**SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPTION
Thursday 12 August 2010 at 1200 UTC**

Note: The following is the output of transcribing from an audio recording of the SO/AC new gTLD Applicant Support Working Group (JAS) 12 August 2010 at 12:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:
http://audio.icann.org/gnso/gnso-jas-20100812.mp3

On page:
http://gnso.icann.org/calendar/#aug
(transcripts and recordings are found on the calendar page)

Participants on the Call:

ALAC
Evan Leibovitch – Co-Chair
Cheryl Langdon-Or - ALAC chair
Sebastien Bachollet - ALAC
Alan Greenberg – ALAC
Baudoin Schombe – At Large
Tijani Ben Jemaa - AFRALO - At large

GNSO
Avri Doria - NCSG
Rafik Dammak - NCSG - Council liaison
Andrew Mack – CBUC

Erick Brunner Williams – Individual

ICANN staff
Karla Valente
Olof Nordling
Gisella Gruber-White

Apologies:
Elaine Pruis - Mindsandmachines
Carlos Aguirre - At Large
Alex Gakuru – NCSG
Olof Nordling – ICANN Staff
Richard Tindal – Individual

Coordinator: Thank you. We are now recording.

Gisella Gruber-White: Good morning, good afternoon to everyone. On today's JAS call on Thursday the 12th of August we have Evan Leibovitch, Cheryl Langdon-Orr, Rafik Dammak, Baudoin Schombe, Sébastien Bachollet, Tijani Ben Jemaa, Andrew Mack.

From staff we have Karla Valente and myself, Gisella Gruber-White. And we have apologies from Olof Nordling, Alex Gakuru and Carlos Aguirre. And if I can please remind everyone to state their names when speaking for transcript purposes. Thank you. Over to you Evan and Karla.

Evan Leibovitch: Okay. So I guess what I'd like to do is to pick up where we left off before. We've been going through the document that had the - that had the comments that people have left and we've been going through them. We had left off on Working Team 2.

Before we go into that, does anybody have any comments or things that were either not said about what had been done last time? Just want to make sure that we've got any comments. Did anyone sort of have anything reflective that they wanted to say on the stuff that we did last - earlier in the week before we move on?

Tijani Ben Jemaa: Tijani.

Evan Leibovitch: And forgive me, I'm going to ask you to speak up because I'm now trying to do Adobe Connect from two different machines; one my mobile and one my Pentium 1 system. Neither is running it yet so I ask for your forgiveness and ask for you just to announce when you need to talk. Tijani, go ahead.

Tijani Ben Jemaa: Yes. Thank you Evan. I think that from the last teleconference to today there was a lot of exchange on the list. And a lot of points, a lot of issues was raised. I think that this period of brainstorming have to stop at a certain limit

because we need to draft the final thoughts, the final ideas, the final recommendations.

So I propose that today also we continue to discuss the points raised on the mailing list so that we decide to have a position on those issues. And starting from Sunday or Monday, we begin to draft the recommendations one by one.

Evan Leibovitch: Oh actually I don't think we have any choice in the matter Tijani because of the deadlines regarding the Board retreat and having to have something ready in that context. So your - not only are you absolutely right but I don't think we have - I don't think we have too much room to move regardless.

So let's move on with where we're at now and see how far we can get. And then at that point then as you say Tijani, we've got to go into sitting down and wordsmithing mode and take what we've discussed and try and bring that into the draft report as we've got it.

So all right. Does anyone have any other comments before we move on?

Andrew Mack: Evan, this is Andrew. Just a quick question for you. Is the - Tijani mentioned that there were two or three things that came up over the course of the week and we talked about two of them yesterday, you and I. Is it - do you want to go through those now or should we go through those later in the call or are we going to - what's your suggestion?

Evan Leibovitch: Well, anything regarding Work Team 1 I'd like to try and deal with as soon as possible because we'd already gone through that in the document and I was going to start to move almost exclusively to the WT2 stuff. So if there's anything residual from WT1, I would like to try and sort of put a wrap around that today or now if possible.

Andrew Mack: Okay.

Evan Leibovitch: So I mean if you want to, we can bring up the stuff that you and I talked about yesterday. And I guess - so I can raise this. And Andrew's mentioned the issue of the bundling; an issue that had been in previous documents but has since been considered for taking out.

And so I just wanted to get a sort of final view from everyone here about the issue of - basically the way the discussion went yesterday is that I thought that the issue of bundling was legitimate and within scope but would not affect enough applicants to be considered as a high priority item.

So while it's something that we may want to consider, it's not our Plan A in terms of the possible solution for reducing costs. Does anyone have any comments on that? Again, like I said, don't yet have access to Adobe so please just raise your hand or - vocally to let me know you want to talk.

