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MONTREAL – GNSO - new gTLD Auction Proceeds Cross Community Working Group
Wednesday, November 6, 2019 – 17:00 to 18:30 EDT
ICANN66 | Montréal, Canada

UNIDENTIFIED MALE: It is November 6, 2019 at 17:00 in Hall 511C at ICANN66 in Montreal. This is the GNSO new gTLD Auction Proceeds Cross-Community Working Group.

ERIKA MANN: Just checking. Erika Mann, co-chair of this group. Just checking if we are ready technically? Yeah? Terri, you want to say something nice at the beginning, or who's doing it? Me? Just me? Oh, I'm not used to this. Okay. Hi, Sebastien.

Welcome to everybody. Thank you so much for joining this group so late in the evening. Thanks so much. We have a full agenda so we will not make any kind of introduction, it's a working meeting. Typically, we have done at the beginning when we had this kind of meeting a short introduction, so we will skip it this time. In case you are here the first time and you need a little bit more background information, just feel free to either come and talk to myself or talk to the staff or anybody who is with this group for a while and build a contact and then we can give you some kind of information.

The only thing I would love to say before we will start, there's one thing you should know, we expect this to be – and I'm talking a little bit because people are still coming in – we expect this to be the last

meeting and we will explain this to you a little bit later, but we expect this to be the last meeting. So it's a quite special meeting after so many years we had together, and thank you all for this.

Quick roll call. Do we need to make one? Terri, do we have to do one? Technically, we don't have to? You have everything on … Okay, fine. Okay, then I will recommend we make a quick introduction so everybody knows who's sitting here. Sebastien, why don't we start with you? Just say quickly the stakeholder group as well.

SEBASTIEN BACHOLLET: Sebastien Bachollet representing ALAC and coming from France, Europe. Thank you.

SAM LANFRANCO: Sam Lanfranco, NPOC.

MARILYN CADE: Marilyn Cade. I have been representing the CSG but I'll be handing over, so right now I'm unaffiliated but still fulfilling the responsibility until I handle over to my colleague.

ANNE AIKMAN-SCALESE: Hi, Anne Aikman-Scalese. I am with the IPC and I'm following in Marilyn's footsteps on behalf of the CSG – very able footsteps I might add. Thank you.

OLGA CAVALLI: Hello. Olga Cavalli from Argentina from the GAC.

SARAH DEUTSCH: Hi, I'm Sarah Deutsch, an incoming Board liaison to the group.

DANKO JEVTOVIC: Hello, Danko Jevtovic, also incoming Board liaison. And for us, this is also a special meeting. It's not only the last but it's also the first in face to face.

JULIE HEDLUND: Julie Hedlund, ICANN staff.

EMILY BARABAS: Emily Barabas, ICANN staff.

MARIKA KONINGS: Marika Konings, ICANN staff.

ERIKA MANN: Erika Mann, co-Chair. Ching Chiao is not with us. We have no ability in the moment to contact him, so we are not totally sure what is wrong with him. Oh, he is online? Wonderful. Hi, Ching. Good to know you're with us.

CHING CHIAO: Good evening. This is Ching Chiao.

ALAN GREENBERG: Alan Greenberg, ALAC.

EDMON CHUNG: Edmon Chung, DotAsia Registry Constituency.

SAMANTHA EISNER: Samantha Eisner. I'm with ICANN Legal.

XAVIER CALVEZ: Xavier Calvez, ICANN org.

BECKY BURR: Becky Burr, ICANN Board.

MAUREEN HILYARD: Maureen Hilyard, ALAC.

JUDITH HELLERSTEIN: Judith Hellerstein, ALAC.

JONATHAN ROBINSON: Jonathan Robinson, Registry Stakeholder Group.

ERIKA MANN: We're having here some technical issues. We will sort this out in a second.

The second item on the agenda is the standard question, whether you have a kind of update concerning your conflict of interest declaration. Yeah, Jonathan?

JONATHAN ROBINSON: Hi, I don't have a COI update or DOI/SOI, but I am not the Registry Stakeholder Group's rep in this group. In the report I'm listed as the rep. I think I'm just a regular member. Registry Stakeholder Group member was Jon Nevett and they probably should've notified the group of a change in member. I'll check who that is, but just bring that on –

ERIKA MANN: Yeah. We will have to check this. We will have to check this in particular ahead of our survey, which we will have to do. We are not doing the survey today but we will have to do a survey very soon concerning one issue. I will explain this a little bit later. We will come to this point but then we will have to definitely be certain that we have all the correct members notified. Yeah, thank you so much for this, Jonathan. Go ahead, Marika.

MARIKA KONINGS: Thanks, Erika. I think and maybe a leftover from – because you were originally appointed as GNSO co-Chair to this group, I think you stepped down and Erika was appointed. But I don't think we took you down as a member from the list, so we will update that.

JONATHAN ROBINSON: Yeah, I've forgotten what … I guess then maybe I'm a participant, even, rather than a member because as you say, the Registry Stakeholder Group had a member and then I was co-Chair. So that's the history, you're absolutely right. But then Registry Stakeholder Group appointed Nevett in my place and then later I think he changed, so we just need to get that one straightened out. Thanks.

ERIKA MANN: Alan, go.

ALAN GREENBERG: Sorry. My recollection is ALAC has five for the five regions. My recollection is GNSO appointed one per stakeholder group plus a fifth – you – as Chair. So I don't think you were ever the Registry Stakeholder Group person.

ERIKA MANN: It's correct? Okay, fine.

JONATHAN ROBINSON: Yeah, that's correct. Let's not waste the group's time with it too much. I just wanted to flag it because it's kind of about your interest and role.

ERIKA MANN: We noted that we will have to sort this out ahead of the survey. We have to be certain that we have the correct names and the correct representation for each stakeholder group. Absolutely right. Thanks for mentioning this.

Okay, just a very quick recap and just to remind everybody what we have done so far. We have received very detailed replies to our question from ICANN org and from the Board. Thank you so much again for this. What we have to do, because we already had a draft version available, a draft document, and then the replies came in and to some degree some modification is needed because of the replies which we have received from Legal and from the Board. So we went through it and a big part we already have done. So we reviewed – and you will see this a little bit later – the original draft version and then staff prepared the document, we then can see the version which what integrate the new text.

So we have done this and you can review, the link is here. Everybody who would love to do it and would love to have a look at those points which we already have discussed, please feel free and have a look at this. So we will continue the discussion and the idea is to finalize this today and then to have the next draft document ready so that it can go ideally to a public comment period. Again, that's something we will talk about.

A while ago, about three or four months ago, maybe even a bit longer, we had the discussion that we would love to do an informal survey so that we understand where everybody is concerning the mechanism we

want to select. So just a reminder because some of you just came back and haven't been with us for a while. In the original version, we had selected four mechanisms. One was the in-house of ICANN. The second was the idea to allow a merger with another entity, so ICANN in-house plus another entity. The third version was a mechanism ICANN foundation and the fourth was that somebody else would be handed over the responsibility.

