, I’m just going to remind.

So, the first part was the [inaudible] Framework of Interpretation, so word-by-word, phrase-by-phrase, what means what. Like, for example, what “applicable law” means, what “norm enforcement” means, and so on. And the second part of the document was probably no less important, is which instrument had to be used in fulfilling this obligation to use human rights as a bylaw core value – how AC/SOs should interpret it. I mean only in general terms, because apparently, it is not in the mandate of the Human Rights Working Group to tell, for example, GNSO or ALAC, how to actually implement human rights considerations into their processes and procedures of policymaking or advice-giving. So, that’s how things stood, basically, before the public comment period, and we got quite a few public comments; and I have to say – like a fast-forward – that that’s where and how things still stay – because most of the comments were either aiming – they were either to [inaudible] and require to change the bylaw, because for example, some of the comments were about applicable law and the meaning of applicable law, and against the current meaning, but it has roots in the bylaws, so there was no way to address the public comment unless we are going to change the bylaw and apparently, again, it’s not mandated [inaudible].

So, the second and third points in the public comments were, first of all, about the instruments that ICANN and Advisory Committees and Supporting Organizations are going to use while considering human rights in their processes. And the Framework of Interpretation was changed a bit to add that the human rights instruments that we provided in things, like, for example, the Declaration of Human Rights, and so on and so forth – it is not limited to the list we provide. And then there is the third point, which is probably the most interesting and the source of current disagreement in the group – is to [inaudible] the position of Ruggie Principles in the Framework of Interpretation. I don't know how many of you on the call attended previous calls. I really don't want to go deep into the issue of Ruggie Principles, which are international UN principles on business and human rights. I'm not sure I have to go into details right now; I will explain what it means only if there would be more questions on the call. But basically, to put it short, they were developed for businesses; they were not developed for policymaking purposes. And apparently, where ICANN has the most impact – and this is a general agreement within the group, except a few governments who are disagreeing with it – is that policymaking processes are not covered by Ruggie, and this is why they have no consensus if Ruggie should be applicable to ICANN. ICANN can use it in the future, if ICANN Organization and Business wants to – and already reflected in the document that was for public comment, a very careful balance of many hours of discussion. But right now, three governments – UK, Switzerland, and Brazil – are coming out with a dissenting opinion that Ruggie Principles should be [inaudible]. So, they raised their concerns a couple of calls ago, and then there was a Drafting Team again created within the Human Rights Working Group, and I was a part

of this Drafting Team to look at the Framework of Interpretation and see if we can actually address the concerns of these governments. And we figured out within this small Drafting Team that it is nearly impossible to address these concerns, because Ruggie Principles are already in the Framework of Interpretation, that it is nearly impossible to address the concerns without breaking the carefully drafted balance in the text which was already drafted. So, right now, we decided that the Framework of Interpretation stays as it is and goes to the Plenary for either approval or disapproval and comes back to the group, if there would be disapproval from the Plenary. The three governments are now submitting the dissenting opinion about their concerns being not addressed, and about the [inaudible] the reference to the Ruggie Principles in the Framework of Interpretation.

There are other things that are happening in the group. Very briefly is that, first of all, ICANN, the Organization, took a step forward, even without the Framework of Interpretation being [inaudible], delivered, and [inaudible] – because ICANN is now looking for a vendor to make its [inaudible] history of Human Rights Impact Assessment. So, I believe that in a way, it is not really connected or directly impacted by the bylaw or accountability work that we have been doing for the last more than two years. But it's also impacted by the fact that ICANN said this is an important organization in the Board. So, this is the first development. And the second development, ICANN's Organization, together with the Board, submitted their opinion about the Framework of Interpretation, about the text that we drafted. And basically, what it says is that the text is very balanced, but again, there is a need to have more maybe comment and maybe more considerations on how it will

actually impact Supporting Organization policymaking and Advisory Committees in their work. And I believe that here, we might have some discussion later in the group, because I am a strong believer that it is up to – I don't know, GNSO or ALAC or GAC – to use these bylaws and the Framework of Interpretation. It is up to them to implement this in the, like, let's say, policy development process, as GNSO – and it is up to GNSO to come up with this mechanism and [inaudible] on which stage of policy development will have Human Rights Impact Assessment, and how we are going to do it, and how we are going to submit the reports. But probably this would require a bit of more clarification. So, I'm sorry that I took so much of your time, but I believe that many things happened in February, and it's good to reflect them here. Thank you very much. That's all for me. I will be happy to answer any questions.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Tatiana. Olivier Crépin-Leblond speaking. I have two quick questions, and then I'll open the floor. The first one is when you mention the Ruggie Principles – is that from the UN Secretary General for Business and Human Rights, John Ruggie, R-U-G-G-I-E?

TATIANA TROPINA: Yes. This is Tatiana Tropina speaking, for the record. Yes, it is these ones.

OLIVIER CRÉPIN-LEBLOND: It's okay. Because we are so used to acronyms, sometimes one wonders whether this is another one of these acronyms – you know, R-

A-G-I, or something – “RAGI,” or whatever. The second question was, quickly, when it comes down to the Ruggie Principles, does that mean – is there one thing in there that basically says it – well, that would prevent ICANN from doing business or exchanging or working with countries that don’t support human rights or that have a bad human rights record?

TATIANA TROPINA:

Yes, Olivier, and this is one of the problems. Tatiana Tropina is speaking. This is one of the problems for many of us, and for me, in particular. Let me know that I’m speaking here in my personal capacity, because I know that some people do not support this position in my stakeholder group, and so on. But I know that in contracted [inaudible] and business constituencies and so on, there are many people who are supporting this position. So, basically, Ruggie Principles require organizations to carefully assess if there are any human rights violations committed by their contractors. And this is going to directly affect ccTLDs. In my opinion and the opinion of many, yes, there are many ccTLDs that do not have contracts. But we have memoranda, both on the [inaudible] and actual contractual relationships. And whether we are – and I mean, ICANN, as a monopoly in this sense, cannot really follow Ruggie, or check, or like, really monitor all the contractors and then find the redress and mitigation, and this is one of the requirements of the Ruggie Principles. Organizations have to address this issue and redress. This will directly impact ccTLDs, and I’m not saying that immediately if this group recommends Ruggie, this, you know, everyone, like, there would be court cases and whatever, but it will open the door to many of those who are just waiting to jump on a good

human rights case. And remember, these cases, for example, about terrorism [inaudible] – like, for example, .IR domain. And I believe that this might happen to ICANN with regards, for example, to – well, okay, I will not list the states which are at risk here, but I believe that more important for us is that ICANN – its organization, and its business, and operation – is at risk here, if ICANN commits to Ruggie Principles. And this also surprises me in terms of governmental dissenting opinion, that they actually are not able to grasp this idea, how much they are actually putting the other governments, or ccTLDs, or ICANN, at risk. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Tatiana. Next is Tijani Ben Jemaa, and thank you for being patient, Tijani. You have the floor now.