Tijani Ben Jemaa: Evan, you have the problem that you don't have Adobe Connect but I have another problem. I can't lower my hand. When I raise my hand, it's impossible to clear my station.

Evan Leibovitch: So then that means Tijani that you'll be permanently talking for this hour.

Tijani Ben Jemaa: No.

Evan Leibovitch: Well, do you have something to say since your hand is permanently up?

Tijani Ben Jemaa: No. No. I prefer not to say anything. I will send on the email what I want to say because I see that you have a way on which you have - you want to go and I can't understand how we can have the final recommendation on which everyone will agree if we don't start the items there is now. So no problem. We can continue and I will write mail after that.

Evan Leibovitch: Okay. Does anyone have anything else to add right now before we move on?

Andrew Mack: On this issue could I just respond really quickly to the note that (Richard) sent out yesterday?

((Crosstalk))

Andrew Mack: I think it goes to some of our conversation.

Evan Leibovitch: Go ahead.

Andrew Mack: Okay. Really quickly, I want to make sure that the intent of this is not misconstrued. The intent of this is to get more, you know, more underserved streams in the route. And as such support the communities that we're looking to support and nothing more than that.

The goals for the bundling as we've discussed from the very beginning was to try to encourage people to do things that they would not otherwise be able to do financially because of the high costs.

Getting into not streams that are likely to be built out anyway and have an economic rationale but ones where there may be a benefit to the international community to having, you know, to having assets on the basis of, you know - basically by trying to capture the positive externalities which is to say trying to capture the fact that if you're applying for one stream, you're - most of the due diligence that is done is going to be done for one will be valid for all.

And that was the idea. It's - the intent is not to - the intent is to get more streams out there in the route for underserved language communities. And that's where the - that's where this all comes in. That making sense?

Evan Leibovitch: Yeah. I'll just repeat what I told you and that is, you know, this is going to be a challenge explaining the way that this is going to work.

Andrew Mack: Right. And so what you and I - what I would throw out to the community is what you and I discussed yesterday which is, you know, let's leave it in as an option. Let's not devote that much time to it right now. Let - and we'll see if we can find a real life example that would make it work and move on to the next topic.

Evan Leibovitch: Okay. Anybody have anything else to add before we move on to the next items on the WT2?

Alan Greenberg: Yeah. It's Alan. One short comment.

Evan Leibovitch: Go ahead.

Alan Greenberg: I think it's not hard to find examples of the types of things Andrew was talking about. To find examples which don't include real life examples where multiple scripts will be paid for by the people who are intending to do it and therefore not significantly - not eat into the predicted pool of money as it were I think makes it a (unintelligible).

Andrew Mack: My suggestion Alan is only that we're, you know, we're - from the outset this was - this idea was - I think of it as kind of a freebie for us where cost - what we're trying to do is get cost - you know, we're going to work off the same cost recovery (unintelligible). Right?

Alan Greenberg: No. I'm not disagreeing. I'm just saying wording it in such a way where it helps the groups we're looking at but doesn't impact the overall process may be challenging.

Andrew Mack: And I'm willing to take that on as a...

Alan Greenberg: Okay.

Andrew Mack: ...responsibility since this was one that I proposed. Okay?

Alan Greenberg: Okay. I have no - I have no problem keeping it under the - on the table under those terms.

Andrew Mack: Terrific. Okay.

Evan Leibovitch: Okay. Any other comments before we move on? Okay. So moving on. Again, I'm referring to the document called the Draft Final Report, JAS WG V2.1. And I am on Page 11 of that on issues...

Man: Is this the document that's up?

Evan Leibovitch: Sorry?

Man: Is that the document that's up on our screen?

Evan Leibovitch: Oh you're...

((Crosstalk))

Man: Okay.

Karla Valente: Evan, this is Karla. What we have on the screen is the summary of the public comments.

Avri Doria: Can you put up the other comment that (unintelligible) document Karla?

Karla Valente: Sure.

Avri Doria: It's already in there. It should just be able to bring it up.

Evan Leibovitch: Hi Avri.

Avri Doria: Hi. Sorry I'm late folks but please go on Evan.

Karla Valente: What version you looking at Evan, I'm sorry.

Evan Leibovitch: The one I have is V 2.1. I'm working as fast as I can in the background to try and get Adobe Connect working. So right now this is what I'm - I have to work with.

So if I remember we are moving on to WT 2.2, reference to the GAC communique in connections with this issue is also relevant specifically when ICANN is urged to (send) technical and other requirements including cost considerations at a reasonable proportionate level in order not to exclude developing country stakeholders from participating in the new gTLD process.

These documents should be available in all UN languages. GAC urges that the communications and outreach strategy for new gTLD round be (up) with this issue of inclusiveness as a key priority.

