

**Adobe Connect - Chat Transcript CCWG Accountability Plenary F2F – AM Session
9 March 2018**

Brenda Brewer: (3/9/2018 08:07) Good day all! Welcome to CCWG Accountability Plenary Face to Face at ICANN61.

Kavouss Arasteh: (08:26) Hi everybody

Niels ten Oever: (08:29) Hello all!

Kavouss Arasteh: (08:31) Here in Geneva, it is 1332.

Kavouss Arasteh: (08:32) At what time, in how many more mints the meeting starats pls

Kavouss Arasteh: (08:33) Does it start at 13,00 UTC

Kavouss Arasteh 2: (08:39) Brenda, pls kindly advise at what UTC TIME THE MEETING STARTS

Nathalie Vergnolle: (08:41) We'll start at 8:45 AST (12:45 UTC)

Kavouss Arasteh 2: (08:45) TKS

Niels ten Oever: (08:49) Thanks Thomas, happy to be here!

Fiona Asonga: (08:54) @Kavouss the reading is in the first 2 hours

Greg Shatan: (09:02) Thank you, Jurors Ab Carter!

Jordan Carter: (09:04) Jurors?

Milton Mueller: (09:06) "the inexorable passage of time"

Kavouss Arasteh 2: (09:07) mAY THE DOC. BE POSTED ON SCREEN PLS

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:09) it is coming soon Kavouss

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:09) thank you brenda, scroll control please

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:10) p5

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:11) thx

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:12) p7

Robin Gross: (09:15) Steve's point may be a good thing to bring up in public comment.

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:16) indeed @Robin

Brenda Brewer: (09:20) currently on page 18

Milton Mueller: (09:21) hey all. I don't support the change on p 6 from "qualified" to approved. Earlier on p 4 we say something similar about Registrars and we use the word "qualified". i see no reason to deviate from that usage

Milton Mueller: (09:25) right I can wait until you deal with Brazil comments

Milton Mueller: (09:25) I simply wanted to talk about qualified

Thiago Jardim: (09:26) I'll paste the suggested addition here ffor all purposes:

Thiago Jardim: (09:26) "The late suggestion added to the report that "Further Discussions of Jurisdiction-Related Concerns" are needed, in particular on jurisdictional immunities, found echo in several comments subsequently received, but these comments did not bring any changes to the report, nor could they be considered in detail, on the understanding that the existing support for "further discussions" to address unresolved concerns, including in other fora, had already been acknowledged"

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:28) So on the intervention from Brazil... would additional text such as "The subgroup notes that comments were received and discussed , regarding the desirability of further substantive discussions at a later date regarding aspects of the Jurisdiction topic" ???

Bernard Turcotte - ICANN: (09:34) Jorge new hand?

Jorge Cancio (GAC Switzerland): (09:34) sorry

Kavouss Arasteh 3: (09:37) Thomas, we need to find a middle ground for modified suggestion from Thiago

Steve DelBianco: (09:37) It would be helpful to see Thiago's latest proposed text.

Thiago Jardim: (09:38) @Steve: “The late suggestion added to the report that “Further Discussions of Jurisdiction-Related Concerns” are needed found echo in several comments subsequently received, but these comments did not bring any changes to the report, nor could they be considered in detail, on the understanding that the existing support for “further discussions” to address unresolved concerns, including in other fora, had already been acknowledged”

Steve DelBianco: (09:39) @Thiago - Thank you

Thiago Jardim: (09:39) Thank you :)

Milton Mueller: (09:41) Can someone help me understand: are we quibbling about whether the drafters were sufficiently neutral in their characterization or are there meaningful, substantive differences in our approach going forward if this amendment is accepted?

Jordan Carter: (09:42) It sounds like the dispute is about whether the comments were considered in detail. Greg is arguing they are, Thiago is arguing they were not. (that's what I can see).

Milton Mueller: (09:43) thanks jordan

Jordan Carter: (09:43) (I sincerely apologise if I have mis-characterised anything)

Farzaneh Badii: (09:43) Thiago wants to bring greater emphasis to the issue that immunity should be discussed later on. our original text makes immunity as one of the topics t that might be discussed

Milton Mueller: (09:43) so in your opinion does the change affect anything we would do going forward?