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

OLIVIER CRÉPIN-LEBLOND: Very well, indeed. Yes, we do.

TIJANI BEN JEMAA: Okay, thank you very much. First of all, I would like to endorse everything Tatiana said. I am [inaudible] with this subgroup, and I have [inaudible] to do here. The first one is about Ruggie Principles. Those principles were put on the table from the very beginning of our work as a subgroup, and it was discussed at length. And we had consensus that

this is not something that can be a reference for our case, because we are not a business enterprise. It is very clear. So, as Tatiana said, I am really surprised that governments want us to put the Ruggie Principles in our bylaws. This is really a problem for me. I don't understand how – I asked some of them. I asked, privately, some of them. And they have a very different way to think about this issue, and I am really surprised and disappointed, because, I don't know, we have a problem now. Because of this – this is perhaps the only problem we have in this subgroup. We had everything done smoothly without a lot of problems, and there were some problems, but not very significant problems. And now, today, we have this problem, and I don't know how – we proposed to put the minority position in our report, and they are not happy with that. They say we are not listening to them, and this is a big problem for us.

This is the first point. The second point, I will come back when I remember. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Tijani. Next is Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Hopefully, you can hear me while I'm just using my computer's audio. If you can, I think that's alright.

OLIVIER CRÉPIN-LEBLOND: You sound quite distant.

CHERYL LANGDON-ORR: Okay, [AUDIO INTERFERENCE] Well, I'm in two calls at once, so it's as good as it's going to get. I want to support Tijani on what he was just saying, and I think it is important for us in At-Large to recognize that this has become "An Issue," capital A, capital I, with this minority report, causing more angst than in fact, most minority reports should even do, even. My view was with the group, as Tijani and Tatiana [inaudible], that we do not need to utilize anything from the Ruggie Principles at all. It was an interesting exercise, but I think we just need to advise ALAC, when it comes to its responses to this, that it agree with the majority view, and that we are aware that government is – at least, those that are particularly vociferous on this topic in this Work Group, haven't yet learned that coming to consensus doesn't mean that your voice is agreed with; it means that the majority of voice agrees. So, we just need to be aware that this has become a bit of a burr under the saddle, and that it is what it is. The GAC minority view – or, sorry, the government minority view from some of the GAC members – is simply going to have to be treated as that: well-noted, but did not prevail in the winning of the debate. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Cheryl. Olivier Crépin-Leblond speaking, and for those of you that couldn't quite hear Cheryl, or she was quite distant, she basically mentioned that the GAC will just have to learn that having a minority view is fine, but sometimes it is such that sometimes, you just have to listen to the voice of the majority in there, and therefore, it appears that the majority is against the Ruggie Principles, and those few

governments in the GAC that are advocating for Ruggie Principles will just have to take note, and be told that, “Thank you; we’ve heard you. But now, we will proceed.”

Okay, Tijani Ben Jemaa, your hand is still up. You’ve thought again about what you wanted to say second?

TIJANI BEN JEMAA: [inaudible] Yes, exactly. But before that –

OLIVIER CRÉPIN-LEBLOND: Go ahead.

TIJANI BEN JEMAA: – I’d like to tell Cheryl that it is not the GAC; it is three governments only. So, it is a problem even if there are only three governments. Coming back to my second point, it is about the opinion of the Board about the Framework of Interpretation that we provided. I think that we have to discuss with the Board. I think that it is not something that we have to discuss among the subgroups; it is something that we have to discuss with the Board. Because I don’t think – I support Tatiana’s position a hundred percent – we have to convince the Board, and I don’t see how we can change to satisfy the Board. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Tijani. And indeed, yes, Cheryl is mentioning that she did mention here that it was just three GAC members, not the GAC

as a whole; and secondly, she also did add that the ALAC should be vocal about this point of the Ruggie Principles and a future statement that we might need to be asked to draft. Tatiana Tropina, back to you.

Now, we can't hear you, Tatiana.

TATIANA TROPINA:

I'm sorry. God, I was muted. So, first of all, I totally agree with Cheryl's point that the three governments probably lost the idea of what consensus means. But what really strikes me about all this is that the Swiss government, who is actually submitting this dissenting opinion – this minority statement – was among those who drafted the current text and was happy with this. And [inaudible], the GAC member who is submitting this dissenting opinion – he probably forgot how much we also gave up, those who were completely against Ruggie Principles, and who carefully drafted text in agreement with him – the text which will actually include Ruggie Principles, because Ruggie Principles are already in the Framework of Interpretation. We are just saying that they can be helpful, maybe. But this is as far as we can get with all the implications that Ruggie Principles might bring to ICANN.

What – and my second point is what Tijani said about talking to the Board about their opinion on Framework of Interpretation. I don't see any dangerous points they raised. To me, it looks like mere points of clarification. And of course, yes, we have to talk to the Board, as well. We have [inaudible] from the Board right now on the Human Rights Working Group, but I agree that probably in addition to discussing to ourselves is, the text can be fine-tuned; because to me, it looks like the

text can be fine-tuned to address the concerns. We'd have to discuss with the Board that maybe we'd need some substantive, you know – or give them, at least, [inaudible] some substantive interpretation, what kind of consequences this text has with the Board. Or maybe, like, Board is the final [inaudible], but they are not those who are really going to report on human rights, and so on.

And thirdly, I agree with Olivier that ALAC should be vocal on the Ruggie Principles, as well. Ruggie Principles should not happen. Thank you very much; that's all for me.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Tatiana. Olivier Crépin-Leblond speaking, and I realize we've spent quite some time on this topic. Very important indeed, though. But now, we have to move on to 4B: Transparency. Alan, Avri, Cheryl, and Jean-Jacques Subrenat are following this. I'm not sure who wishes to take the floor to provide us an update on how transparent we are at ICANN.

Will I have to be so transparent as to be invisible? Another point. Let me call on – well, let's call on our Chair, Alan Greenberg, [inaudible].

ALAN GREENBERG: Thank you, Olivier. That was a bad move; I have not been very active in this group, so I cannot tell you exactly what the status is.

OLIVIER CRÉPIN-LEBLOND: Okay.

ALAN GREENBERG: I have ramped down – just to be clear – I’ve ramped down my involvement in several of the Accountability things due to pressures in other areas, so I’m not the best source for this one.

OLIVIER CRÉPIN-LEBLOND: Okay. It’s no worries; we have other people who are following this, although I’m not sure whether anyone has – there’s been so much going on, I note from the actual document store that’s updated and that’s on the wiki, that there are documents that were put there in June 2017, so basically, just in time for the At-Large – sorry, for the ICANN meeting – that took place in Johannesburg. But then, I don’t see any other calls, the next one being on the 13th of September, in a few days’ time. So, perhaps this Working Group hasn’t really done much this summer, and is taking a bit of a break.