We have deleted the fourth mechanism already ahead of the first public comment period, so we're not talking about this anymore. We have three versions left, with two which, between us, I believe, are a little bit more favored than one. But we then said we would love to do an informal survey between us to have an understanding. So we will do the service but we will postpone it a little bit and we will do it after we have finalized the work today. We will make a recommendation at the end when we believe we should do the first survey. We will have to do another one, which we then will call the consensus call after we have seen replies coming back from the second public comment period. Then we will have to review these comments and then I believe we are ready to make the consensus call and say we want either one particular mechanism. Or if we can't agree between us because we are too close, 50/50 or something like this between two mechanisms, hopefully we can at least identify a ranking which would be the most favored one. But we are not doing this today.

I already mentioned point C, so staff and leadership team, we have … Who is it? Marilyn, please.

MARILYN CADE: I'm sorry. I'm not going to be able to be online, I don't think I have power, but I just want to … You used the word in your explanation which I think everyone within this group would understand, but Mechanism B is not about a merger. It is about a relationship. I think we have to be careful because "merger" will get us into extremely complicated discussions about who approved. Not to argue about the point, most of us understand what you meant, but externally, merger will convey a different message.

ERIKA MANN: Yeah, you're right, Marilyn. And we never discussed it. Would it be a merger or would it be a relationship or a partnership? There are many versions possible and many versions that exist in the real world, but thank you so much for the comment.

As I mentioned before, we have prepared and we will review those items which we haven't discussed yet and maybe haven't debated the recommended changes, so we will continue to review them today. Then we discussed it but we have never really taken a decision about it that we will have another public comment period. Informally, during our discussions, the topic came up many times and there was never a disagreement about it, so I assume we're all fine just having another round of public comment. But just in case you feel this is not needed, maybe it's time to discuss it now. Jonathan?

JONATHAN ROBINSON: I'm happy with the public comment. I don't need to discuss that now. That's fine. I just want to double-check this with you, Erika. So there's the three mechanisms remaining and your thought is that it's possible we will go to public comment with one or more of those eliminated, or do you think regardless we will go with all three but just potentially in the ranked order?

ERIKA MANN: The way we have discussed it – leadership and staff – we would love to do the survey after we finalize the review of the comments we have received from Legal and from the Board. So we're finalizing the work today. And we will show at the end – or we can show it right now. We can do it right now if you can pull it up. We have identified a timeline which we believe is workable.

If I remember this well, we are saying that in two weeks' time, I believe … "Launch indicative survey on the 25th of November." So here you see the timeline which we have prepared. We would finalize the work on 8th of November. Then we would review it until the 15th. This is a good time for this group to review the document. Then it would go back to leadership and we will review again whatever needs to be reviewed. Then we would launch between us the indicative survey. We will give us until the 1st of December.

And then depending – that's the point you are talking about, Jonathan – depending on the outcome – this is still before we will give the report to the second public comment period. Then depending on the outcome, let's assume – and we haven't discussed this yet, maybe we

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should do it a little bit later – we have a 70% outcome which favors one mechanism, then I believe we are pretty clear and we can say this is the recommendation from this group. But if we are 49/51 between two mechanisms, I believe it's probably too tight. So we then can still make a recommendation. The 51 is ranked higher than the 49 but we probably shouldn't say it's a single recommendation we can make. But it depends a bit on the outcome of the survey. Alan?

ALAN GREENBERG: Just a small knit. If we're going to go out for public comment then this is not a final report, it's draft final report.

ERIKA MANN: Yes, proposed draft final report.

ALAN GREENBERG: Proposed draft. Well, no.

UNIDENTIFIED FEMALE: Proposed final report.

ALAN GREENBERG: Proposed final report is either way.

ERIKA MANN: Is this okay, Jonathan? Is this answering your … yeah? Can we go back to the other text? Yeah, that's where we are pretty much. I believe we

have an agreement between us that we will do a second round of public comment period because we have some changes which are more than we expect it to be, and I think it's just fair that we ask the community again and the public who wants to participate in this discussion for comment. We will do this and we will discuss this again a little bit later. We would like to do it in such a way that we don't open the whole document again so that we don't receive comments to all of the points we already discussed and where we have an agreement between us, but we would like to narrow the second public comment period down primarily to those aspects which are really new and novel so that we don't have a complete review of 150 or 200 comments again.

Alan, you look skeptical. You don't want to do it? Go ahead.

ALAN GREENBERG: No, I'm just not sure you can limit what people comment on. You're publishing a whole draft report, you may ask them to focus on specific things, it might be [wider] than that. Marika doesn't agree.

ERIKA MANN: We are discussing just how to do it.

MARIKA KONINGS: Thanks, Erika. Staff wants to give some thought to how we can ensure that comments focus on what has changed between the initial report and the final report because things that haven't changed shouldn't be

commented on. They already had an opportunity. One way to do that is, for example, by having a survey and specifically calling out what the issues are that you want people to comment on. There may still be a box that says, "Anything else you want to share?" But in this way, it will be much more focused and hopefully will allow then as well for a more focused review by the group and it won't take us too much time then to review issues that the group wasn't going to change anyway or already considered or addressed in the first round. Because otherwise, there's a risk I think we may get a lot of repeat comments.

ALAN GREENBERG: I guess my only concern is this process has gone on so long that you've got lots of new people involved and we don't want to relitigate everything but.

ERIKA MANN: Absolutely, Alan. Of course, if somebody comments on a topic, we will not ignore it. We haven't done it the first time. We have been super careful and looked at each comment. I believe we have been really careful. We will do this again but we will try to avoid a new discussion, so how we then will respond to it is another question but we will at least try our best to be as focused as possible.

Okay. I don't believe there's much we have to say about this item, so let us go to the outstanding issues and let's come to page 25. Marika, will you take us through? Or Emily, you will do it? Okay, perfect. Can

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you all see this on your screen? Yeah? Are you all fine? Good. Can you explain again just the format and what people do see? Thank you.

EMILY BARABAS: Thanks, Erika. This is Emily Barabas from staff. On our last call, we were walking through some of the edits that were proposed in response to org and Board feedback to the set of questions that we sent out to them, and also flagged areas where there was feedback received and it wasn't clear to staff what edits needed to be made, if any. That gives the opportunity for everyone to comment and provide and put on whether edits are needed.

So, we're just going to pick up where we left off which is on page 25 of the document. The text is obviously very small but you should be able to find the latest version in the e-mail that Marika sent out with the agenda.

We're now on page 25 of the document. The proposed text is in response to feedback from the Board regarding the concept of basketing funds. This was a question that we as a CCWG put out to the Board asking if it would be worthwhile for the CCWG to recommend a way of allocating sections of the funds for particular purposes. The Board feedback was that this concept should be deferred, essentially, and that they did not recommend that the CCWG should make specific recommendations with regard to basketing.

There's proposed text here added to the response to Charter question #6 and also to the implementation guidance essentially echoing the

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feedback from the Board, which is that this is a question that will be deferred to implementation until there's been an opportunity to see what sorts of applications initially come in and then there's an opportunity to do that. Erika?

ERIKA MANN: Thank you so much, Emily. I would like to make a recommendation here. I would recommend that we will refer this as recommended to the implementation phase, but I would recommend that we put this in as a memory reminder into the guidelines as well. Because remember, we have the guidelines for the Implementation Team, covering items and topics which are we believe are relevant but which are not falling in our responsibility. So I believe it's important to mention this here too. The basic idea why some of us believe – we should mention this too – why a basketing approach might be recommendable in the future. Then the Implementation Team will have guidance and can then review the point and can make a recommendation. You haven't made a recommendation there. Can you just read it maybe? Yes, Danko, please.