Erich Schweighofer: (09:43) Thanks Thiago- I would support this proposal of Thiago - more balanced.

Kavouss Arasteh 3: (09:43) 0041 22 735 53 54

Jordan Carter: (09:43) Thiago's revised proposal doesn't mention immunity, as posted here

Farzaneh Badii: (09:44) ha? The late suggestion added to the report that “Further Discussions of Jurisdiction-Related Concerns” are needed, in particular on jurisdictional immunities, found echo in several comments subsequently received, but these comments did not bring any changes to the report, nor could they be considered in detail, on the understanding that the existing support for “further discussions” to address unresolved concerns, including in other fora, had already been acknowledged”

Milton Mueller: (09:44) If Farzy is correct then Thiago's amendment would make the report more specific and should be supported

Farzaneh Badii: (09:44) of course it does

Jordan Carter: (09:44) Thiago Jardim: @Steve: “The late suggestion added to the report that “Further Discussions of Jurisdiction-Related Concerns” are needed found echo in several comments subsequently received, but these comments did not bring any changes to the report, nor could they be considered in detail, on the understanding that the existing support for “further discussions” to address unresolved concerns, including in other fora, had already been acknowledged”

Farzaneh Badii: (09:44) Jordan, scroll up ...

Thiago Jardim: (09:44) Thank you Prof. Milton, thank you Erich

Thiago Jardim: (09:45) Prof. Erich (my apologies)

Thiago Jardim: (09:45) both of whom I understand expressed support.

Jordan Carter: (09:45) Farzaneh, he amended the proposal to remove the point about immunities

Farzaneh Badii: (09:46) really? then what's the point of having it then ...

Milton Mueller: (09:46) put him on the spot! ;-)

Jordan Carter: (09:46) I don't know

Jordan Carter: (09:46) it just then becomes a comment about the process, and the process is disputed

Milton Mueller: (09:47) I do not support amendments related to complaining about process. I do support an amendment that makes the focus on immunities clearer and more specific

Robin Gross: (09:48) Sounds like Brazil isn't going to remove the objection with or without the text. Not sure it makes sense to accommodate that.

Kavouss Arasteh 3: (09:49) I am disconnected now waiting to be dialed through land line

Greg Shatan 2: (09:49) Without suggesting its inclusion, the following would be factually accurate: "For example, the suggestion added to the report that "Further Discussions of Jurisdiction-Related Concerns" are needed was echoed in several comments subsequently received. These comments (like all other comments) were considered in detail, but did not bring any changes to the report since existing support for "further discussions" to address unresolved concerns, including in other fora, had already been acknowledged."

Brenda Brewer: (09:50) Kavouss, when we dial the number you provided above we get voice mail message

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (09:50) Can we discuss that then Greg, it is perhaps less neutral than the text I proposed earlier in this chat...

Kavouss Arasteh 3: (09:51) Brenda, I was and still is disconnected waiting the operator to dial me up through land line .pls kindly accerate the process

Jordan Carter: (09:51) we don't have time to send things back to the sub group

Brenda Brewer: (09:52) Kavouss, we have called your landline only to get voice mail message

David McAuley (RySG): (09:52) I respect the views of Brazil, France and others but I feel that the final report well states recommended OFAC changes, governing law/venue changes, and suggests further talks on jurisdiction. I don't support further change.

Kavouss Arasteh 3: (09:53) I do not agree to send it back to the group since the appropriate forum is CCWG Plenary and not sub group

Robin Gross: (09:53) I didn't think today's meeting was to be a re-litigation of the arguments heard throughout the working group that were not successful in gaining consensus

Jorge Cancio (GAC Switzerland): (09:55) Could Greg and Thiago work on the text suggested by Greg? and come back after coffee?

Kavouss Arasteh 3: (09:56) There should be no pressure on Brezil to reconsider its initial statement which was supported by others at ICANN 60

Kavouss Arasteh 3: (09:57) Steve +1

Olga Cavalli: (09:57) + 1 to Kavouss comment

Greg Shatan 2: (10:01) Kavouss, what do you find unacceptable in the language I put forth?