ALAN GREENBERG: Olivier, it’s Alan. The work was largely complete. They were reviewing the public comments. I don’t think there was a lot of great stuff there, so I suspect they’re coming near the end of their work, but as I said, I can’t say that from personal involvement.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this, Alan. I’ve noticed that Tatiana has said there was a call recently, I think. I’m looking at the list of calls. The next one is on the 13th of September; the previous one was on the 20th of June, so quite some time ago.

Alright, since there doesn't appear to be much of an update on this, let's then move to the next one, and that's Jurisdiction. Jurisdiction has been a really big topic being discussed in the ICANN Johannesburg meeting. In fact, there was a complete session about this, and some big discussions going on. Avri, Christopher Wilkinson, Erich Schweighofer, Jean-Jacques Subrenat, Tijani, Cheryl, Tatiana – lots of people are following this. Does anybody wish to provide us with an update?

Is this another one of these topics that has flared up in Johannesburg and then has become a little quiet afterwards when people –

ALAN GREENBERG: Oh, no.

OLIVIER CRÉPIN-LEBLOND: – get back to their [inaudible]?

ALAN GREENBERG: Tijani has a hand – Tijani has his hand up. I'm not an – it's Alan – I'm not an active participant, but the [inaudible] sure is active.

OLIVIER CRÉPIN-LEBLOND: I like [inaudible] things like this. I thought all was well in Jurisdiction. Tijani Ben Jemaa, you have the floor.

TIJANI BEN JEMAA:

Thank you very much, Alan – Olivier. This is the topic that I am not very enthusiastic to report on, because this is a very, very, very controversial subgroup and very controversial topic. Every time we say we are advancing, we are going forward, we come back to the first step, to our first step. We are always [inaudible] the problem. There is always problems in this subgroup. What the Chair did – the Coordinator did – last time, is to ask people to submit their issues, their points, and the possible solutions. This was done, but here also, there is problems, because some issues submitted by some people, other people say, “This is false. It doesn’t have to be addressed,” etcetera. So, it is, as I told you, it is very controversial – the interests are very, very contradictory – [inaudible] and that’s why it’s very – almost [inaudible]. But I think that if we continue in what we are doing now, and if we consider everything put on the table – we don’t have to remove anything – and go ahead, I think we will go, step by step, to find a solution, and to find – I will not say a consensus, but I will say common ground – that we can use for our work in the future. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Tijani. Olivier Crépin-Leblond speaking, and I have, whilst you were speaking, put a master list of proposed issues that is available from the wiki. And this four-page document on the table, it looks like there’s still a lot to be discussing about here. Next is Tatiana Tropina.

TATIANA TROPINA:

Sorry that I'm probably speaking too much, but I thought that maybe I can update a bit on this [inaudible], because I am following this discussion in the Jurisdiction group. But first of all, I would like to make a comment about the timeline. It turns out the Jurisdiction group doesn't have much time to discuss those issues, if they really want us to read the report. And if the report is going to go to a public comment period, they have really just a few weeks till October, to produce something. And as far as I understand, the general sentiment, or at least general understanding, at least coming from ICANN Staff and Accountability Plenary, is that if Jurisdiction can agree only on one recommendation, or produce only one recommendation, that is going to be it. Or otherwise, the group will just fail because of the tough timeline. The Work Stream 2 has a budgetary restriction, and the Jurisdiction report is also tied to the entire report, as far as I understand. So, the entire work cannot be completed until all the pieces are coming together. So, it is now not up to the Jurisdiction group to discuss all the scope of the issues if they cannot follow the timeline.

So, basically – and I believe that this is the reason why the group finally [inaudible] discussion. On yesterday's call, they discussed the issue of OFAC, or the Office of Foreign Assets Control, because this one was identified as one of the compromised issues, because I believe that everyone – consensus point issue – I believe that everyone was concerned about ICANN's jurisdiction in the U.S. and the fact that sanctioned countries and residents of the sanctioned countries had problems with their domain registrations, or that their domain was not continued [inaudible] like, for example, in Crimea, or in Iran, and so on.

So, the problem right now is how to handle this issue. There are basically two things: either applying for the exemption OFAC license in case of registries and registrars in their [inaudible] and so on for each case, or ICANN can apply for a general license – for a general exemption – from the OFAC regime for domain names. Why ICANN and Obama administration didn't do this, I have no idea. Like, really, I don't know the political – because there are a lot of exemptions already, but they do not involve DNS. So, basically, the discussion in the group yesterday was how to approach this issue. Are we going to recommend that ICANN apply for a general license, or are we going to make a recommendation that, in any case, players like community members and such should care about their own exemptions in each case. So, this was the recommendation. And I believe that ICANN Legal said that in case of a general license, it is not something that ICANN can do – like, basically, it should be lobbying, it should be negotiations with the U.S. Treasury, and so on, to make the general exemption. And there are some voices which say okay, but it doesn't actually prevent us to make the recommendation for ICANN to apply for a general license. So, this is how things stand. We spent the entire call yesterday in a very productive discussion, talking about how to solve the issue. But at the end, again, it is not clear if a general license would be recommended, or any other solution. And unfortunately, this is going to go with any issue which we – which this group will come across at the end, because on the second issue, on the contracts and applicable law, there is also a comment from ICANN Legal that it is a lot of work, for example, to change [inaudible], and so on. So, I do sincerely hope that this group will finally mobilize itself and come up with at least several recommendations, but I honestly, honestly, do not believe – I do not see

how that in these three timelines, Jurisdiction will discuss all the issues. It probably will say, if it stays focused, at least it will [inaudible] this recommendation about OFAC registry and registrar contracts. This would be probably the best outcome of the work of this group. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Tatiana. It's Olivier speaking, and whilst you were talking, [inaudible] has indeed confirmed the group is talking about OFAC for registries and registrars outside the United States, and has also sent a link to the OFAC recommendation.

I note that there were nine meetings – nine calls – between the Johannesburg meeting and now. So, that's nine calls in two months, whilst other groups were pretty quiet. I guess the members of this Jurisdiction Working Group must really like each other's company. That was a sarcastic remark. And I don't see any other hands going up, so I think we can move on to the next topic, and that's going to be the Guidelines for Good Faith.

Guidelines for Good Faith, only three people from our community are marked on our list as following this – Cheryl, Avri, and Alan. I'm not sure whether there's been very much going on since then; certainly, Jurisdiction was very active, but the Guidelines for Good Faith hasn't [inaudible] gone into it. Who wishes to speak about that?

SEBASTIEN BACHOLLET: Before you start with that, Olivier – Sebastien Bachollet speaking – I have trouble with my Internet and I am just on the phone. If you can give me the floor about the previous topic when you are ready for that, I will be happy. Thank you. I am sorry for that.

OLIVIER CRÉPIN-LEBLOND: Oh, no, Sebastien, that’s absolutely fine. We’ve barely started with the Guidelines for Good Faith, so I’m sure we can speak about Jurisdiction. Please, you have the floor.