DANKO JEVTOVIC: If we remember correctly, I think the proposal was that we first run without basketing. Then in the review phase, review it and maybe do the basketing when we have some initial data.

ERIKA MANN:

We have foreseen a review after. I can't remember the years if it was two or three years, but we have recommended a review of the whole program. So one idea is then that either the basketing kicks in after the review or it kicks in earlier.

Danko, I would leave the flexibility for the Implementation Team to decide it. Because let's assume there will be a big discussion but you can imagine that many players from developing countries, to give you one example, will argue in an open competition between project, we will never have a fair chance of receiving an attender because we are disadvantaged. In particular, if you're from a least developed country, you're disadvantaged because of many reasons. Then maybe the Implementation Team is then there to say, "This actually makes sense and we are recommending just for one single purpose, maybe a basket [inaudible] earlier." But I'm just saying maybe they will say, "Maybe we should do it after the review." Maybe we should just leave the flexibility for the Implementation Team to decide if ever they want to do it.

DANKO JEVTOVIC:

Thank you for the explanation. I absolutely agree with the value of basketing in general, but when you say implementation, you think that – I'm sorry if I'm asking something because I'm in U.S. When you say implementation, I presume you're referring to the phase where the actual rules be written before any applications have been received. So at that time, we actually don't know what kind of applications we're going to receive and how the process will go on. So the answer by the

Board to the questions posed by the team were that after we see number of applications and how it's going in the first review phase we can implement basketing then because we will have more data. So it's a bit not discounting the value of idea of basketing, it's a bit different approach. I'm just referring to the document that was sent by the Board.

ERIKA MANN: Yeah. The Board, Danko, is not making any recommendation about when to do it. So I think that's quite smart and I think that's what you are saying too. Just for those who are maybe not so much involved in what we are debating, in a moment. When we finalize our work, there will be a follow-up group which is called the Implementation Team or Transition Team. We have guidelines where we have put already stuff and which we are saying this was not part of our workload so you have to do the work, but there will be new things they will have to do too like, for example, they have to write specific rules for how projects shall be executed, etc. This will of course differ based on the mechanism we are selecting. If it's an in-house model, it will look different, for example, than it's going to be in ICANN foundation. In both cases, it will be a little bit different, not major difference but there will be some differences.

If you don't mind, Danko, I just think we shouldn't say anything because then both options are possible. You see what say? If you write down in the document immediately after the review then we narrow it down. I think we shouldn't say anything. Do you agree?

DANKO JEVTOVIC: Well, I don't mind but I was referring to the Board guidance that was written. My understanding was that –

ERIKA MANN: Review? Is the word "review" mentioned in the Board text?

MARIKA KONINGS: What we've actually suggested here is that this is just further considered in implementation phase. And the thing that goes partly to Erika's point, maybe then it can be more specifically stated whether it's after the first review takes place or whether it's done beforehand. At least, I think, from staff perspective, the language we've suggested is intended to keep that flexibility and maybe in implementation phase, consider it further and make a more firm determination as to when the right moment is.

ERIKA MANN: Sarah, please.

SARAH DEUTSCH: I just wanted to read the guidance was – "This should be considered in a review of the program rather than as a limiting factor upon the first launch of applications." That was the language just to clarify.

ERIKA MANN: Got you. Yeah. Personally, I don't agree with it. I think it's a big mistake to narrow it down. But if this is what the Board prefers, and since we don't want to have a disagreement on the topic with the Board because then we will have at the end a major clash, thank you so much for both comments then. I didn't read this, I must admit. I never saw the word "review" in the comment. Marilyn, please.

MARILYN CADE: I respect receiving the advice from the Board but I also consider the advice from the Board at this point. Regardless of our communication approach, it is going to be challenging for applications from the Global South. And I think I would prefer us to leave the flexibility unless I understand that there is actually some legal fiduciary reason that we would not allow the flexibility to be built in. So perhaps we could just park that right now.

On the one hand, it wouldn't be good to receive 200 million applications all in year one. But on the other hand, I think the kinds of applications we would receive, the mechanism we'd receive, may vary significantly in a three-year period. Three years is actually quite a long period of time. So if we could consider examining the opportunity for flexibility during that first three-year period, because the review is a much broader, more in-depth evaluation of the overall program. Just an idea for us to consider whether we can show some flexibility in this.

ERIKA MANN: Thank you so much, Marilyn. Jonathan and then Becky.

JONATHAN ROBINSON: I guess with these things, I think I can see both perspectives. Always what one thinks about here is, what's the motivation? It seems that the motivation here is a concern to ensure that there isn't a precluding or accidental or otherwise or against participants or applicants from Global South, developing countries. Maybe on the flipside, the concern from the Board is that this is it's like building into the hardware rather than the software. So I just wonder if within this document, is anyone aware – is there any other attempt within the proposal? I have to admit, I don't know it as well as I should, but is there anywhere else in this document where we make a recommendation that there is a particularly favorable response or some form of receptiveness built into it in what I might call a softer way to applicants from developing countries?

ERIKA MANN: I don't recall this neither anymore. We are working on this document so long. I believe we have discussed this, but yeah. I don't recall it. Just one thing, because sometimes there's a feeling this is something novel. That's a totally typical approach for fund, so it's nothing special. But Becky, please.

BECKY BURR: Maybe we're just getting confused here. The Board's point here was not to preclude anything but to really encourage continued focus on the goals and objectives of the program, and then looking after the

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first review to see if there was a problem that needed to be addressed. Now, I think part of the issue was that we talked about when the reviews happen and that may be an issue here. But just to be clear, the first review now happens after the second round. Is that correct? So it's not three years out, it's two years out.

ERIKA MANN: There are no rounds defined as rounds.

BECKY BURR: Well, tranche. It would be an annual tranche, right?

ERIKA MANN: This is something the Implementation Team will have to do and it depends on the allocation of the fund. If you have a $30 million grant or you have a $2 million grant, these will differ. They will be not uniform.

BECKY BURR: I think so long as the Board's guidance on this is included in the guidance to the implementation oversight or the Implementation Team that the Board considers that first and foremost it's focused on the mission, the objectives, and the goals of the program, and that bucketing should be used in service of the mission, the goals, and the objectives as opposed to – what I think our anxiety is having the bucketing slapped on first before we have very clear articulation of the

focus and goals. I think we would like the guidance to be included in as guidance to the team to be very clear.

ERIKA MANN: Alan, please.

ALAN GREENBERG: As happens in these meetings often, I'm getting more confused as we get more into the discussion. Marilyn mentioned the Global South. The wording in the document that I see is baskets with different programmatic focus, not necessarily different geographic focus. Well, okay, the words there say programmatic. I'm just looking at it. I would feel very uncomfortable in posing baskets especially with programmatic focus where we don't really have a good feeling for what people are going to be imagining doing with this money.

