SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Tuesday 07 June 2011 at 1300 UTC

Note: The following is the output of transcribing from an audio recording of the SO/AC new gTLD Applicant Support Working Group (JAS) Tuesday 07 June 2011 at 13:00 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.
http://audio.icann.org/gnso/gnso-jas-20110614-en.mp3

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Participants on the Call:
GNSO
Rafik Dammak - NCSG - Council liaison - WG chair
Avri Doria - NCSG
Carlos Aguirre - Nominating Committee Appointee to GNSO Council
Alex Gakuru - NCSG
Andrew Mack - CBUC

Elaine Pruis - MindsandMachines
John Rahman Kahn - Individual
Eric Brunner-Williams - Individual

ALAC
Olivier Crépin-Leblond - ALAC chair
Alan Greenberg - GNSO Liaison - NARALO
Evan Leibovitch - (NARALO) - At Large
Cheryl Langdon-Or - ccNSO Liaison - APRALO
Carlton Samuels - LACRALO - At Large - WG co-chair
Dave Kissoondoyal - (AFRALO) - At large
Cintra Sooknanan - At-Large
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Karla Valente
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Sébastien Bachollet – ICANN Board
Steve Crocker - ICANN Board
Bertrand de la Chapelle - ICANN Board

Tracy Hackshaw - GAC (joined 13:50 UTC)

ICANN Staff:
Kurt Pritz
Karla Valente
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Seth Greene

Apologies:
Mike Silber - ICANN Board
Katim Touray - ICANN Board
Baudoin Schombe - At-Large
Alain Berranger - Individual
Dev Anand Teelucksingh - At Large
Michele Neylon - RrSG
Baudoin Schombe - At-Large
Tony Harris -ISPCPOperator:Please go ahead. The call is now being recorded.

Gisella Gruber-White: Thank you very much. Good morning, good afternoon, good evening to
everyone.

Onto today's JAS call on Tuesday the 14th of June.

We have Rafik Dammak, Carlton Samuels, Cheryl Langdon-Orr, Tijani Ben Jemaa, Alex Gakuru, John Rahman Kahn, Cintra Sooknanan, Eric Brunner-Williams, Olivier Crepin-LeBlond, Evan Leibovitch, Avri Doria, (Steve Crocker), Sebastien Bachollet, Bertrand de la Chappelle, Andrew Mack, Dave Kissoondoyal, Alan Greenberg, Elaine Pruis, from staff we have Kurt Pritz, Karla Valente, Glen de Saint Gery and myself Gisella Gruber.

And apologies noted today from Baudouin Schombe and Katim Touray.

If I can please remind everyone to state their names when speaking for transcript purposes.

Over to you Carlton.

Carlton Samuels: Thank you so much Gisella. Good, hello everyone. Glad to see you all on this call.

We have the agenda up on the bottom left hand corner of the Adobe screen. For those of you that are not on the Adobe just let me tell you how we are proposing to do.

We're proposing to have an introduction which essentially just highlights the second JAS Milestone Report to give a short history and its development and so on. And that is going to be handled by Evan Leibovitch.

And then we're going to take the questions from the GAC and Board and comments for about 30 to 40 minutes or so. And then the final few minutes we might ask a question to clarify what our posture will be in Singapore.

For those of you who still need to put the (XOI's), the (OI's) together please ensure that you have them sent through to the respective parties.

And I would imagine that there's no objection to this agenda. Will there be no objection? (Unintelligible) Evan to give a little background to the second JAS Milestone Report before we get into the meat of the matter.

Evan, you're up sir. Thank you.

Evan Leibovitch: Thanks a lot Carlton and welcome to everybody especially those that have not been intensively involved in our twice a week meetings.

Thank you again for coming. I'll keep my own comments brief because the intention for this is to get as much feedback as possible as we can from folks that aren't usually in on these calls.

Essentially as has been stated, as is stated in the second Milestone Report the impetus for what we're doing comes from a collaborative work between ALAC and GNSO to try and deal with the requests for how do we make the

gTLD process more accessible in economies that might not be able to afford the standard fees? And consider that an obstacle to participation.

We've taken a number of approaches, one thing that came up very early on was to try and have a process that did not have applicants competing with each other to demonstrate who was most needy. But to in fact allow a regime that would allow for anyone that met a certain criteria to be able to receive the same level of support.

And so based on that we proceeded to come up with a series of proposals and ideas that have been done at a reasonably high level in the second Milestone Report. It is admittedly full of rough edges and in many cases bad lack of detail. It's our intent to flush this out as we move forward with it, but one of the things that we need to do right now is sort of catch our breath having made this Milestone Report.

Find out what the rest of the community thinks about it. It's up for public comment. We're having this meeting to solicit comments from Board members and GAC members and so this is our intent to move forward in this matter.

And I'll leave it at that because I don't really want to take more of this conversation than I need to.