Kavouss Arasteh 3: (10:02) Greg, you aid in the second part of your suggestion that the added phrase did not add any thing as it was already included in the first instance .If you drop your second part ,it could be a middle ground

Jorge Cancio (GAC Switzerland): (10:04) again: "Could Greg and Thiago work on the text suggested by Greg? and come back after coffee?"

Jorge Cancio (GAC Switzerland): (10:04) the gap is narrow and we should brifge it

Greg Shatan 2: (10:05) Thank you, Kavouss. Kavouss, Thiago, then how about this: For example, the suggestion added to the report that "Further Discussions of Jurisdiction-Related Concerns" are needed was echoed in several comments subsequently received."

Kavouss Arasteh 3: (10:06) Greg, it gets better but just ask tBrezil's view

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (10:07) That would be desirable IMO Jorge

Kavouss Arasteh 3: (10:08) We are almost ther pls do not drop the momentum

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (10:08) I agree with your understaning on this matter Thomas

Greg Shatan 2: (10:09) PROPOSAL: For example, the suggestion added to the report that "Further Discussions of Jurisdiction-Related Concerns" are needed was echoed in several comments subsequently received."

Greg Shatan 2: (10:11) Prior Proposal: For example, the suggestion added to the report that "Further Discussions of Jurisdiction-Related Concerns" are needed was echoed in several comments subsequently received, but these comments did not bring any changes to the report since existing support for "further discussions" to address unresolved concerns, including in other fora, had already been acknowledged.

Jordan Carter: (10:13) "THE SUGGESTION ADDED TO THE REPORT THAT FURTHER DISCUSSIONS OF JURISDICTION-RELATED CONCERNS ARE NEEDED WAS ECHOED IN SEVERAL COMMENTS SUBSEQUENTLY RECEIVED. THESE COMMENTS DID NOT BRING ANY CHANGES TO THE REPORT SINCE THE NEED FOR FURTHER DISCUSSIONS TO ADDRESS AND UNRESOLVED CONCERNS INCLUDING IN OTHER FORA HAD ALREADY BEEN ACKNOWLEDGED."

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (10:13) Works for me!!!!

Thiago Jardim: (10:13) The suggestion added to the report that "Further Discussions of Jurisdiction-Related Concerns" are needed was echoed in several comments subsequently received. These comments did not bring any changes to the report since the need for "further discussions" to address unresolved concerns, including in other fora, had already been acknowledged."

Sebastien (ALAC): (10:13) Can we make a break and have Greg and Thiago coming back with a writing suggestion?

Kavouss Arasteh 3: (10:14) Plus replace since by RECOGNIZING

Greg Shatan 2: (10:14) THE SUGGESTION ADDED TO THE REPORT THAT FURTHER DISCUSSIONS OF JURISDICTION-RELATED CONCERNS ARE NEEDED WAS ECHOED IN SEVERAL COMMENTS SUBSEQUENTLY RECEIVED. THESE COMMENTS DID NOT BRING ANY CHANGES TO THE REPORT SINCE THE NEED FOR FURTHER DISCUSSIONS TO ADDRESS ANY UNRESOLVED CONCERNS INCLUDING IN OTHER FORA HAD ALREADY BEEN ACKNOWLEDGED."

Jordan Carter: (10:15) Kavouss - I think replacing "since" with "Recognising" doesn't make sense

Kavouss Arasteh 3: (10:15) yes

Jordan Carter: (10:16) THE SUGGESTION ADDED TO THE REPORT THAT FURTHER DISCUSSIONS OF JURISDICTION-RELATED CONCERNS ARE NEEDED WAS ECHOED IN SEVERAL COMMENTS SUBSEQUENTLY RECEIVED. THESE COMMENTS DID NOT BRING ANY CHANGES TO THE REPORT RECOGNISING THAT THE NEED FOR FURTHER DISCUSSIONS TO ADDRESS ANY UNRESOLVED CONCERNS INCLUDING IN OTHER FORA HAD ALREADY BEEN ACKNOWLEDGED.