SEBASTIEN BACHOLLET: I am not following the group more than having the office back here and a session for the whole group, but I want just to be sure that we are not pushing a proposal that – we will have an answer from the current U.S. government – that if we request a global agreement to go to all the countries, I am very skeptical that the current government would say yes. And we may answer to some other trap in asking this type of question. But once again, it’s just a point of view from somebody who doesn’t know anything about the legal situation in the U.S. for that, and not following seriously the [inaudible] – just, I would say, a warning to be taken into account, if needed. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Sebastien. Helpful. Any other comments on Jurisdiction?

Okay, so –

ALAN GREENBERG: It's Alan. I'll make – also not someone who's part of the group, but following. There's a lot of levels to this discussion. There are the issues that Sebastien mentioned of the political climate in the U.S. It is also conceivable that people are pushing for things which they know would not work in the U.S. to demonstrate why jurisdiction has to be moved. So, there's a lot of levels. It's not clear how this group is going to meet its timing deadlines.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Alan. Olivier Crépin-Leblond speaking. Let me ask you a question, then, to close off on this topic. Are there any – rather than just saying, "Well, it doesn't work, it doesn't work." Are there any suggestions as to how to make it work? Short of moving the jurisdiction elsewhere, of course. But, you know, saying, "Well, okay, so that's one problem. What if we establish a not-for-benefit public company based in Singapore, and that would therefore – we'd sign up the registries that need to be out of this jurisdiction to the Singapore office rather than the U.S. office?" Would that be an answer? I don't know. I'm just throwing an idea out.

ALAN GREENBERG: No, you have to get out of the – Olivier, you have to get out of U.S. jurisdiction. Being somewhere else also doesn't matter.

OLIVIER CRÉPIN-LEBLOND: Ah, okay. So, it's basically – okay. A cat by any other name is still a cat. Okay. Tijani Ben Jemaa, and Tatiana Tropina, and I'd like to move on afterwards, perhaps, because we are 45 minutes into the call, and we're not even half through – well, we're just about halfway through our list. Tijani Ben Jemaa, you have the floor.

TIJANI BEN JEMAA: Thank you very much. Sebastien is right, a hundred percent. It is not at all that we will get the general license. Yes, if we can ask for it, but it is not sure that the administration will give it. What was the alternative? Some parties on the group ask it for immunity for ICANN, as there is immunity for the UN, for example, in New York. And this was rejected by a lot of people inside the group. The immunity, for sure, will solve the problem, but will it be accepted by our colleagues from the United States? I don't think so. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Tijani. Next is Tatiana Tropina.

TATIANA TROPINA: Thanks. Tatiana Tropina speaking, for the record. I believe that my entire previous intervention was actually answering your question. I think that approaching it from, like, will there be any solution – like an office in Singapore, or whatever – is wrong. ICANN is located in the U.S. This is our question. And now, there are proposed solutions in the framework, what to do when ICANN is in the U.S., because there would be no immunity for ICANN, and there would be problems in other states

– different type of problems, but whatever. And this is why we are now discussing solutions like general versus individual licenses for OFAC, and so on, or making registries and registrars follow the applicable law in their countries and their contracts, and whatever. So, you name it. So, now, the problem is with the list of issues. The problem consists not of a big elephant, you know, U.S. jurisdiction, but chunks – two big chunks, but they are chunks – and this is how the group is approaching them now. What can we do for OFAC? What can we do for applicable law? What can we do for A, B, and C? And are we able to come up with a consensus and figure out the solution, like for OFAC general license versus individual licenses? This is it, and I believe that there will be at least some solutions. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Tatiana. Olivier Crépin-Leblond speaking. I'm not seeing any other hands on this, and we've done a good roundup on that, so thank you to all of you regarding the jurisdiction. I'm glad to see that there is some movement forward to start digging through the different points, rather than being stuck at the whole overarching discussion of, "Should ICANN be in the States or elsewhere?" and it becoming very political.

Let's look at the next topic. The next topic is that of Guidelines for Good Faith. And I've also checked now, regarding activity this summer. There is one call that was supposed to take place on the 15th of August, and it remained desperately empty. The wiki page looks desperately empty, which sounds as though that the call has not taken place. So, it looks as though nothing has moved in the Guidelines for Good Faith Conduct.

We have three people following this. Are any of you aware of any movement on this? I see the last documents about this topic date from the 12th of August 2016. Has the work been completed? It doesn't look like it. There is a Rapporteur kickoff draft, but that's all there is, at present.

I note Cheryl mentions that the group has been digging all along. Okay, report has been completed and presented. Maybe that needs to be made – I mean, perhaps, suggested [CROSSTALK]

ALAN GREENBERG: Olivier, it's Alan. We've said it several times in the chat. The final report has been presented.

OLIVIER CRÉPIN-LEBLOND: Yeah, that's what I mean. So maybe that needs to be put clearly on the Guidelines for Good Faith Conduct wiki page.

ALAN GREENBERG: We do not manage that wiki page, but yes. That's not for us to manage.

OLIVIER CRÉPIN-LEBLOND: Alright, let's move on. Let's go to SO/AC Accountability. Cheryl Langdon-Orr is our Rapporteur on this.

ALAN GREENBERG: Cheryl can – Cheryl's having problems speaking; it's Alan. I'll speak.

OLIVIER CRÉPIN-LEBLOND: Okay, Alan.

ALAN GREENBERG: We are getting close to presenting the final report. We are debating some of the last items. We thought we would be almost finished at a meeting earlier today; it didn't happen that way. There is another meeting. We still hope that we will be finished in the near little while.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Alan. Olivier Crépin-Leblond speaking. So, does that mean that the AGM in Abu Dhabi will basically be treating this as done, or just adoption of the final report?

ALAN GREENBERG: I'm not sure I – if that's a second reading there, or not, to be honest. But it's – we are getting close. We are making a long list, as we did in the previous report, of recommendations of good practices, which each AC/SO should consider whether they are applicable and will actually improve things in their AC or SO, and basically, we're – there's not a lot of change from our previous version. There's a lot of subtle changes, and we're trying to clean up right now and verify that there is nothing substantive enough that requires another public comment. At this point, we don't think there is, but that could change as we go forward. But we're getting close to the end.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Alan. Next is Cheryl Langdon-Orr; she's put her hand up.

CHERYL LANGDON-ORR: I'm going to see whether you can hear me any better. I've stuck a headset on, and hopefully the microphone will pick up. Is that any better?

OLIVIER CRÉPIN-LEBLOND: We can hear you; still a bit faintly, but we can certainly hear you.