So doing that a priority before we even start the program I don't feel comfortable with, I could say almost that when we get the first bunch of applications in, maybe at that point someone has to start thinking about, "Do we care?" Because if we don't have baskets at that point, we may get too much of the money in one – because all the applications are focused on education instead of something else. But I don't feel comfortable doing it anyway, so I'm comfortable with the Board's advice. Remember, we are doing annual reviews. We're on weak enough ground on this whole thing that we're going to be thinking about or watching it. If we really have to change direction partway through, we can do it.

ERIKA MANN: Danko, please.

DANKO JEVTOVIC: Short intervention. I'm just trying to thank Alan but also to say coming from a rather poor developing country inside Europe, I would try to avoid geographic term as Global South because there are some poor countries all around the world.

ALAN GREENBERG: I think that term is now out of vogue. We're supposed to be using another one but some of us haven't caught up.

ERIKA MANN: Let's try to find a compromise. We are not using the term Global South. We haven't mentioned this anywhere in the document. It was just an example mentioned. And when you look at the professional fund environments, the real professional ones, the big ones, they will do this kind of approaches because they made experience that it's very difficult that everybody around the globe can compete on the same level. It's just the reality.

It's much harder. If you're operating in a particular area, sometimes it's much harder to be able to compete on the same level. That's why professional funds tend to do this. So we are only recommending to the implementation phase. And it can be done later. We're just

recommending to consider this approach in case it is proved to be necessary.

Now they both made a concrete recommendation to do it after the first review. So what we could do, if you would agree, we keep the language as it is but we annex – because keep in mind, that's again for the Implementation Team – we annex anyhow in a footnote the full text of the Board. So they will see that the Board then is talking about a period after the first review. Would this be something you could be all happy with? Yeah? Would you still want to read maybe the text or we are fine? Okay, fine. Good, great. Then let's move to the next item. Emily, back to you.

EMILY BARABAS: Thanks, Erika. The next area that we're looking at is on page 27, Charter question 11 which is about review mechanisms. The Board has provided feedback. I'm not going to read the full text unless you ask me to because it's a little bit long. But the key part of the Board feedback is that they said that it's not clear to the Board that two separate panels are needed for the review function. And just as a reminder, the CCWG had recommended that there were two separate panels that each had their own role. I can read more if you'd like or pause.

ERIKA MANN: Emily, in this case, I would recommend so that everybody has the time to reflect upon it. I would recommend the original Charter question

and then the Board response to it so that we have it complete. It's so difficult to read the small text.

EMILY BARABAS: Charter question #11 was, "Should a review mechanism be put in place to address possible adjustments to the framework following the completion of the CCWG's work and implementation of the framework should changes occur that affect the original recommendations (for example, changes to legal and fiduciary requirements and/or changes to ICANN's mission)?"

The response to the Charter question is the one just as a reminder in which the two panels are described as the Auction Proceeds Program Review Panel and the Auction Proceeds Program Assessment Panel. The Board has said, "In relation to the two newly proposed panels – the Auction Proceeds Program Review Panel (APPRP) and Auction Proceeds Program Assessment Panel (APPAP), while the Board does not have the final details on either of these, the Board supports the need for reviews consistent with best practices in grant making, and reiterates the feedback included in our input to the Draft Initial Report: 'if a review indicates a need for fundamental changes to the mechanism or the purposes of the use of funds, those would be significant changes for which additional community input would be required.'"

That said, however, it is not clear to the Board that two separate panels are needed for this function. We encourage the CCWG to first focus on providing greater specificity about the scope and goals of the

reviews it feels are necessary, and from there it may be possible to better identify the expertise needed and the frequency upon which those reviews should be conducted. Identifying the goals of the review will also provide additional clarity on the role of the community in those reviews. The Board encourages that the CCWG consider whether more standardized review mechanisms used to assess other grant-making programs would be appropriate here. Whatever final recommendations the CCWG makes in this regard will be evaluated by the Board in line with the principles reiterated above, and current plans could be seen at odds with these given the perceived complexities, additional resources, and burden on the community.

ERIKA MANN: Alan, please.

ALAN GREENBERG: Thank you. I am having trouble remembering exactly what the roles were that we gave these because it switched over time. At one point, the annual one was in fact a standing committee that would be available to be consulted periodically. I think the final version just has it doing something once a year. If that is indeed the case and presuming we convene the committee once a year, it would be possible that every third one is convened with a different set of requirements and a different need for different types of people. So I think we need to look at it in the current draft, see just what we said, and it may well be possible to merge them into the same one. I'm just having trouble remembering exactly what the words were.

There was also something that the annual committee's report would feed into the review one. I'm not sure that makes sense as we're talking now. So it may well be possible to agree with the Board in saying we don't need two different ones but from year to year, they may vary as to what their responsibilities are and how we staff them.

ERIKA MANN: Maybe just to remind about the original idea that we had copied this from, again, from existing fund environments from different. So where you do practically a program, you do a program review and you do this, the time differs because you target certain programs which you want to have, you have [inaudible] and then typically you do a review. And the assessment was bigger, if I remember this well. But you're absolutely right. We have to clarify this all and that's something we will hear. We will have to do when we do the complete review, and then we will see if there are bits and pieces which are not really fitting together.

Becky and then Jonathan and you, yeah.

BECKY BURR: I think this is important, a really good suggestion. Go look through this because one of the things we've talked about – and I know, Erika, you've mentioned it several times that that review, I guess, is just a quick thing. Did we come together? Did we get it basically right? Has it gone off the tracks? I think if the recommendations reflected that kind

of contained scope, that would be very comforting, but it wasn't our sense that it does right now.

Also, just to be clear, the Board, I believe, has said on several occasions that we do think that there is a role for that review panel in terms of developing the application materials, developing the materials for educating the evaluation panel. So we're not trying to cut out the community, we definitely see a role for the community in that but maybe were review shy. But to the extent that you anticipate a light touch review, if we could be clear about that, that would help.

ERIKA MANN: Sorry, Alan. I'll now give it to you and Jonathan in a second. I'll take you a little bit later because I want to have first those who obviously participated in the discussion. This is not a PDP. It's not an ICANN review. It's got nothing to do. Maybe we should always say this. It's a typical review which you do – wherever you do where you give grants or where you give money, whatever kind of the background is where you have to review. Did it go well? What are the mistakes made? Is the program not working? Were the evaluators not misjudging something? There are so many things.

So maybe we should find a term, where we use the correct term which is used in these funds. So we go and do another review so we use the correct term so there is no misunderstanding. We're not talking about ICANN review. It got nothing to do with it. Is the money executed right? Is the intervention from the Finance department or whatever? There

are so many bits and pieces which have to be checked constantly. That's what we're talking about.

Now I lost track. I believe it was Jonathan and Alan, but I don't care.

JONATHAN ROBINSON: Thanks, Erika. It's clear that one theme running through the broad ICANN community as Becky said is we've got too many reviews and we risk … So I'm sure that's touched a nerve here. One way of dealing with this maybe – and I think this is in a sense consistent with what Alan said earlier – is on reviewing and tidying up the document is to focus really on the functional purpose of what's being driven here rather than using of the term "review" and "panel" and so on. It's really get up to what are the objectives of both of these two tasks. Because it's clear that the group has in mind reviewing one or more functions in each, one or more activities in each case. So it could be reworded to focus on the desired purpose and outcomes rather than the formations of the committee and the mechanisms of the review and all of that, but just really what the goals are. Thanks.