Kavouss Arasteh 3: (10:16) Done

Robin Gross: (10:18) If we accept this new text, is Brazil's opposition to the report withdrawn?

Milton Mueller: (10:18) I am on the phone

Steve DelBianco: (10:19) Milton is correct. We should be consistent on that

Jordan Carter: (10:21) All - we will try and do the coffee break as scheduled if we get there, in about ten mins

Steve DelBianco: (10:21) the process to apply to be a Registrar is

at [https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_resources_pages_accreditation-](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_resources_pages_accreditation-2D2012-2D02-2D25-)

[2Den&d=DwIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=7YhXE6PtdescznvoXMMR8Iup0cuKuMWR1GE6-KYGT8&s=RfO_UBghsTklsCf3JWw38-rwApH5vvkcc-R562eN-B0&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_resources_pages_accreditation-2D2012-2D02-2D25-2Den&d=DwIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=7YhXE6PtdescznvoXMMR8Iup0cuKuMWR1GE6-KYGT8&s=RfO_UBghsTklsCf3JWw38-rwApH5vvkcc-R562eN-B0&e=)

Jordan Carter: (10:21) and then we'll pick up the agenda

Jordan Carter: (10:22) (subject to finishing this JD first reading)

Steve DelBianco: (10:22) Note the first part of that process: "Qualification Criteria"

Milton Mueller: (10:23) right

Milton Mueller: (10:24) naw, I am not in favor of "nice" ;-)

Thomas Rickert: (10:24) that was the word you were using earlier:-)

Milton Mueller: (10:25) well if Steve supports qualified in both cases we should stick with qualified

Milton Mueller: (10:25) that would be good too Greg

Brenda Brewer: (10:27) Page 20 now

Jordan Carter: (10:36) Approved with amendment

Jordan Carter: (10:36) First reading, Jurisdiction report for WS2

Jordan Carter: (10:37) The additional text goes on the end of the "Red Wall Of Text" on the pages labelled 12 and 13

Jordan Carter: (10:38) THE SUGGESTION ADDED TO THE REPORT THAT FURTHER DISCUSSIONS OF JURISDICTION-RELATED CONCERNS ARE NEEDED WAS ECHOED IN SEVERAL COMMENTS SUBSEQUENTLY RECEIVED. THESE COMMENTS DID NOT BRING ANY CHANGES TO THE REPORT RECOGNISING THAT THE NEED FOR FURTHER DISCUSSIONS TO ADDRESS ANY UNRESOLVED CONCERNS INCLUDING IN OTHER FORA HAD ALREADY BEEN ACKNOWLEDGED.

Brenda Brewer: (10:38) We are taking a 20 minute break. We will resume at top of hour.

Renata Aquino Ribeiro: (11:03) (hello, i think there's a hand up from last discussion)

Jordan Carter: (11:05) dear Kavouss - is your hand up for this topic?

Jorge Cancio (GAC Switzerland): (11:05) is there a link to the doc?

Jordan Carter: (11:05) all of the docs were circled by email

Jordan Carter: (11:06) checking if there is a Wiki page, Jorge

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (11:06) Scroll??

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (11:07) Thx

Renata Aquino Ribeiro: (11:08) https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_download_attachments_59643278_CCWG-2DAccountability-2DWS2-2DDiversity-2DFinalRecommendations-2DRedLine.pdf-3Fversion-3D1-26modificationDate-3D1518990598000-26api-3Dv2&d=DwIFaQ&c=FmY1u3PJp6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=7YhXEp6PtdescznvoXMMR8Iup0cuKuMWR1GE6-KYGT8&s=1IWMiaGpLfpLLUtQB1SHt-hfjjwAA7W7LbJl0IdYu4E&e=

Renata Aquino Ribeiro: (11:10) wiki of the group is this https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_display_WEIA_Diversity&d=DwIFaQ&c=FmY1u3PJp6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=7YhXEp6PtdescznvoXMMR8Iup0cuKuMWR1GE6-KYGT8&s=rR9rDq2SCnFamcWN7sQNrM2XvpyHVB3xvuwuKYzI8T4&e=

Brenda Brewer: (11:10) scroll is now on

Kavouss Arasteh: (11:11) The first change from would to should seems ok with me but the composite term should agree seems awkward I suggest to replace should agree by should take into account the following 7....