CHERYL LANGDON-ORR: Okay. I won't be speaking long, but just following onto Alan's excellent [inaudible] SO/AC, I figured it's probably worthwhile noting is that the one sticking point which stopped us completing our work today – and by “completing our work,” meaning having our report in a final phase so that we can present it to the Plenary in the September meeting – is one that I don't believe we will be getting consensus on. There's one particularly bloody-minded Co-Rapporteur, insists on trying to change everyone else's minds in the way that we described some of our GAC members were in another topic earlier. Anyway, it's not a matter of there being a final reading in the AGM. At this point, it is then up to the CCWG to put our final recommendations with any of the changes that the Plenary choose to make, into a final document, which is then its compendium, for the want of a better word. So, as a Work Group, we won't be taking it back for another ratification. Okay? Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Cheryl. Olivier Crépin-Leblond speaking. Thanks for this information. I can certainly see that the whole process of the Working Group has been very well documented with dozens and dozens of documents, a summary of public comments also being published. Any other comments on this topic?

No? Okay. Let's then move on to the next topic, and that's Diversity. We have Cheryl, Sebastien, Seun, Tijani, and Sarah involved in this Working Group. The last document also dates from the September 2016. I have a feeling this is already pretty much finished, closed off – but please, the floor is open for anyone to provide us with an update.

Sebastien Bachollet.

SEBASTIEN BACHOLLET: Okay. Thank you. Sebastien Bachollet speaking. I tried to unmute myself. For the Diversity group, I think we have quite a final document, and as in the previous group, we are just discussing one issue. It's an important one, but one issue. I think it could be useful to discuss, or to tell you what is this issue, and I want to state that I am biased in this discussion, and if you think that I am going to find one way, no, it's because I am with this position. But it's the discussion about how we will handle the question of diversity, how we will find a way to gather data and to analyze them and to make proposal or even pushing for some improvement on diversity of groups. When I say "groups," I say from Board to RALOs, from other – any groups within the GNSO, and so on and so forth. And one part of the group is writing and saying that it will be done by Staff, and another part of the group – and I will not

discuss if it's minority or not minority, but consider as a minority for now – saying that an Office of Diversity could be a good idea, and when we talk about the Office of Diversity, we talk about something independent from both Staff, Board, and maybe others. But what we – I think there's a solution; it's to say that there are these two positions and go to the Plenary with that. It's something we at At-Large and ALAC would have to discuss within [inaudible] representatives, we have the two positions – people with one position and people with the other – and that's not a problem at all, but it's where we are today. I hope it is enough for the moment. There's a lot of other topics, but I guess the other topics we almost agree upon them; it's just this one we have to solve how we will report to the Plenary on that. But I am sure that if I am missing something and Cheryl will take the floor, and she's great. Thank you, Cheryl, for helping me.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Sebastien. Olivier Crépin-Leblond speaking. I see Cheryl Langdon-Orr next.

CHERYL LANGDON-ORR: Hi. Thank you. No, I'm not going to do any more than just suggest to Olivier, as the Eight Recommendations Diversity Report, which I've had at first reading, I went into reasonable detail in them [inaudible] also outlined in the Capacity-Building session we recently did. So, we might want to append that slide to be referenced into this group, if that suits you. And of course, we should probably reference the report, itself. The matter of the possibility and rationale, etcetera, for an Office of

Diversity, is one that – as Sebastien pointed out – didn't make the cut as a recommendation, per se. But it is an issue that we are suggesting that the community consider, and hopefully will give us clear feedback on, when the Compendium documentation from the Plenary comes out. So, it didn't gather sufficient support in the time we had to become a recommendation as such, but it's certainly a topic that needs to have, and I'm sure will have, further discussion. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Cheryl. I see Sebastien's hand up again.

SEBASTIEN BACHOLLET: Olivier, it's a new hand from me. Sebastien speaking.

OLIVIER CRÉPIN-LEBLOND: Yes, I have said so. Did I not say so? Maybe I was muted?

SEBASTIEN BACHOLLET: Maybe, but I was unmuting myself, and then you have two people talking at the same time, and it's difficult. Yes, sorry; I just wanted to add one point – it's that – where we are with this subgroup. A report was sent to the Plenary and was discussed once and will be discussed again at the end of the month, and therefore, I guess, it will go – one way or another – to the public comment very soon after. I don't think there will be any need to go back to the subgroup to discuss the issue we just discussed with Cheryl, and I hope that it will go for public

comment, and it will be a good time for us and for [inaudible] to discuss that specific issue among the others in this report. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Sebastien. Olivier Crépin-Leblond speaking. Any other hands? Any other questions? I notice that Maureen is saying in the chat that it would be a good idea to [inaudible] like having an e-book on this topic.

Right. Let's move on, then. Thank you for these updates. Let's move on to the Ombudsman, and Sebastien is the Rapporteur for this Working Group, so perhaps I should [inaudible] Sebastien Bachollet.

[MUSIC]

ALAN GREENBERG: Our musical interlude.

OLIVIER CRÉPIN-LEBLOND: Thank you for this little interlude, and from [CROSSTALK] Sebastien has decided to sing a report to us.

SEBASTIEN BACHOLLET: It was a report on the Ombuds subgroup, and I am done; thank you. Sebastien Bachollet speaking. The current situation of the subgroup – it's not so much to [inaudible]; not enough people to participate – but we have received a report from the external reviewer, and we are currently discussing those recommendations, and I will say, translate

them into ICANNese language. And one of the topics we need to discuss in – we need to change those recommendations – is that it seems, for some people, that we want to decrease the need to review bylaws, and we are trying to [inaudible] to express the recommendation in a way that it – there’s absolutely need to go before doing anything onto bylaw changes, because it will take time. That’s what we are doing, and one of the points we are discussing are [inaudible] recommendation – there is some discussion on some topics, like how to announce the independence of the Ombuds Office and the creation of a group to help the Ombuds Office to work and with [inaudible] with some people from the community and with Ombuds from other – retired Ombuds – from other parts of the community or companies. And that is the point where we are. We are supposed, on Monday, to have a finance report. I am not sure that we will have it, but I still have three days to do it, and maybe you can hope that works. It’s where we are in the Ombuds group.

I just want to raise one issue because I am talking about this group, but I guess it’s a [inaudible] with others. It’s when you look to the website, you have the impression that we have a lot of people. We have, supposedly, 23 participants and 22 observers. But in fact, the group is just working with five to six people, and of course, all of them are not able to participate to all the calls, but all the others are not participating at all. And it’s part of my disappointment, but also difficulty, on how to be sure that we get all the points of view when we are so little – so few people. And as a matter of fact, if some of them are the usual suspects, and that’s good, because they have a broader view on what’s happening in all the subgroups – like, of course, Cheryl; but a lot of them, also Avri

– but for the others, it’s not the case. And we have one Board liaison. It’s where we are on the Ombuds subgroup, and I am sure that if I missed something, Cheryl will help me with that, also. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Sebastien. Olivier Crépin-Leblond speaking. And no doubt, they will all be there, all the participants, for any commemorative picture, if there is one, one day. Are there any comments or questions? Alberto Soto, you have the floor.