Okay. Does anyone have anything to say about the contribution from the GAC on this? It doesn't seem to be out of line with what we're doing except reminding ICANN that we have to put this information out in all languages.

The GAC seems to believe the cost considerations be considered to not exclude developing country stakeholders. This doesn't seem out of line with what we're already doing but does anyone have any comments or additions for this particular context?

Sébastien Bachollet: It's Sébastien. If I can say a few words.

Evan Leibovitch: Please.

Sébastien Bachollet: Yeah. My question is I agree with what GAC say but at the end of the day, the other part of the question with that right here is in which language

the project could answer because if you read it in Spanish and you have to answer in Russian or if you read it in French and you have to answer in English, it's not the same thing. And for some of this - of the people it may be good to have this document in other language, in UN language, but also to be able to answer in other language.

Evan Leibovitch: You mean to actually send in the application?

Sébastien Bachollet: Yeah because we know that costs will be important with the question of lawyer, of language and so on. And then if we want to decrease the cost, we need to allow the people to answer in the same language that they will read the document.

Alan Greenberg: It's Alan. I have a response to that.

Evan Leibovitch: Go ahead.

Alan Greenberg: I can't disagree in theory but in practice I just don't think that that is going to work. We're talking about things where ultimately there need to be discussions in English and there need to be people who can work in English. Because the contracts will be with ICANN that they will be, you know, language requirements for dealing with the various other people in the Internet ecosystem and we're just not going to in a world where we can do everything in one language - where we can do everything in multiple languages.

So getting the documents out in multiple languages says people can find out that there exists opportunities. They then may have to contract with someone or find someone who can, you know, complete them. So I think it's about a good as a middle ground as we're likely to get in this world.

We're talking about in the timeframe for the first round. ICANN is not going to change into an organization that can respond in multiple languages for in

everything nor is IANA nor is, you know, the various other players in the game.

So it's not perfect but I don't see how we're going to come any closer in the time (unintelligible). Thank you.

Evan Leibovitch: Sébastien. Sébastien, do you have any comments to answer to that?

Sébastien Bachollet: Yeah. The problem we have we have a lot of good answers that ICANN is just an English speaking organization. No problem with it.

Alan Greenberg: Oh yes it's a problem but not one we're going to fix this week.

Sébastien Bachollet: Good luck. Yeah.

Man: If I can just suggest this is certainly a good first step and it is an improvement and one of the things that we can be looking forward to if we do get to critical mass and we get a small secretariat for this activity would be to try to include in the multilingual capacity. I think it's a worthy goal. I agree that I don't think it's realistic we're going to get it in the short term. But locking (this in) if nothing else is still a big improvement.

Avri Doria: This is Avri. If I can add, isn't that one of the reasons of in this first round why you do have language in translation (and distance) with getting documents done as one of the services that needs to be provided?

Man: Yeah.

Evan Leibovitch: Okay. Anyone else? Okay. By the way, Cheryl, my cell phone isn't letting me on Adobe Connect either. It's saying...

Cheryl Langdon-Orr: Oh well never mind I just heard that (Amadeo) had managed it and I thought might have (unintelligible).

Avri Doria: By the way, I'm watching the Adobe so I can yell out if there's hands up now that I've got myself on the call late albeit.

Evan Leibovitch: Okay. So essentially we don't really have any new - any comments on the - on the GAC issue. Right?

Avri Doria: Well I...

Evan Leibovitch: ...to what (we're) doing?

Avri Doria: I think the comment is if I can suggest from what I've just heard and what we've got in the document is, you know, good point. This would require a major revamping of ICANN processes that is not likely to happen before the first round and necessarily as to why; we're suggesting that there be help for people in, you know, dealing with English applications and English contracts.

So I mean I think that that's the kind of response we give to that. And from what I've heard that that seems to be kind of what people would accept from this group that that would be, you know, yes you're right it should evolve. But since it's not going to be able to in the short time, let's look at ways to help those people respond in English.

Alan Greenberg: I don't think that's a response to the GAC one. They're saying key documents should be available. They're not suggesting the bi-directional.

Avri Doria: Oh, okay. This is a response to Sébastien's point, right.

Alan Greenberg: Yeah. Yeah.

Evan Leibovitch: Okay. Moving on to WT2.3. I hope this is the same as is on the screen. I'll just read it. There are two important points that need to be taken into account prior to the issuance of any final report. First the proposal to prohibit any

support from (unintelligible) with governments is overly broad and inappropriate.

Okay. Comments?

Andrew Mack: Yeah, do you want us to raise hands or should we just jump in?

Avri Doria: You could...

Evan Leibovitch: (Avery) can you help me with the queue?

Avri Doria: Yeah. You can certainly raise hands and if I see - and if you do okay. I see Andrew has his hand up.