Carlton Samuels: Thank you Evan. Would any other member want to add anything to what Evan said here? Is there anything you think is left out? Might be useful for the discussion to come?

Thank you Cheryl. Cheryl is up on the Board. Cheryl you have the floor.

Cheryl Langdon-Orr: Thank you very much Carlton. Cheryl Langdon-Orr for the transcript record.

Not so much anything Evan has left out because I don't think he has. But I just wondered with Olivier might want to outline some of the particular points that (Katim) kindly sent us in the email he recently forwarded regarding tonight's call. (Unintelligible) specifically the desire to have time slots and project planning for the ending of the work with JAS.

Carlton Samuels: The work with, yes.

Cheryl Langdon-Orr: I'm assuming here that might be a question that would be of interest to all of the Board, not just to (Katim). But it would probably be worthwhile to have it read to the record.

Thank you.

Carlton Samuels: Thank you Cheryl. I think that's a good idea.

Is Olivier on? Olivier, would you like to follow up on Cheryl's recommendation?

Olivier Crepin-LeBlond: I am here, but I'm trying to locate the specific document. Just go on and then I'll come back to you.

Carlton Samuels: Okay so just for those who might not get the - (Katim) sent a note to the list and it includes some specific things we thought probably it would be best and thanks to Cheryl.

Olivier Crepin-LeBlond: Okay.

Carlton Samuels: You have it? Are you ready now?

Olivier Crepin-LeBlond: Nothing. No afraid I can't find it. Give me a little while. Continue and then I'll put my hand up when I'm ready.

Thank you.

Carlton Samuels: Okay thanks. So we have Evan's outline of the second Milestone Report and the issues (unintelligible) something from a Board member who has written in some specific things of interest. And we'll bring those into the discussion later on.

We are now open to questions, comments from Board or GAC members on this call.

Any one would like to start off? Just raise your hand or give a hail and you have the Board.

Bertrand de la Chappelle: Well hi, this is Bertrand. If there's no particular other comment - one of the things that I'm -- to make a journal remark -- one of the things that I'm a little bit worried that that stage is that we have potentially three separate tracks that are taking place on this important issue of the (unintelligible) report.

There's the JAS working group proposals. You've seen the GAC has included in it's last submission to the Board specific, you know, suggestions regarding this topic and internal discussions within the Board there have been some ideas that have been floated that I know the JAS has heard of or anticipated or taken into account regarding the setting up of an appropriate fund with possible (unintelligible) funding.

My concern is that we're nearing the meeting in Singapore and my preoccupation is to see how those three threats can be brought together. And in particular how a discussion in Singapore can take place.

There's a discussion going on at the moment regarding the exact format of the interaction between the GAC and the Board on that topic that will

necessarily be some element of discussion on the applicant support between the GAC and the Board on the Sunday.

And I understand that there will be an additional discussion that will be broader and involving also the rest of the community during the week.

One of the things that is pending and this is something that has been discussed with Heather Dreyden from the GAC is the possibility for the members of the JAS to basically make a presentation or report.

On Saturday I think when the GAC has a preparatory meeting where they might be addressing this topic. So I just wanted to raise this almost as a procedural matter because the way we are going to address this topic in Singapore will be important to chart the course for the rest.

I don't know if it will be possible to find a definitive solution, but the goal at least on the Board side is to foster as much interaction on this topic during Singapore so there is a clear visibility on the path forward after Singapore to make sure that there's something that is available for the program.

So that was the general outline. How does the JAS consider this element of the three parallel tracks and how they can be brought together in Singapore?

Carlton Samuels: Thank you Bertrand. If you noticed that this is a question on the agenda for us, but we - that there's a JAS session planned in Singapore and for Thursday between 11 and 12:30. And it's going to be an open public meeting.

I hear you that we might wish to have further conversations with the GAC and Board. That's the stuff of the second piece of the agenda, to see whether or not we can have an approach to that.

But others may have something to say. Sebastien is on the Board.

Sebastien, you're up.

Sebastien Bachollet: Thank you. Yes first thank you for this meeting open to Board members even if I try to participate (unintelligible) pull this working group (unintelligible). I regret that it's not (unintelligible).

We don't have the same amount of people from the GAC and it's a little bit of concern because we are - we know that to request something from the GAC to do something on this matter. And I would have (unintelligible) for this working group and even participate.

The thing in point is that, I think that Bertrand reviewed some secret that I would like very much (unintelligible). Be no secret in the last two weeks. I tried to (unintelligible) and I didn't succeed.

(Unintelligible) last version of the guide book. And I will text again even if it should say, "Well it was not supposed to be done like that." But the discussion where with the Board is to see how we can put some money (unintelligible). Money to need to come with other money coming from other organization or how it's organized.

But I think it's a very important cause. That's why I wanted to place that on the table because I have the impression the group spend a lot of time in trying to find how the $185,000 were settled. But in fact, but it's much more important is to know how we will be able to find money and then to spend money for good reason.