ALBERTO SOTO: This is Alberto Soto speaking. Thank you. The problem Sebastien has just mentioned, I think is present in all the groups, and I think we’re all, all the time, the same people present there. A few days ago, I said “Hello, everyone,” and I think we were actually four. In fact, we were three, because Cheryl was with another kind of connection in the Adobe Connect. I think at ALAC, we should discuss this issue and take some decision – make some measure – because there are very few people involved, and when we are asked who is involved, everybody raises their hands. And so, I think probably this will require some kind of [inaudible], etcetera. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this note, Alberto. It’s Olivier speaking, and it’s a – this problem of not having enough people is probably something that we won’t be able to fix today. But it’s not just an At-Large thing. I’m quite surprised to see this being raised now regarding this

Ombudsman Working Group, and I don't know how well-attended the other Working Groups are, of the Work Stream 2 topics. But it's something which Mikey O'Connor a few years ago, who used to be on a lot of Working Groups, raised and said the whole pyramid is actually the other way around – the people doing the work are very few, and the people agreeing and rubber stamping the work and voting on it – there are more people voting on it than actually working, strangely enough.

I see a green tick from Cheryl, and in fact, this is where you get some weird attendance figures, because you get a quarter of Cheryl, or a half of Cheryl, or a third of Cheryl. You don't get a full Cheryl. Either that, or – and it's probably the case with several other people, too. I don't see anyone putting their hand up, so let's then move on to the next topic, and that's reviewing the Cooperative Engagement Process. Now, this topic has produced a lot of work recently, actually, and you hear a lot of interviews and a discussion paper for June, so for the Johannesburg meeting. And then, there has been nothing – or, there appears to be nothing since. So, it would be interesting to hear if there is any update on that, and we have Alan, Avri, [inaudible], and Cheryl, who are the At-Large people involved in this Working Group. [CROSSTALK]

ALAN GREENBERG:

Olivier, it's Alan. It was always an error that my name was included in this list; I've just never been removed from it.

OLIVIER CRÉPIN-LEBLOND:

Okay, then we'll have an Action Item to remove your name. At least we'll have one Action Item for this call; that will be good. Excellent.

And let me dictate the Action Item, so that it's properly recorded. "Please remove Alan's from the Cooperative Engagement Process Working Group [inaudible]."

I don't see anyone else with their hand up on this. Cheryl – Cheryl being the person of last resort when it comes down to, "Has anybody heard of this Working Group?" Cheryl usually knows, because she is the Working Group. Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: I'm definitely not the Working Group. In fact, it has significant progress over a very few meetings leading up to our last ICANN public meeting. There – that work – and it was, unfortunately, done by very few of us and in a ridiculously short period of time – did get to the stage where we had a good-enough-to-be-final report. It has not gone through, I believe, a second reading in the Plenary, and I will certainly follow up with Staff based on that now, to see where that is. It may be that the Plenary has accepted it and is waiting for some of the pieces [inaudible] to be done, and then it will go into a second reading. But even if that's the case, it won't be taking a great deal more modification from the status than it was at when we presented during our last ICANN meeting – well, not during the meeting, but at the Plenary meeting the day before the meeting. There has been no meeting since that. Thanks.

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

ALAN GREENBERG: Thank you. Even though I'm not following it directly, my recollection is that this is not truly a Work Stream 2 project, but simply work that had to be done, and we are tracking it internally. And I also vaguely recall that there was a recognition of the fact that this isn't going to be an ongoing process that will live past the CCWG Accountability. And that may be the reason it's being treated somewhat differently. But I'm building on vague recollections and not actual fact.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alan. Cheryl, is that something that you can agree to, as well?

CHERYL LANGDON-ORR: Yeah, without putting my hand up; just jumping in. Cheryl, for the record. Excuse me; I was typing. Alan has characterized it quite effectively, and the other thing worthwhile noting is – and that I did try and allude to that the [inaudible] – there are a number of interdependencies with other activities, both in Work Stream 2 and the [inaudible] CEP. But it is certainly one of those things that has a longevity to it, a little like the IRP 2 work did, which is a carryover through Work Stream 1, and is still being reported on in Work Stream 2 world. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Cheryl. It's Olivier speaking, and just one question from me. All of the other Working Groups have got Co-

Rapporteurs. This one doesn't seem to have it. Who is leading this work, reviewing the CEP?

CHERYL LANGDON-ORR: Right now, the Co-Rapporteur status would be blank, because the Co-Rapporteur is on sickness leave from ICANN, totally. But that said, there is no work needing to be done.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks. No, it's just that it doesn't show on the wiki, so it's strange; one doesn't know whether [CROSSTALK]

ALAN GREENBERG: Because there is, in fact, nothing to be done, and no one doing any work right now, and no one in charge at this point.

OLIVIER CRÉPIN-LEBLOND: Great. Situation normal. Thank you. Okay, let's then, if I don't see anyone putting their hand up, let's move on to the next thing. The next topic is Staff Accountability. Avri is the Rapporteur; unfortunately, she was not able to make it today, so we have Alan, Cheryl, and Seun, usually following this.

ALAN GREENBERG: I'll try to speak to it a little bit.

OLIVIER CRÉPIN-LEBLOND: Alan Greenberg.

ALAN GREENBERG: Yes, sorry; it's Alan Greenberg speaking. It's not going real smoothly. There's been a fair amount of head-butting, as it were, to some extent, between the Board and the group and the group leadership. And I think it will wind down pretty quickly at this point, but I don't think I'm in a position to say exactly how. We are making some recommendations which we believe – at least, the volunteers in the group believe – are worth trying. It's an issue which is difficult, because it all centers around, do we have a problem or do we have an anecdotal issue that we have to resolve specifically? And there are differences of opinion between whether a problem that happens irregularly is really a systemic problem, or simply a problem with a small group of people? And from my perspective, I don't care which. If the system shows the problem, then the problem has to be addressed, whether it's due to one person or due to rules within the organization. But the dynamic has not been the most positive in the group, and I'm going to stop there, because I'm not sure I want to say a lot more.

OLIVIER CRÉPIN-LEBLOND: Thanks, [CROSSTALK]

ALAN GREENBERG: Cheryl does have her hand up.

OLIVIER CRÉPIN-LEBLOND: Yeah.

ALAN GREENBERG: Cheryl will probably give a far more balanced view than I did.

OLIVIER CRÉPIN-LEBLOND: [inaudible] get to Cheryl Langdon-Orr, please.

CHERYL LANGDON-ORR: Thank you very much. Cheryl Langdon-Orr, for the record. I'm not sure I'll give you a better-balanced view, Alan. And I do concur with very much of what Alan has said. It has had its moments of greater strain, shall we say. That said, I did want to report, however, that I'm delighted that we have managed a second reading on what are the current states of our recommendations, that we will be, I trust, furthering. Is this going to satisfy the Board and the Board input that we received in an untimely manner, both at and after the last ICANN meeting? Probably not. But as it turns out, the majority of members at the readings have been able to agree on, I think, a document which does a quite admirable job of what has to be something that needs to go on to continuous improvement and continuous review. That was very politic of me, Alan.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this very political response. It's Olivier speaking. Are there any comments or questions regarding that? I note that on the participants list, there are a number of prior Staff members, and also current Staff, as active participants. Was that something

specific? I can't remember other Working Groups having Staff involved.
Alan Greenberg.