((Crosstalk))

Alan Greenberg: It's Alan. A point of order. Could I ask whoever's changing the hands up to microphones, can they lower the microphones when we finish?

Cheryl Langdon-Orr: Well that can only be Karla.

Alan Greenberg: Somebody...

Avri Doria: That could be Karla or somebody can give me - can promote me to deal with it and I'll deal with it.

Alan Greenberg: Karla and Gisella are the only people who have the capability according to the screen. I don't know who's doing it.

Avri Doria: Yeah. I think Karla has (unintelligible).

Alan Greenberg: Okay. Sorry to interrupt.

Andrew Mack: Not at all. I'm sorry I'm not finding on my screen where this is written. But I don't think it was ever the intent to keep any government - I don't think it was ever the intent and I don't think it's in any of our documents to suggest that a group with no - with any connection to government can't participate; only that it shouldn't be effectively subsidizing a government initiative.

                   You know, a largely or purely government initiative. So that's not clear and we should clarify that. But that - I don't think that's the initial way our initial documents read.

Evan Leibovitch: Okay.

Man: Yes, I agree. I agree with Andrew. That's right.

Avri Doria: Well, this is Avri. If I can ask a question. I thought we had specifically said that if you have majority government funding or you're a majority government sponsor, you're not qualified.

Man: That's right.

Avri Doria: You know, it (unintelligible).

Cheryl Langdon-Orr: Yeah. See Avri, that was a - that was a conversation that I - Cheryl here. Sorry. And I haven't put my hand up, naughty me. I remember, and I wasn't in the room the whole time, that that conversation ran certainly in the room in Brussels and we were discussing this. And you and Evan were presenting and it was an issue also raised I believe in the (AFFRALO) discussion room as well where, correct me if I'm wrong Tijani, but...

Man: Yeah.

Cheryl Langdon-Orr: ...Africa was also concerned that any implied prohibition on a government supported initiative concerns them. But I don't remember a conclusion to that; only a awareness that there seemed to be almost two extremes in views.

Those who felt if government was involved well then they should have the resources by some definition. And those who felt if government was involved, it didn't mean that they would have the resources. That support was not just limited. It can be support in principle but not financially for example from the government.

Avri Doria: Andrew has his hand up.

Andrew Mack: Yes. Thank you. Just briefly. I guess there are two ends of it and I think that we want to steer clear of either end of it. I am concerned that in many countries if it is - we could get ourselves into trouble if we keep groups that have some government connection.

And we could get in trouble if we support governments that should be supporting it themselves and/or might claim to speak on behalf of communities but might not be very good spokespeople for communities. And I can think of a number of countries around the world where that might apply.

I thought we had - I actually thought the language that we had was okay but I'm open to changing it if people have a better idea. The key thing is not be subsidizing something that should be paid for either out of, you know, that should be self-supporting. That's all.

Avri Doria: I don't see any hands up. I'll interject myself. This is Avri. I actually think that the language we had was - I do agree with you. I think there's real problems wandering into this territory especially on the first round. And I would hope that nothing that was, you know, this is personal. I would hope that nothing that had government subsidy got other subsidy because government, you know, are not the poor actors that we've been speaking of.

We've been speaking about, you know, groups that have financial difficulty. And if you've got the complete backing of a government, you know, the financial capability is there. So I think the language we have is fine and I would really worry about opening this up to, you know, groups that have complete or strong government subsidy.

(Unintelligible) was that your hand up? I see a microphone for you but - (no).

Evan Leibovitch: Okay.

Cheryl Langdon-Orr: I had put my hand back up while Avri was speaking.

Avri Doria: Okay. So your hand was up but it showed up as a microphone. I don't know what's going on.

Cheryl Langdon-Orr: Well, someone had a rush of blood to their head and gave me the microphone, which is fine. Once you give people microphones in this bizarre and peculiar system that we seem to be running in the Adobe room, only those who are, you know, got the yellow body parts and...

Avri Doria: Sorry.

Cheryl Langdon-Orr: ...and take it away.

Avri Doria: I've been wiping out microphones as soon as they showed up. I didn't mean to wipe out your hand.

Cheryl Langdon-Orr: Okay.

Avri Doria: (Unintelligible).

Cheryl Langdon-Orr: I just want to point out that in terms of the discussion we're having in this meeting, if the work group believes that the language does not indicate that any support from a government in an application means that is it a prohibition for it to - the application to qualify for consideration for this type of support that our group is focused on then we need to say that. And if our language is not clear enough then we need to fix that.

Tijani Ben Jemaa: Tijani.

Evan Leibovitch: Go ahead Tijani.

Tijani Ben Jemaa: No. The language I think was enough clear because it says exactly that support from government is not prohibited...

Cheryl Langdon-Orr: Yeah.