ERIKA MANN: Yeah. Thank you so much. Alan tried his best already to do this, so he took on a major all in the past to clean this up but as you can imagine, there's always a new question which comes up, as you can see. Alan?

ALAN GREENBERG: Certainly the annual one was not meant to be a review as ICANN uses the term. Closer to an audit. And we didn't use the term audit because that has various special meanings. It's definitely not just the financial audit but it's not as much as we would consider what would be called a comprehensive audit in business. It's is the program working? Are they giving out reasonable amounts of money when they're – again, here's multiple words used – evaluating the project? How successful was it at the end of the project term or [inaudible] way? Are they finding that …? We gave them a grant and they wasted the money. That's going to happen some of the time. It's expected. If it happens all the time then clearly we're not doing it right. So if we're not giving out all the money, if the projects aren't working … that very thing. Basically, is the mechanism doing their job well? That's the one year one. It's just a sanity check periodically. Before we give them another pile of money, let's make sure that we're not doing something really stupid. The three-year one was, did this group make some really stupid mistakes and do we have to rethink at a larger scale? Then it just isn't working well.

Neither of those are really reviews in the ICANN context. One is, let's make sure that the PDP did a good job now that we have some history. And the other is much more of a business-related audit to make sure that we're not doing something really dumb on an annual basis.

ERIKA MANN: We did a quick check. We have three other topics we have to cover. We have 10 minutes for each so I will be very sharp this time because we

have to get this done today. I will not postpone it anymore. It's over today, because otherwise we will continue forever.

EDMON CHUNG: Edmon here. Very short. I think I very much agree with what Alan said. The two types of review or work or whatever you call it is useful but it could be the same team, it could be the same group, and I think that could be consolidated. That should work.

ERIKA MANN: Yeah. We will do the following. When we do the review, we will do a review, we will see how all the bits and pieces fit together. Do we need to make language changes? We have an understanding. We're not talking about a typical ICANN review, so we will take this into consideration, see if we can clean it even more. Alan, we will put you in here and we'll do a quick check. Jonathan as well so that he is happy too. Then we will send it back to you anyhow and if you have further comments, you will let us know. Yes, please?

SAM LANFRANCO: In dealing with the World Bank, they have two things they do. One is an implementation status and result report, which is interim. Then they have an implementation completion and status report. They're looking at how implementation is going. They're not reviews. They don't use that word.

ERIKA MANN: Yeah. I think it's right the word to review. Inside of ICANN, it's a taboo area. It's understood here. Totally correct. Totally understood. Emily, the next one, 10 minutes.

EMILY BARABAS: The next one was also in response to feedback from the Board and this was regarding the Auction Proceeds Program Assessment Panel. There is some specific language about which Board committee would charter this panel. There is feedback from the Board that might be too specific and that it was more appropriate to just say through a committee if appropriate. So we proposed that edit.

ERIKA MANN: Okay. Following up on the discussion we just had, I would say we pushed this to the leadership team when we do the review. We have the comment here from the Board. We had our discussion. We have understood what we want to say and what we don't want to say. Then when we give it back to you, the document either we will find an appropriate way dealing with the Board comment here and cleaning this up. Can we do it like this? Alan and Danko, please.

ALAN GREENBERG: Sorry, we now scrolled away from it. Can I suggest we take out even more words and say Charter by the Board? How they do it, whether they do it in a committee, the Board as a whole or – I don't care. We don't care. We're just saying it's done with the authority of the Board. We don't care of the process the Board uses to do it. So we can just

delete "through an appropriate committee" and put a period after Board.

DANKO JEVTOVIC: Sounds good. I just wanted to say that there was even a proposal to change the name of that committee. So it shouldn't probably be even text something more flexible like appropriate or Board.

ERIKA MANN: I think we have understood it. We have changed this I think already three times, Alan. There's no problem in changing it one more time. Maybe one day we are happy with one version. Okay, understood. Next item, Emily.

EMILY BARABAS: Thanks, Erika. This is on page 29. In the guidance for the implementation phase with respect to the Auction Proceeds Review Panel, there's a bullet that stated participants could be compensated. Such compensation would be in the form of honorarium and not a payment for time. Whether this is practical should be further discussed by the Implementation Team.

The Board provided feedback: "On the topic of compensation, the Board anticipates that the Independent Panel will be operated as a professional engagement and compensation for service on the Panel is assumed. Within ICANN to date, community-comprised advisory panel/committees have not been compensated (apart from travel).

While experts needed to support a community panel (e.g., lawyers, accountants, and other consultants) are generally compensated, the Board needs additional information from the CCWG on the intended scope, role, and time commitment in order to understand why compensation or honoraria is being considered for this function."

So staff has not proposed any updates here. This is an item for discussion. Thanks.

ERIKA MANN: Marilyn, please.

MARILYN CADE: Thank you, Erika. I'm the person who proposed the idea of an honorarium which will be more of a flat fee as opposed to a – but I am just going to make a statement and I don't mean for it to be offensive but I feel pretty strong about it. Years ago – and some of you may be new to this – we debated strongly within the community about allowing our Board to receive funding. We're talking real work here. We're talking work with accountability. I understand it may need more discussion.

There's a couple of things you get when you are paying people for work. You can detail and hold them accountable for doing the work, not just not reading the document but signing up. You can also have a fairly strong conflict of interest requirement. We need people with professional expertise to do much of this work and expecting them to

do it pro bono, it builds a vulnerability in my mind into the independence of the evaluation process.

ERIKA MANN: Sam?

SAMANTHA EISNER: Thanks. Marilyn, I just wanted to ask one item of clarification. I agree that there is a particular and appropriate place for compensation particularly as it relates to the entity that will be performing or the people that will be on a panel performing the reviews of the applications that is a professional level of expertise. We want people to bring that to it and not have it, as you say, as a volunteer thing. It will be someone's job. It will be a group of people's job for a period of time.

I see this Auction Proceeds Program Review Panel serving in a different role than in that Application Evaluation Panel. So I just wanted to ask for a clarification of was your comment about honorarium also about the other levels of review in the program, or were you specifically referring to the entity that would be performing the evaluation of the application? Just so we understand the lines of what goes in the report and what doesn't.

MARILYN CADE: Since it's difficult now to figure out, we're going to have 1, 2, or 17 different groups, my comments earlier were … and I do think we have

not well defined the scope of work and responsibility and responsiveness, so we've kind of put the Board in a difficult situation, but my comments were about the fact that just because you're a member – and we had a long debate about this, Erika and Ching and others will recall – just because you're a participant in ICANN does not mean you bring the expertise needed to fulfill these functions. I know there are people around the table – Sam is probably one of them, some others who interact on a regular basis, Olga perhaps as well – who interact on a regular basis with people who do have this kind of expertise, and you're really not in a position to just give it away.

ERIKA MANN: Maybe just to remind ourselves which kind of panel we are talking about, we do have one panel or maybe even multiple panels, these are the panels which are based on attender or whatever kind of process is selected will evaluate projects will then take a decision and will select certain projects and then certain technical evaluators will monitor and continue to work with this project participant. So this is a very professional work and which I believe we can't not pay. It just doesn't exist in the world that you can't pay them. Otherwise, it will be very difficult to find these people.