ALAN GREENBERG:

Thank you. That was a specific request from the group, to involve Staff, and Staff particularly who we were hoping would be able to speak candidly. That was not the most successful part of the process we have, although we do have a formal Staff representative who does actively participate and is very useful in the group. I will note that the Rapporteur – that the differences of opinion have largely been Working Group versus Board, which have had very different perspectives. And the Rapporteur has now been appointed to the Board, so you can read into it what you wish as to how this will play out. I'm finished.

OLIVIER CRÉPIN-LEBLOND:

Thanks for this. Thank you, Alan. Olivier speaking. Any other comments on this? I don't see anyone putting their hand up, so thanks again for these updates. Now, we have the last two update topics, the first one being the IRP Phase 2, and the second one being the ATRT2. There is no link from these topics to a wiki page. I've looked through the wikis and not found anything. I don't know why; maybe because they're sort of side topics, or the discussion is taking place in the main Work Stream discussion, the Plenary. Let's open the IRP Phase 2. That's "if needed" – and I'm not quite sure whether it is currently needed or not – Alan Greenberg, or Cheryl, do you know what's been going on with this?

ALAN GREENBERG: Alan has absolutely no idea on this one.

OLIVIER CRÉPIN-LEBLOND: Okay. Then Cheryl would have an answer. Cheryl Langdon-Orr.

ALAN GREENBERG: Cheryl always has an answer.

CHERYL LANGDON-ORR: Thank you. It's Cheryl Langdon-Orr, for the record, and I can, of course, say nothing, and you can all fumble about in the dark and make your own guesses. That's a perfectly reasonable option. Or, I can share what I know, and in fact – at least, based on the reports from the Chair of the IRP 2 [inaudible], there isn't ongoing work, but rather, that the state of their work is under a review point, so there'll be no active work going on until comments are back on that. That's a very tangential report to this group, but basically, as far as I know, if there have been any active meetings of it, they haven't been reported to anything that I've been aware of since the last ICANN meeting. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks so much for this, Cheryl. Olivier Crépin-Leblond speaking. Where can we find further information on this? Where is it located? Is it somewhere in the wiki? Because – I don't know, it doesn't seem treated the same way as the others.

CHERYL LANGDON-ORR: Olivier, Cheryl here, for the record. I would suggest I am the last person to get a civil answer out of – on how or why some of the Staff involved in some of these [inaudible] responsible for.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks very much, Cheryl. It's Olivier speaking. Maybe I was fishing for a few expletives. Never mind.

SEBASTIEN BACHOLLET: Olivier, Sebastien Bachollet speaking.

OLIVIER: Sebastien, please, go ahead.

SEBASTIEN BACHOLLET: If you go on the same page as any other, you have the Work Stream – your subgroup topics, and if you go one up, you have Legal Committee, and one up, you have Work Party, Internet [inaudible] – no, sorry. It's the IRP-IOT Implementation Oversight Team, and I guess it's in this place that you will be able to find the information you are looking for.

OLIVIER CRÉPIN-LEBLOND: That looks like it. Let me put it in the chat, so that we'll add it to the next time we have an agenda on this, and we've got a link to this. It was just basically badly put into this. Thanks very much for this, Sebastien. That's really helpful.

ALAN GREENBERG: And Olivier, remember, this is not really a Work Stream 2 item; this is a continuation of Work Stream 1 and the implementation of Work Stream 1.

OLIVIER CRÉPIN-LEBLOND: I [CROSSTALK] Olivier speaking [CROSSTALK]

SEBASTIEN BACHOLLET: And it's also –

OLIVIER CRÉPIN-LEBLOND: [CROSSTALK] Work Stream 2, was continuations of the overall [inaudible].

ALAN GREENBERG: No. This is an implementation, as opposed to deciding on how to – on the policy issues.

OLIVIER CRÉPIN-LEBLOND: Yeah. Okay.

SEBASTIEN BACHOLLET: And it's also the one who changed Rapporteur or leaders, since the previous one was Becky Burr, and when she joined the Board, she left

this role, and I guess they are also now in charge of doing the – if I am not mistaking – the CEP; I guess the CEP role was [CROSSTALK]

ALAN GREENBERG: Yeah, they were rolled together.

SEBASTIEN BACHOLLET: Yes. And now it's David McAuley who is doing both. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Sebastien. Thanks, everyone. So, yes, the process is moving forward. Thanks, and then let's now move on to ATRT 2, the categories [inaudible] again that maybe – I don't know if that's the wiki anywhere. I certainly haven't seen any. But please, let's have an update from Alan Greenberg on this.

ALAN GREENBERG: Thank you. Alan Greenberg speaking. That is not moving at this point. We have the list of applicants and what groups they are asking endorsement for. The endorsements are at various stages of processing. In terms of the ALAC, we probably will be meeting next week to do recommendations for endorsements. However, in parallel with that, there are discussions going on between the Chairs of the AC/SOs, who, according to the bylaws, do the selection, and the Operation of Organizational Effectiveness Committee on, do we need to do a level set or any adjustments to the process, given that we have now used the bylaw process to select the members of the SSR Review

Team and the RDS WHOIS Review Team, and we're about to do this one. The question is, does the process need any tweaking; do we need to come to any informal understandings; do the rules need to be changed – and that discussion has been initiated by the Organizational Effectiveness Committee and will probably be happening in the next week or so, and I would expect after that, the selection would be done once all the endorsements are finished. So, it's proceeding; it's proceeding slowly. I think the Board Committee is reasonably saying, "We're operating under new bylaws. Are they working? Do we need to do anything going forward, or just stand back and let the process happen?" I think it's a reasonable discussion to have been initiated. It's taking longer to get to the point where we actually have a discussion, but there's been one or two emails in the last 24 hours, so maybe something will happen.

OLIVIER CRÉPIN-LEBLOND: Thanks for this.

ALAN GREENBERG: I'm done. Thank you.

OLIVIER CRÉPIN-LEBLOND: Yeah, thank you, Alan. We have a queue, with Sebastien Bachollet next.

SEBASTIEN BACHOLLET: I don't know if you can hear me.

ALAN GREENBERG: We can.