Tijani Ben Jemaa: ...for be eligible. But if - but this group wouldn't accept that government project would be supported by this initiative. It's not exactly the words of the text but it's the meaning.

Evan Leibovitch: So is there consensus in this group that the wording we've got is okay and strikes that balance? I'm just trying to move on.

Man: Yes.

Cheryl Langdon-Orr: If we believe that's the case then the response to the public comments is the workgroup believes that is what it says because you do need to respond to the comments.

Avri Doria: And possibly, you know, if we want to somehow reinforce the wording and explain it better so that it is better understood, you know, we should, you know, do that too. If we can do it without, you know, without saying that -

something that we don't want to say. I mean, it is just the one bullet point so it might be possible to, you know, expand the wording somewhat.

((Crosstalk))

Avri Doria: ...it is pretty specific but, you know, perhaps we can word it a little better, you know, and add the sentence this does not mean...

Cheryl Langdon-Orr: Yeah.

Avri Doria: ...that having some government funding disqualifies an applicant.

Cheryl Langdon-Orr: And I think that's all the commenters were seeking to clarify.

Man: Let's add it then.

Evan Leibovitch: I have a very small panic that just came up. Avri can you take over for a couple of minutes?

Avri Doria: Certainly. Okay so for (W23) we will add some text that says this does not prohibit...

Cheryl Langdon-Orr: Yes.

Avri Doria: ...an applicant with some leaving open but the whole notion of tight guidelines is something that we haven't gotten into but...

Cheryl Langdon-Orr: Yeah, I think that reacts appropriately to the public comment.

Rafik Dammak: Avri?

Avri Doria: Yes.

Rafik Dammak: It's Rafik.

Avri Doria: Okay, yeah, Rafik.

Rafik Dammak: Yeah, maybe to clarify we need to define what the person (unintelligible) the government participation (unintelligible) if we want more details to be more - we need more to clarify the program. Because if we just need - we just say that how to define that it's there - largely a government project (unintelligible) or not, 30 persons, 40, 20, 50, (unintelligible) persons.

Cheryl Langdon-Orr: That's a slippery slope.

Avri Doria: But I do understand the point and that's why I've made the comment about specific guidelines is sort of - and the details of specific guidelines is something that we are putting on the further work to be done list because there's no way in the next two weeks we're going to get that degree of specificity.

But indeed you are right, you know, and perhaps, you know, want to be careful but some does not mean majority, etcetera. But you're right, the slope does get slippery after a certain point.

You know, is it the same just, I mean, once you start talking about percentages I start to have, you know, vertical integration nightmares about...

Cheryl Langdon-Orr: I'm getting real nervous as we go down that direction, Avri, yeah.

Avri Doria: Right. And so, yeah, I understand what you're saying, Rafik, but we do need to be careful. And I don't know that actually pinning that down is a task we want to undertake at this point.

((Crosstalk))

Avri Doria: So the people doing the strict guidelines that we're recommending be a further task would be stuck with it.

Rafik Dammak: Avri...

Avri Doria: Yes.

Rafik Dammak: Sorry is just to clarify why I ask of this that because last week I did presentation here in Tokyo and there was kind of (unintelligible) about ICANN meeting in Brussels and I did presentation about our role. That's the question I received is that I was asked how you define a government (unintelligible) agency.

                So then okay I can - I go to respond that largely it's (unintelligible) regarding what is in the document. But there is still no clear how we can define the governance participation. So maybe we don't need (unintelligible) at this stage but we need to make more - how say more strong (unintelligible) rephrasing or more clarification that help people to understand but I'm not sure how we can do that.

Avri Doria: Okay.

((Crosstalk))

Avri Doria: Okay so I put down a note, what does it mean to be a government-led initiative and perhaps some words to try and touch that. And let's not try and wordsmith it now but let's look if somebody can find out, you know, a way to say not a government-led initiative without getting into percentages and such.

Cheryl Langdon-Orr: Avri I - Cheryl here - and I see Tijani's hand up. I think we can spend the next - amount of the time we have on this call and many more just focusing on the definition between led and in principal support. I think this is a hugely complex issue.

I can envisage situations where one could have a 100% in principal support from the government of your particular jurisdiction as a very affirmative thing to say the (leaf) by the community you're representing is sufficiently strong as an argument why your new gTLD is a very good thing indeed.

But that doesn't mean that there is one cent of either cold hard cash or facilitation coming from that particular government or the in principal support that the government is getting. It's a really complicated matter and we'd get into some very particular terminology arguments.

And I think it's definitely for the latter, not now pile, to recognize it as an issue is probably all we can do but say that there is no impediment if a government supports without saying it's an initiative of the government. So for the government supports something that is not an impediment to qualifying under the criteria you're looking forward to setting from this work group.