Jordan Carter: (11:11) All - staff have confirmed that lunch will be available in this room.

Kavouss Arasteh: (11:12) BON APETIT

MM: (11:16) Does all the presentation material in this F2F meeting post to the website for reference ???

Brenda Brewer: (11:16) Yes, you may find the documents posted on wiki here; <https://urldefense.proofpoint.com/v2/url?u=https->

[3A_community.icann.org_x_9wJyB&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=7YhXE6PtdescznvoXMMR8Iup0cuKuMWR1GE6-KYGT8&s=-uahGaaL0pgsY6NmISN1kipabKWMQcCy8UOoDnfFF5o&e=](https://community.icann.org/x/9wJyB&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=7YhXE6PtdescznvoXMMR8Iup0cuKuMWR1GE6-KYGT8&s=-uahGaaL0pgsY6NmISN1kipabKWMQcCy8UOoDnfFF5o&e=)

MM: (11:17) thank a lot

Kavouss Arasteh: (11:17) I General comment ,From the very begining I was of the opinion that the implementation of these Recommendations would be extermly difficut due to the subjective nature of criteria suggested

Renata Aquino Ribeiro: (11:18) Chris Gift - Universal registration project - for data collection upon participant registration to a meeting

Renata Aquino Ribeiro: (11:20) The discussion on SO/AC data collection for implementation of recs should be indeed updated

Kavouss Arasteh: (11:24) General comment ,From the very begining I was of the opinion that the implementation of these Recommendations would be extermly difficut due to the subjective nature of criteria suggested. These criteria are mostly of theoretical and idealistic nature and may not be implementable since many other entities try hard to take the same course of action but were faced with certain difficulties

Jordan Carter: (11:24) folks I will just remind you that this is a second reading

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (11:29) That is not what the detailed analysis of our PC comments showd it showed that there was *not* support for such an office

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (11:29) That is not what the detailed analysis of our PC comments showd it showed that there was *not* support for such an office\

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (11:29) perhaps we can link that analysis paper here for the record

Thomas Rickert: (11:31) Hi all, we have an audio issue...

Bernard Turcotte - ICANN: (11:31) lost audio at the dais

Thomas Rickert: (11:31) there is no sound in the room

Thomas Rickert: (11:31) tech folks working on it

Renata Aquino Ribeiro: (11:32) no audio here too

Kavouss Arasteh: (11:32) Pls include my General Comment in the Report of this meeting

Brenda Brewer: (11:32) Techs are working on audio, please stand by

Bernard Turcotte - ICANN: (11:32) all microphones in the room are down - tech working on it

Niels ten Oever: (11:33) :clapclap:

Bernard Turcotte - ICANN: (11:33) we are back

Renata Aquino Ribeiro: (11:33) thanks for restoring the sound

Renata Aquino Ribeiro: (11:34) also rec 8 highlights external expertise can be brought

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (11:34) sorry Jordan

Renata Aquino Ribeiro: (11:38) Would probably be interesting, in the future, see how the recs intertwine as well with the review processes of SO/ACs

Fiona Asonga: (11:40) +1 Renata

Bernard Turcotte - ICANN: (11:40) no sound

Jorge Cancio (GAC Switzerland): (11:41) It is unfortunate that the notion of a potential external/independent review is not included - rec 8 does IMO not cover that, at least at the level of what is in the text

Sebastien (ALAC): (11:41) @Renata yes but "only" by staff

Renata Aquino Ribeiro: (11:43) Sebastien I'm guessing either way procurement will be involved moved by ICANN.

Renata Aquino Ribeiro: (11:43) Procurement for diversity assessment is not simple so certainly more discussion for implementation later.

Robin Gross: (11:49) I support Farzi's objection

Cheryl Langdon-Orr (CLO - ALAC-AP Regional Member): (11:55) Back soon

Brenda Brewer: (11:56) Lunch break. Will resume in 1 hour. Thank you!