This one we are talking about is a panel coming from the community. Alan was the one designing this model which we'll review after the first time after two years, and then annually in a light touch base. It's not the heavy review which kicks in after a few years, which is really reviewing the total of the program on a light touch base isn't working.

So that we don't after a few years see nothing is working, so that they can say it is actually not working, it's not fulfilling the original goals, and can go to the Board and can say, "We have to stop it immediately and we have to review a major review immediately." That's the goal of what we are talking about right now. Alan?

ALAN GREENBERG: Yeah, thank you. Let's not go back and talk about the group that is looking at applications, deciding if to give out money and then deciding if they used it well. That's the mechanism. It's different. Let's not confuse them.

This is the annual panel or maybe every two out of three years it's the annual panel, and one of the three years it's the big panel. I don't see this needing a huge amount of professional skill. We're talking about people from the community. Really, this is looking at the reports generated by the mechanism and saying, "Some of the judgment calls these groups could be making are simple. Are they actually spending the money?" When we assess, look at all the projects that were granted over the last year and the reports that we have back, does it seem like they're making their decisions wisely?

So, I don't see this as a really complex job. Yes, we'll be nice if the people who volunteer actually do the work and actually read the reports and stuff like that. It may require some level of business knowledge – and I'm not talking about having run a billion dollar company, I'm just a little bit of acumen to be able to read reports – but I don't see this as a major thing. So, although I can strongly support

that we as an organization to be thinking about compensation for some of the things we ask volunteers to do, I'm not sure this is the one that I'd focus on.

ERIKA MANN: Danko?

DANKO JEVTOVIC: I would like to thank Erika for the clarification about this, especially I'd like to thank Marilyn and all the members of this group for their hard work. So I think this is real and hard work. It's not comparing to the work that is also coming. For the independent evaluation panel, it's professional. I just said that I see that as something that has to be compensated, but for the panels that will do assessment or evaluation or however we are calling, we are coming back to the question of setting the scope of exactly what this panel will do.

So in the view of the explanation that Alan has said, that is a bit different than what is used in text, but it was quite clear about the light review or assessment. I don't see that as something that should be remunerated. There is also guidance in the wording that was sent by the Board. With this clarification, I think we agree generally.

ERIKA MANN: Marika.

MARIKA KONINGS: Thanks, Erika. One suggestion here, I think we spoke on the previous point to maybe look at the description that now describes it as two different groups or two different panels, that maybe you should focus more on describing what type of reviews need to happen and then leave the details of how that actually happens, whether it's one or two groups for the implementation phase. Maybe this is a similar point where we make a more general statement that potential compensation is further considered as it's established, what this group will look like, and what kind of expertise is needed.

I just want to point out, in this point as it's currently written, it already says, "It could be compensated." It doesn't say "must be compensated." Also note that it could be further discussed in the Implementation Team. I just want to make sure everyone's clear on what it currently says.

SAM LANFRANCO: Reflecting on my experience, and I may be off here, I agree with Alan. I think that we may be confusing two things. A lot of the issues we've discussed are going to plague the implementation phase people. They are going to have to figure out, what does that template look like? Is it a rigid one like the World Bank? Is it flexible because we've got heterogeneous applicants? How do we do those evaluations?

I'm closer to the philosophy that Alan said. It's going to be the documents that they produce at their level that come back to this committee that I think this evaluation panel were talking about now.

This evaluation panel is not going to go out and commission those documents.

ERIKA MANN:
I think we have understood what we need to do. We will do a revision of this text, we will clean this all nicely up, and then it comes back to you. We will take out this point and we will see how we phrase it, and then we can have another review of it. When you review it, hopefully you're going to be happy with it. Last one, Emily, please.

EMILY BARABAS:
Thanks, Erika. So the last edit is on page 41, which is Annex D. This was again in response to Board feedback. I'm sorry, Annex C. As a reminder, Annex C is the guidance for proposal review and selection. Point five was that project supportive of ICANN's communities and activities are encouraged. The Board feedback stated: "The Board previously expressed its view that auction proceeds should not be used to fund and supplement ICANN's operations, including existing or terminated programs. Closely related, the Board feels that auction proceeds should not be used for any applicant's ordinary operations and that a project, that is within ICANN's mission, funded by auction proceeds that is intended to continue to operate into the future should be able to demonstrate that the program will be self-sustaining in the out years. So, for example, if an organization applies for funding to create a new program, the applicant should demonstrate that it will not be dependent future receipt of additional auction proceeds in order to maintain continued operations of the program."

The proposed edit is that number five reads, "Projects supportive of ICANN's communities and activities are encouraged insofar as these activities are different from those funded currently or in the past by ICANN's operational budget."

ERIKA MANN: Marilyn?

MARILYN CADE: This particular issue is very sensitive about funded in the past or partly funded. I've given the example several times but I'm going to give it again. The special project fund was a certain amount of money. That was for the community to apply for and use. That amount of money was increased and was used by the community to fund outreach engagement, a number of other things. Then, in the budget cycle for budget reasons, that amount was decreased. To suggest that an applicant who was going to engage in activities that used to be funded, let's say, sending 60 travelers to an IGF meeting – I'm just giving an example – that an application could not be received and approved, that was similar to a past program which is no longer being funded. I don't think that's realistic for our overall mission. I've raised it several times but I think there's a sensitivity here.

If we are going to use the auction proceeds in support of ICANN's overall mission, this is a restriction that will have pretty negative implications for, in particular, capacity building and some of the other

purposes for which we've said this funding should at least be considered an application.

ERIKA MANN: Alan? Xavier?

ALAN GREENBERG: I strongly support that position. I mean, if we have a case where ICANN stops doing something because it was a clear waste of money then somehow we need to get that message transferred to the people evaluating projects. But we are in a constrained environment, we have to make choices. That doesn't mean the thing we don't fund wasn't a good thing and could benefit the ecosystem.

Remember, since we are saying if things have to be in line with ICANN's mission, what that really means is it's something that ICANN could fund if it had enough money and chose to. Just because ICANN did have enough money and chose to, at one point, should not invalidate a particular project. I think doing that and without even saying how many past years we're talking about, I think this puts into question the whole program because it really is saying, it has to be within ICANN's mission. But ICANN better never have thought it was really important because then you can't fund it again. So, I think we have a problem here.

EDMON CHUNG: I agree very much with what Alan just said. I think it's very too specific at this point. I want to raise one thing. If the project needs to be brand new, I think we're going to miss out on opportunity to fund something to scale up. Because a lot of projects need some scale-up funding and the project could be better, so I don't really agree with what comes back.

Finally, one point, this seems to be implementation details. So I think overarching, maybe what is useful from here is that the projects should demonstrate some sustainability. That's all we need to say and then the specific details could be in the implementation phase.

ERIKA MANN: Good idea. Xavier, please. I have you. You want to go first?

DANKO JEVTOVIC: Just dropping. Sorry. I remember this discussion before I was signed to this team, that the Board thinks very strongly about this. As my personal comment that I would add, putting on my financial management hat is that allowing these auction proceeds to be used in the same way like ICANN budget is opening a huge link in between budget and the auction proceeds. So you can almost transfer part of the budget in that and see this is an extension of budget doing same things that you've been doing before earlier. This, of course, drives with independent panel, you have a way to prevent that but this is also very important milestone in keeping those things separate. It was my personal comment, but I think actually we are moving back.