Avri Doria: Yeah, that's a good suggestion for forwarding, I'll look at that. Tijani.

Tijani Ben Jemaa: Yes. To continue on what Cheryl said now I'm wondering - are we speaking about the percentage of the financial support or a percentage of the whole support? What kind of support? The supporting kind, is it the - is it quantified? Can we put a percentage for it? It's complicated; it's not like this.

We can have full support of a government but no penny is paid for the project. So let's speak about the financial support. And in this case I agree, we can put limits, we can put a percentage.

Avri Doria: Okay thank you. Yes?

Evan Leibovitch: Avri, this is Evan.

Avri Doria: Okay yes, Evan.

Evan Leibovitch: Yeah, I think we're going in the right direction. I don't think having wording that explicitly prohibits government involvement is warranted. But I think Cheryl notwithstanding we can probably put in some kind of language that, you know, even though it isn't specific on details can say that, you know, this is not intended for applications that are primarily government financed and supported.

Are you saying that without that level of excruciating detail this will not be a useful statement?

Tijani Ben Jemaa: Good.

Man: If it might just add to that Evan, the reason we wrote - we included it in the first place was partly just to kind of discourage people from putting forward their initiatives for funding, right? And maybe - that may have the effect that we're looking for.

If we have just a broad statement saying if this is really a government, you know, to the effect that if this is really just a government thing then, you know, then this mechanism isn't the mechanism that you want and have as I think it was Tijani suggested some very, very rough lines about what, you know, what percentage of the money or something like that - that should be enough I think.

We're not going to get into rulemaking here. I don't think we need to.

Avri Doria: Okay. Well let's - we'll take - sort of take of the guidance, see what kind of wording we can come up with. And then we'll pass back through this both when we're reviewing because one of the things that's going to happen is, A, we'll go back to working on the document in the next meeting. And, B, we will review the draft responses to each of these items.

So we'll come back here probably several times. And I think we have a good clue at the moment of sort of the Scylla and Charybdis of this particular piece to see if we can't, you know, find a way to move between the two dangers that we're seeing and see what we've got.

Alan Greenberg: Avri, it's Alan, just one thought which may get us partly out of the quagmire; we use the term support in two different ways; one being philosophical support and one being contributing to the funding of. And we should try to use the word one way only and pick something else for the other one because when we use it interchangeably in every second sentence it does get confusing.

Avri Doria: Yeah no that's a good point and...

Man: Good idea.

Avri Doria: ...that's defining some of our terms might be good. At the moment this bullet says purely government slash (unintelligible) applicants.

Alan Greenberg: No I understand but in our discussion we've been using the term...

Avri Doria: Yeah, yeah, you're right.

Alan Greenberg: ...support as synonymous with putting money into it and that's not the only way we use the term support - government support or any one support.

Avri Doria: Right.

Man: I would even add to Alan's suggestion that perhaps as part of what we're doing we could create a small glossary...

Avri Doria: Yeah.

Man: ...to define the way that we mean the terms to be used.

Alan Greenberg: Well and - but we have to stop using it in two different ways simultaneously; that was the point I was making.

Man: I get it. I think both are true.

Alan Greenberg: Yeah.

Avri Doria: Right. And I think having a glossary is good but we also have to make sure that the words we put into the glossary and the definition are common definitions and so we could say we only mean this one but it needs to be a commonly understood definition.

Man: Agreed.

Avri Doria: Otherwise we've created a language and I don't think we want to do that; ICANN does enough of that.

Man: No I'm just - to Alan's point to try and create more precision.

Avri Doria: Yeah, no I'm totally agreeing, I'm just mentioning an extra caution on it. Anything more on (W23) here? And all of these things we'll be circulating back to them, as I say, both reading the draft answers and looking at the draft language in the document so it's not the last time we'll see the issue for sure.

                         Anything more on (W23)? I see no hands. Anybody that doesn't have Adobe have anything more to comment? Evan, should I keep running with it or do I pass it back to you?

Evan Leibovitch: Your pick.

Avri Doria: Okay I guess I'll keep running since I was late and we're almost done anyway.

Evan Leibovitch: Go ahead.

Avri Doria: (WT24), we talked about a lot yesterday while we were talking about the first comment; that's the one of targeting just the ethnic linguistics but also consider the non for profit organizations under specific circumstances. We talked a lot about this yesterday but we weren't specifically in this particular point.

                   Does anyone have anything? So for example, you know, we had had points mentioned like the fact that someone is non profit doesn't mean that they can't cover the fees so a certainly a blanket nonprofit was not - seemed to be supported.

                   There was some notion of perhaps including the possibility of charitable service organizations but with the same restrictions of needs and there being various conversations of what exactly does that need mean. We certainly had a bunch of discussion on the mailing list about the inclusion of the not - nonprofit, you know, other expenses that the entrepreneurial included so I don't know, did anybody have more to add on this particular point at this point?