SEBASTIEN BACHOLLET: Then I am not muted. Thank you very much. In addition to that – why we are ATRT2 as a, we’d say, placeholder – it was mainly because we were supposed to take care of some of the ATRT2 recommendations within the Work Stream 2, like the external review of the ICANN Ombuds Office. And one of the reasons it was added to our list and just to our list – in fact, I added it at the beginning of this discussion, as I have done the first Power Point, I guess because it was to be able to have a broader view of what within the ATRT2 needed to be done within Work Stream 2. And as Avri was participating and she was the liaison from ATRT2 to the CCWG on Accountability, it was also an opportunity to ask her point of view on that. It’s why it is here. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Sebastien. Any comments or questions from anyone in the group?

ALAN GREENBERG: It’s Alan. What Sebastien says is correct. The Board and the Organization did shed some of the ATRT2 recommendations and essentially assigned them to the CCWG. I’d like to say that that’s the reason that we are – that the ATRT3 has been delayed; that’s not the case. As everyone may remember, there was a recommendation put

forward, or a proposal put forward by the CCWG leadership to restrict the ATRT3 to a review of ATRT2 recommendations and not do any further work. That met with the same reception as a similar proposal for the WHOIS RDS proposal – that is, the community is not in a position to tell a Review Team what to do. So, there were a number of views put forward by various AC/SOs that have been summarized for the illumination, I guess, of the ATRT 3 Review Team when it's named, to decide what it's going to do and what it isn't, and that's where we sit at this point.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Alan. Olivier Crépin-Leblond speaking. Have we – have any questions or comments on this topic, or any of the topics overall, now that we've been through all of them? I don't see any hands up, so I think we can move on to Agenda Item 5, and that's Any Other Business.

I don't see any hands up. Well, we've nearly reached the 90 minutes mark. Ah, I see Sebastien Bachollet has put his hand up; so, Sebastien, you have the floor.

SEBASTIEN BACHOLLET: Yes, thank you, Olivier. I would like to suggest that if we have and when we have a next call, we start to discuss what are the elements where we deal in multiple groups, or what is the link between one subgroup to another, to see if we will have some work to do when we will get the full report of all the subgroups and discuss also those issues. I think it's important that we start on this. And the second is that any – I don't

know if it's the right word, but – overarching topics that we need to take into account in where we are with Work Stream 2, and where we are with the implementation of Work Stream 1. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Sebastien. Good suggestion. The question, really, that's in everyone's mind is, "Are we going to have another call before the next face-to-face meeting of those Working Groups, of those Work Stream – ?" I understand that there are several Work Streams that are going to meet, and the Accountability Working Group will be meeting at the beginning or a day before the start of the ICANN Annual General Meeting in Abu Dhabi. Do we need another call before that? Sebastien?

SEBASTIEN BACHOLLET: Yes, Sebastien Bachollet. I would suggest that we do it. I can't say which day, but as we will have some of the reports sent or almost ready for public comment and maybe who will go for public comment, it could be good to have a discussion within this group of what comments we want to suggest to ALAC to do. And I think it could be useful to prepare these face-to-face meetings a day before – of the CCWG and Accountability – the day before the ICANN meeting, to see if there are some specific topics we want to raise as a suggestion by At-Large. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Sebastien. It's Olivier speaking. So, an Action Item here. Let's have – because I still haven't got an answer as to whether we need to have a call, discussion, or not. What I would suggest at this point in time, since we still have a bit of time on our hands, is – and not on today's call, but in the future, until the AGM – is to use the mailing list. So, that's the Action Item: "Use the mailing list to have a discussion on the comments we want the ALAC to make on the final report that we are now seeing coming together, and also a discussion on any overarching issues that the ALAC would like to bring forward to the discussion table." I think that's the first thing. The other thing I was going to suggest, that perhaps we ask for a meeting slot from the ALAC, or some time for us to be able to meet and discuss these issues whilst they are hot, because we will be just a few days after the Work Streams have met, face-to-face. Is there any – and Alan, would that be something that would be agreeable, or a good idea? I note that Cheryl has put a hand up, so maybe Cheryl Langdon-Orr?

CHERYL LANGDON-ORR: Thanks, Olivier. Cheryl Langdon-Orr, for the record. I'm not going to, obviously, respond about agendas for Alan's meeting at the AGM, although I can imagine it's fully packed. But I do want to make sure that what you're asking for fits in a way that works the proposed timeline for the whole of the CCWG at its work tracks. And that, of course, means that between the aging in and the first meeting in the 2018 calendar year will be an opportunity for consolidation and finalization of work for a compendium and public comment, and we're certainly going to need meetings then. Remember that this is not the last time that we get to look at these things, but I think that perhaps even if you share the

proposed timeline to the working list, and then you make your meetings work so that we're well-prepared for each of the major milestone dates, that might be better – if I can use that term advisedly – than trying to wedge it into one face-to-face meeting over another. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Cheryl. So, if there is a timeline, that would be really helpful to get a hold of. Let's have an Action Item so as not to forget this. And then, we'll share the timeline and we'll work on that accordingly. So, Action Item: "For our Working Group to obtain a timeline of the different deadlines that will arrive in the different – " and I think it's published somewhere, isn't it, as you said? – "milestone dates on the timeline." Yeah.

Excellent. We are four minutes past the official end of this call. Are there any other comments? So, next meeting, we still haven't made a choice yet. I'm not seeing anyone saying, "No, we don't want a face-to-face meeting in Abu Dhabi," so let's try and see if we can fit one in the schedule. I'll leave that in Alan's hands and Staff's hands on this. And prior to that, we'll choose in the next few weeks how soon we should have a call, if we should or not. Alan Greenberg?

ALAN GREENBERG: Thank you. There's no way we're not going to have a discussion of this in Abu Dhabi, at least to report on what happened on the Friday meeting prior to it, and I don't really see that enough is happening at this point to warrant another meeting of this group before Abu Dhabi, but we have a fair amount of time. We have two whole months, and if

it looks like in the next few weeks that things are moving enough to warrant a discussion here, then we have time to schedule one.

OLIVIER CRÉPIN-LEBLOND: Yeah. Thanks for this, Alan, that's why I'm keeping all options open. And with this, I'd like to thank you all for being on this call for the full 90 minutes. I think it's been a very helpful, very interesting discussion today. I certainly have caught up with all of what's going on, and that's something that is very different, I think. It's hard to find other people in ICANN that are able to follow up [inaudible], and it's great to see that we do have some dedicated people that come to this call here, and in addition to being dedicated to being on the calls of the Work Stream 2, but also ready to share their knowledge, and their feedback, and their insight as to where we're going with this whole thing. So, I'm glad this is recorded. I think we should – maybe we should send this over to the ALAC as well and say, "Hey, you want to catch up on Work Stream 2 topics? That's the call that you need to listen to." And in the meantime, I'd like to thank you all for being there, and this call is now adjourned. Have a very good morning, afternoon, evening, or night. Goodbye.

MULTIPLE VOICES: Thank you. Bye-bye.

Goodbye. Thank you.

MARIO ALEMAN: Thank you, everyone. This call has been adjourned. Please remember to disconnect all remaining lines. Bye-bye.

[END OF TRANSCRIPTION]