Xavier, if you can help with the original Crocker's comment on the principles for the budget discipline. Xavier, please.

ERIKA MANN: I have him on the list, Danko. Thank you.

XAVIER CALVEZ: Thank you. I think that what I'm going to say may or may not be conflicting with the purposes that Alan and Marilyn were pointing out to, and Edmon. But I think the origin of the definition of the program was the idea that because these funds are one-time funds, that they should not be funding activities that would perpetuate themselves. If I look at it, as Danko was pointing out from a purely financial management standpoint, funding activities that can be recurring with one-time funds is not a good idea from a sustainability standpoint. Because then when the funds stop, then you need to stop that activity. And if you've put in place either recurring or permanent resources to do that, then you have a problem.

So I think the principles set out at the origin of these funds should not contribute to ICANN's ongoing activities was driven by that purpose. I think that the points that Alan and Marilyn were making were if an activity has been stopped because of lack of funding, then that activity could be resumed because funding exists as an alternative source. I think two thoughts there. There's not a lot of activities that we may have affected only because funding was not available. There usually is the result of a prioritization of activities within the larger

consideration of activities. Therefore it's not just we have $2 instead of $4, and therefore, this is why we're going to do half of these activities. I think we need to be really careful that the decisions of the past are one resulting from circumstances of the past and usually not only because of an amount of dollars available or not available. There's also other considerations that enter into those considerations.

I think that it is clear that we need to be really careful in resuming activities that recreate or require to create support in structures that then the organization carries out and therefore needs to fund because at some point, those activities are going to be stopped and we don't like laying off people. We need to be really clear, the operational implications of starting and stopping activities could have that type of effect and that's not what we shouldn't be considering doing. So we need to be really careful in these decisions.

This is why this language, I think, from my perspective, makes sense because the decisions that may have been taken in the past to stop activities are usually not made just on the basis of quantity of money. Even if they may have been done only on that basis, the decision to reduce those activities versus others was made in consideration of other circumstances than just the money. Therefore, changing that decision may affect fairness across other activities of the organization. I think it needs to be really carefully considered.

ERIKA MANN: Alan.

ALAN GREENBERG: Okay. First of all, I'll point out that the words that have now been put there are not really driven by the Board's comment. The Board didn't say anything about, "Don't fund old ICANN projects." Ignoring that for the moment.

The fact that something is not a priority of the ICANN organization based on its budgets does not mean it's not a good thing for the Internet ecosystem. The fact that ICANN did funded at one point is a strong indication that indeed it is in support of our mission. I'm not sure I understand the focus on it must be able to be continually funded after the grant runs out.

People are applying for a grant. Some things that the grant will be used for are in fact one time things. They may be the capital costs of some sort of project, which will be sustainable another way. It may in fact be an education program, which won't be needed five years from now. ICANN does lots of things. ICANN does education on DNSSEC. Other people may want to do it in their own environments using their own things and it is a program that ICANN has funded at times. And to say we can't do that, I think is ill-advised.

I understand that if indeed ICANN has … There's not an awful lot of programs we're talking about here, but if ICANN has discontinued something and we want to have a proviso to make sure that the group selecting projects consults with ICANN for its rationale for having discontinued it before they funded, fine. But just doing it as a blanket I think cuts out a huge amount of the viable projects that we might find

that people are applying for, specifically in the education environment. Thank you.

ERIKA MANN: Okay. I believe in principle, we have an agreement. We have some disagreement with regard to certain connotations of what we are trying to say here. Just remember why this text came up. It was because we had a long discussion between us which is a quite theoretical discussion. Because we didn't want it to push the evaluators in the corner where they would never be able to evaluate even a project which comes from the community which is valuable, which is a good project and which maybe was funded 10 years ago. We didn't want it to push the evaluators in this corner to say, "Everything has to be novel, everything has to come practically from outside, everything is not connected to activities, which already or may have existed."

We wanted to be careful not to push the evaluator in this corner. Because if you push them in this corner, and I noticed from another environment, they will be super careful because of legal and responsibilities they carry, they will definitely say automatically no even before they look at it.

This was the reason why we said we have to be a little bit careful. Really, to allow the evaluators to evaluate and to really review and then on the merit of a project, then to take a decision, even if this decision was maybe financed 10 years ago and then didn't exist anymore, maybe it was 10 years later, a good one, maybe it was too

early 10 years ago. You'll never know, you can judge these kinds of things.

We understand we have to re-draft to see it. It's another thing we have to re-draft. To work with what the Board is recommending, what we have heard from, in particular from Marilyn and from Alan and Xavier's concern, just to see this pink language which you see here, this is paste and copy from the Board. I think we just have to merge this nicer together. One was from [Edmon], the recommendation, sustainable, I took down, maybe unique – maybe we have to add some words we feel comfortable with so that we are really covering what we want to say. Then you have another chance to review it again if you don't like it. Alan?

ALAN GREENBERG: Just one comment. One of the poster child projects that we thought we might be able to fund is a huge TLD applications from developing regions and things like that, that somehow that might be something that could be used with auction proceeds. I'll point out that was a project funded by ICANN in the past and therefore would be invalid. Do we do we really want to invalidate that one? Maybe we do.

ERIKA MANN: Thank you. Anne, please

ANNE AIKMAN-SCALESE: Thanks. I think I'm speaking as an individual participant in this meeting and that I'll take over after this meeting for CSG. I believe that if you don't leave the proposed language from the Board about those funded currently, that you're posing a great risk for the Board. The funded currently part of it I would think would have to stay in as recommended by the Board.

UNIDENTIFIED MALE: [Inaudible]

ERIKA MANN: Yeah. We will all be separated. It's not what the operational budget is doing and we will have this annex anyhow and it will be in a footnote. So nothing what the Board said is going to fade away.

ALAN GREENBERG: I think Edmon's thing of growing applications kills that one, but I can live with it.

ANNE AIKMAN-SCALESE: Just to clarify, the Board's comments and letter before included existing or terminated programs, and Steve Crocker had commented back to the group in Argentina, I just wanted to read you what he said because I thought it would be helpful. "We have a very well established and elaborate budgeting process. If we use the funds to do things that did not make it through our budget process, then we have some crossover effect. We undermine the discipline of the budget

process." I think there's just some complexities here, and it's not that I think the Board is against any of these ideas, I think it's kind of the crossover effect that Steve mentioned. That's why I wanted to highlight that.

ERIKA MANN: So we will have to work a little bit here to identify the correct language and we can make, again, a reference to the operational budget so it's not a duplication, it must be unique, it must be something special. So we will have to all say this. We have to mention as well that there are budgetary implications which have to be avoided, etc. I think we have understood, you see we have some work to do.

Then we come back to you again, Xavier, was it you or Sam? Okay, please. Sorry, apologies.

SAMANTHA EISNER: I just wanted to raise the point about fund's projects, activities that were funded in the past. What if it's a project that has been funded in the past but in a completely different region? As you said, it might be in the past but did not involve anyone who is – I guess it has a lot to do with the circumstances that Xavier mentioned. The way that it's written, it could mean that – as I know we've actually already done that. We've done that before. I mean, it's just in the way that it's written that could mean that they wouldn't be able to do it because ICANN has actually funded that kind of project before.