Tijani Ben Jemaa: Yes, Tijani.

Avri Doria: Yes Tijani.

Tijani Ben Jemaa: Okay as I said two days ago I prefer not to put a (unintelligible) at the entry saying that in this phase or in this pilot phase we will prioritize ethnic and linguistic communities. We don't need to put any (unintelligible). The most important criteria is the need. This is the most important criteria.

And for sure we will put in our language that we have to - to anchor the languages that are not already on the Net or the development languages we will also put that - the - for nonprofit organization will be (unintelligible). But it's not restrictive; it must be very broad because the real criteria of the selection will be the need.

Avri Doria: Okay I think we probably have consensus on certainly that last sentence, that the real criteria is the need. I'm wondering though whether we do have group consensus on the first part which is - and I see Andrew's hand up - which is we don't want to narrow down the world of need to some subset of it, as you say, putting an initial filter.

So I'd like to explore to what degree there's consensus in the group on having some sort of filter and having no filter as you suggest. Andrew, you have your hand up.

Andrew Mack: Just briefly the intents, Tijani of course is, you know, I mean, I agree with you very much that the form of the applicant is - shouldn't, you know, is not important particularly. The only intent of starting with ethnic and linguistic communities was to narrow our world a little bit as we learn and also frankly to try to build political support within - political and other supports within the ICANN community to making this bigger.

I don't think that the focus on ethnic and linguistic communities should be a limiting factor; it was only a starting point. And if I recall from the language we said explicitly that it's not limited to that but that we were going to look at these groups first and that was the reason why. You know, so...

((Crosstalk))

Cheryl Langdon-Orr: ...they're prime examples of the need, yeah.

Andrew Mack: I don't think we're that far apart actually. There wasn't anything that said that we couldn't go beyond this only that we would just start with these people. And I think that was partly a political decision frankly.

Avri Doria: Tijani, I see your hand up.

Tijani Ben Jemaa: Yes. If we say that we look at those (unintelligible) first it can be used by people who will select the eligible applicants. It could be used to only consider these categories or not only but to really prioritize them even if they are not really in need as much as other applicants.

                   So for me the real criteria - the first criteria is the need and then any other category is (unintelligible) no problem.

Avri Doria: Cheryl, you have your hand up.

Cheryl Langdon-Orr: Thank you Avri. Just picking up on what Tijani is saying and what Andrew was referring to perhaps we just need to look at strengthening our language in response to these comments that says these are not limiting factors but these are prime examples of what would meet immediate community need.

((Crosstalk))

Cheryl Langdon-Orr: ...prioritized.

Avri Doria: Right. On this one I think our language at the moment though is fairly clear. And so we would need to change the language because it says at least an initial pilot phase (unintelligible) could support two ethnic and linguistic communities.

((Crosstalk))

Cheryl Langdon-Orr: So I think what I'm hearing - particularly what Tijani...

((Crosstalk))

Cheryl Langdon-Orr: ...that needs changing. But - yeah.

Avri Doria: Yeah. What I'd like to see though is on a wider group whether that's something that we actually have - to what degree we have consensus on making that change within the group.

Cheryl Langdon-Orr: Sure.

Avri Doria: Right.

Tijani Ben Jemaa: Avri we can mention - we can mention linguistic and ethnic categories as an example. But we can not say that we provide them or we look at them first, that's the point.

Avri Doria: Right, no I understand that. And I understand that that's your point. What I want to make sure of though is in the wider group especially some of our other active participants who aren't here on this phone call that we take that discussion because that was a sort of - one of the earlier, you know, pillars in the ground on this proposal.

So if we're going to change that at this point we need to go back and make sure that there is certainly a group consensus on changing that. I do understand the point that you're making that this shouldn't be the case and perhaps it should only be examples. But I do want to check further than on this call.

So I'll note that that this is an issue that needs further explanation if that's okay.

Rafik Dammak: Avri?

((Crosstalk))

Avri Doria: Yes - yes Rafik.

Rafik Dammak: I am really in favor to keep the filter because what we try to do to access those in the service communities because if we adjust it - we will make - we accept everybody and they ask for needs it will be more complicated to select and we will anyway to (unintelligible) twice. It's something common, even ICANN do it, for example, for fellowship program; they make some prioritization.

Every - people from developing countries cannot (unintelligible) but at the end of the day there is some criteria to help to prioritize some people if they are in the same - if they have the same - if they are maybe the same if - quality of application but there is some other criteria to prioritize someone other than - other.

So it's - we need some filters. And in our case we have some communities - they are really deserved and we need to help them to apply - to encourage them to apply. And such filter will make more easy for them to apply because it will be more broad, it will be more complicated.

Avri Doria: Okay thank you. I see one check from Eric Bruner-Williams that went up while you were speaking. And I have Andrew, Tijani and then Alan. So go ahead Andrew.

Andrew Mack: Briefly the - I guess I'm throwing this out as a question to the group. The idea of a filter is there to do with a - two things, right? One is to try and encourage people and the other one is to deal with a scarcity of - an assumed scarcity of resources. We also talked about the idea of a filter as a support for - as a way of gaining support within the community.

I guess I'm throwing out the question do we, you know, do we think that having something like this, like a focus - an early focus group is going to gain additional support with the community? If it is I say that there may be value in it. If we don't believe that politically is necessary then maybe, you know, maybe Tijani is right and we should let it go. You know, I want to see it accomplish something for us if we're going to do this.

Avri Doria: Okay thank you. I have Tijani then Alan then Evan.

Tijani Ben Jemaa: Yes, I'd like to ask Rafik a question. Is - are the underserved - underserved communities are they limited to the linguistic and ethnic communities? No they are not. So if your worry, your concern is to serve the underserved communities we don't have to put a filter because you will disadvantage other communities that are really underserved also.

Avri Doria: Okay thank you. Alan.

Alan Greenberg: Yeah.

((Crosstalk))

Alan Greenberg: I just want to caution against using a filter on not for profit. I don't know many ethnic linguistic communities that are not not for profit so the two are not mutually exclusive. And we may want to focus on ethnic - and ethnic linguistic but you don't want to restrict not for profits from applying because in general they may be the same things.

So even if we do a explicit filter restriction we need to be very careful, the words, that we don't kill the people that we're looking to attract at the same time.

Avri Doria: Thank you.

Man: Right.

Avri Doria: Evan.

Evan Leibovitch: I want to just in fact run with what Alan said and make the distinction between two different aspects of an application, the structure of the body applying and the purpose for which this string is intended. The two have very little to do with each other.

And I was under the impression - this is again something that Andrew and I talked about yesterday that the structure of the applicant should almost be irrelevant that the main issue should be the intention of - the intention of the string and accomplishing our goals.

The structure of the applicant at least in my opinion should be secondary if even an issue at all.

And just one - two other things I just want to toss out, one of which is I think we're making a distinction here between the filter, meaning things that are allowed and not allowed, but also to consider within the things that are allowed I don't think is beyond our call to prioritize the things that go to the top of the list; not everything will be inappropriate but even amongst those things that are appropriate there's going to be priorities that are going to be higher than others.

And the last thing is just a reminder that all the At Large people have a hard stop in two minutes.

((Crosstalk))

Cheryl Langdon-Orr: Yeah, I'm going to have to leave now so...

Avri Doria: Okay thanks.

Cheryl Langdon-Orr: ...see you all. Bye.

Avri Doria: Yeah. Tijani, you put your hand up again although this is...

((Crosstalk))

Avri Doria: ...I guess I'll give you the last word on it.

Tijani Ben Jemaa: Excuse me, no, no.

Avri Doria: No? Okay.

Tijani Ben Jemaa: Okay.

Avri Doria: Just bringing it up as we close we have one more here which was - but we talked about that a bunch which was the comprehensive statement from Africa (unintelligible) about the importance of geographical true linguistics and more generally community-based applications. And, you know, we talked about that. We'll continue to talk about that.

Okay what I suggest for next time is that we start going through - we're starting to work on looking at the answers and as they're written and looking at what we have to do in the document to bring it up. So again I apologize for being late. I thank all of you who were here before me. Thank you for the call and we'll call it for today.

Tijani Ben Jemaa: Last word Avri...

Avri Doria: Oh I thought you said you didn't need the last word. Okay.

Tijani Ben Jemaa: Excuse me. Last word, for the applicant community statement I propose that we take the key points and put them as we did for the other comments...

Avri Doria: Yeah, yeah, we'll be going...

((Crosstalk))

Avri Doria: ...we'll be going through the structure of the document...

Tijani Ben Jemaa: Yeah.

Avri Doria: ...in the next meeting so we can get into all of this.

Tijani Ben Jemaa: But we have to take only the points that are not specific for applicants. We will not take the points...

Avri Doria: Okay let's talk about that at our next meeting when...

Tijani Ben Jemaa: Okay, okay.

((Crosstalk))

Avri Doria: Okay good luck with the ALAC meeting.

Tijani Ben Jemaa: Okay. Bye-bye.

Avri Doria: Talk to you all on Tuesday. Bye-bye.

Tijani Ben Jemaa: Okay bye-bye.

Rafik Dammak: Bye-bye.

Tijani Ben Jemaa: Bye.

((Crosstalk))

END