ERIKA MANN: Thank you so much. I think we have understood the concern from outside and we will try our best to put this in the correct language. Just to remind why some feel uncomfortable, it's because we wanted, of course, to use this money for something unique, which is novel and which really supports and pushes the organization forward. So this was the prime big idea, in particular, from Steve Crocker.

I think we have done this. So thank you so much all. It's fabulous that we have finalized our work. Now we have few things to do, we have to review the timeline. We have a little bit less than five minutes left. We have to review the timeline to see that you feel comfortable with it. Marika, Emily, who's doing it? Just go. Come on, ladies.

MARIKA KONINGS: Just to mention, as Emily puts up the timeline that you briefly saw beforehand, we do appreciate – we got some comments from Judith that we'll address as well, which I think went to some of the … yeah. So we appreciate that and we'll address those in the next version. So the draft timeline.

ERIKA MANN: Go forward first.

MARIKA KONINGS: Okay. This we briefly showed already at the beginning of our meeting. So our objective is by the end of this week, to circulate an updated version of the proposed report in which we aim to address the

comments that were made during today's meeting. The group then has a week to review that and this is basically your final opportunity to flag any issues of concern. Then the leadership together with staff will look at those issues flagged and we'll aim to reconcile those. That could potentially include a call if the issues are such a nature that we believe further consultation with the group is needed.

Basically then we have an almost final version of the proposed final report, which will be the basis on which we launch the indicative survey. As we discussed before, the survey is pretty short. It will focus on questions such as, "Do you think the group should ideally recommend one mechanism or multiple to the ICANN Board?" Then basically asked as well members to rank the mechanisms so they'll able to make a determination whether there is a clear preference or not.

Basically, members and participants have a week to complete the survey. We'll have some time to look at the results and kind of work with leadership to see how these could be best represented in the report, as Erika mentioned. If there is a very clear preference, we'll of course word it in such a way that it's very likely that the group will recommend this based on the indicative survey results. If it's more mixed, we'll of course phrase it differently. We'll then have a chance as well to share that with the group so you're also clear how we're wording that.

Then the objective is to publish a public comment by 16th of December. Forty days later, that takes us to the 27th of January. Of

course, depending a bit on the number of comments that come in, we're estimating between February, March, we would be reviewing those comments, and hopefully by April of next year we'll be able to finalize the report and submit it to the chartering organizations. That's in a nutshell, the proposed timeline.

ALAN GREENBERG: Okay. First of all, statement if … Oh, let Anne go first. Okay.

ERIKA MANN: Anne, go first.

ANNE AIKMAN-SCALESE: Okay, thanks. Question in my individual capacity as a participant, which is I think I heard you say, Erika, that this was the last meeting but I think Cancun is March 7th. So, would this group then would not be talking face to face in Cancun about –

ERIKA MANN: It depends on the timeline. Ideally, yes. If we have reviewed all the comments and we have done all our work, ideally we would come back together again in Cancun. But it's their last of the major work which we have to do. Even if we meet again in Cancun, it will be –

MARIKA KONINGS: Can I answer that?

ERIKA MANN: Yes, go ahead.

MARIKA KONINGS: Can I just add, because basically we would reconvene when the public comment period closes through calls. I would probably need to see depending on the number of comments received as well, number of members and participants present in Cancun. We may have a meeting there but it will all depend on where we are in the process and how much work is remaining.

ERIKA MANN: Hopefully, we are done. We have finished our work until then, hopefully. Alan?

ALAN GREENBERG: This may be our last face to face; it's certainly not our last meeting.

ERIKA MANN: No.

ALAN GREENBERG: I don't want to stand up in a public comment and have to ask, "Why did this group not consider the public comments?" There were tasks assigned to me at this meeting and I'm certainly not going to have them ready by the end of the week and re-draft it.

ERIKA MANN: We will do the re-draft and you do a review.

ALAN GREENBERG: I'm not even going to be able to do a review before the end of this week.

ERIKA MANN: End of next week because you have –

ALAN GREENBERG: No, no. Sorry. I thought you said you're going to send it out the end of this week and it will have another week to look at it with the whole group.

UNIDENTIFIED FEMALE: Yes.

ALAN GREENBERG: Okay, so you want me to just look at it as a regular member? Fine. May I finish, please? I think that's too short a period for the overall workgroup to review, even if you make the deadline of getting it out by the eighth. Moreover, issuing a report on the 16th of December which says, "At least half of the 40-day common period is essentially non working days for many people in the world," I think that is tight. If we

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expand some time now, we can issue the report essentially the 1st of January and give people real time to look it over and consider it.

We've taken two and three quarter years now, adding another two weeks to this is not going to make a difference. So I would suggest we make sure we get it right and not embarrass ourselves. Thank you.

MARIKA KONINGS: Just to respond, our assumption is that the review is focused on the changes that we're making between the previous versions, which a group has had for quite some time to review what has changed until now. So hopefully, that shouldn't take too much time. Of course, we can look if people don't have time to review those few changes, we can discuss that but every time we're adding weeks, it adds weeks to the end as well.

ALAN GREENBERG: I really believe that it's important to do a review of a whole document before sending it out for final.

ERIKA MANN: That's absolutely –

ALAN GREENBERG: That's my personal opinion.

ERIKA MANN: That's correct. But this is something … You did already sent us note which refers much to language correction, see that coherence is given. That's something we want to do as a team definitely before we even send you the document because that's absolutely correct. But just let's not push it out too long. Let's try to get this done in this time. Alan, if it is not workable, I hear you, we'll push it out a little bit further but let's try to get it done.

ALAN GREENBERG: I'll state again, including the year-end holiday period in part of the 40 days, I believe is not appropriate. I think that timeline has to be expanded at least. Thank you.

ERIKA MANN: Just to be clear, are you worried about the public comment period? Or which period are you worried about?

ALAN GREENBERG: I'm looking at December 16th to the 27th of January public comment period, which straddles the year-end holiday period. If my arithmetic is right, it's 42 days or something like that, which I don't think is [inaudible].

ERIKA MANN: We will review the calendar and we'll see what is possible, but I believe we have an agreement. We want to get this done as quickly as possible so we will look at it from the end and see how much we can push it out

so that for the public comment period it's a reasonable timeframe and it's not overlapping this holiday time. Thanks so much, everybody. Apologies, Sebastien, please.

SEBASTIEN BACHOLLET: Yes, thank you. I wanted to concur with Alan for a different reason. I think I tried to explain that in a public comment. We have in front of us at least five very important topics we will have to comment. And I think if we can postpone some of them, it will be great. Therefore, I don't think we need to rush, we have already spent maybe too much time but if we have something we can postpone [with] this one, and then I think not just for holiday's purposes, but also the not to be in sync with three or four other important topics, it would be great. Thank you.

ERIKA MANN: Thanks so much, Sebastien and Alan. Understood. We will review the schedule and we'll review it from the end and see how much we can have built-in flexibility there so that everybody has more time. Thank you so much and have a great evening. Enjoy the music night. It's music night.

[END OF TRANSCRIPTION]