And I hope that it will be clear that this thing (unintelligible). What is more important is to (unintelligible) the process to getting money and of course together. But hopefully it will come ICANN help that will be here and then to the (unintelligible) and the applicant.

And I must say that these (unintelligible) is very important and that's why I am also (unintelligible) is the fact that you are - you will have three different places to say something to some people. I would like - I would have very much appreciate to have something at the beginning of the work and prior to the election of the guide book is done by this group.

(Unintelligible). Thank you.

Carlton Samuels: Thank you Sebastien. Just to (unintelligible) a quick response that we would have loved to be in the position that you say to be up front. But, you know, you play the hand you got so we're playing the hand we have.

Evan, you're next sir.

Evan Leibovitch: Hi and thanks. This is Evan, I just wanted to respond briefly to what Bertrand had said.

And forgive me, it's almost like answering a question with a question which is basically, at least from my point of view, how can we help? To a certain extent the JAS group has been focused on what it is trying to do. The fact that there have been parallel processes that have been working on this has been sort of out of our scope and beyond our control.

I don't think that there's anybody in the group that wouldn't welcome the chance to try and bring something forward in a manner that would be usable by the Board, the GAC and the community. And, you know, at least from my personal point of view, my response is, "Okay how can we help?"

It's been very gratifying to see that JAS mentioned explicitly multiple times in the most recent GAC statement on the TLD process and their support is great. In fact it appears in some ways that we've almost, the JAS group itself, seems to have achieved a bit of a middle ground between what the GAC has asked for and the status quo.

So we're definitely in I think a very good position to be able to work on something that will be acceptable all around. And so I guess my question back to the Board is, "If there is - if there are indeed these multiple tracks that are causing, you know, both confusion and a difficulty keeping, you know, turning this into a single cohesive policy?"

What can we do to help?

Carlton Samuels: Thank you Evan. Before I go to Olivier, Bertrand would you wish to respond directly now?

Bertrand de la Chappelle: Yes well I can - thanks. I see the point and my position has always been in the past and it still is. But any topic of that sort needs to have a full cross community interaction.

And so the key challenge is to find in a very, very, very loaded agenda this week when this real community interaction can emerge.

The first element is if it can be mastered, and maybe that's a matter that now Olivier as the Chair of ALAC or rather sorry the Chair of the JAS, should maybe contact Heather to see whether there is a possibility to make such a presentation and interaction with the GAC.

In which case I have raised the point in previous discussions in the Board that it would be possible I hope for some Board members who are interested to attempt such a presentation. So if we could do it first thing on Saturday, provided that the GAC is willing to do that, it would certainly be a first opportunity to try to do something in a relatively (unintelligible) manner.

The second element is how this will be discussed during the week? And again I don't have the agenda clearly in mind, but I think that there is

something as late as Thursday that must be put somewhere on the agenda to verify, but that's my recollection.

The point I want to highlight on the substance is that there are two elements of potential tensions that have identified from what I understand the JAS is proposing. And what the other is thinking are taking into account.

I understand the GAC for instance will not be comfortable with the recommendation of the JAS group that support cannot be made to applications that would go to government, made by government.

I think they have a concern about initials to highlight it and forward it. A concern about potential applications that would be made by low level government entities like municipalities or regions or places in developing countries. And this is likely a topic that will be of concern.

The second element of concern is of course the applicant support. Our program is not only about money, but one of the key differences at the moment that I understand is the predictability of the amount that is likely to be made.

And what Evan was mentioning regarding the notion that it shouldn't bring potential applicants in competition of one another. So the approach of setting up a fund is likely to bring a limited envelope rather than establishing objective criteria which are difficult to predict in terms of implementation.

So these on the substance are the two elements that I see as having to be addressed and I don't know how to solve them, but I just wanted to highlight them for the sake of clarity.

Carlton Samuels: Thank you Bertrand. But Cheryl is actually in need of response in the Adobe Room. And the response is very much -- if you look at the report, the second Milestone Report, we actually highlighted the fact that there is this issue that

needs to be addressed with municipalities and government entities could be eligible for support.

And we're looking to the JAS to help us for that through so we are very much aware of that one. And as I said the next thing we have on the agenda is trying to figure out how we might get GAC Board meeting on the agenda in Singapore. We're still trying to figure that out.

(Unintelligible) let's move on Olivier. You're up next sir.

Olivier Crepin-LeBlond: Thank you very much Carlton. Olivier for the record.

I didn't want to break the flow of the conversation in just telling (unintelligible) now suggesting a session with the GAC on Saturday. I quickly had a look at the schedules of At-Large arrivals in Singapore and essentially many will not be present.

Although some of the core team will be there. I'm not sure with regards to some of the GNSO members because I understand that they have a full day of work, a full session. So I don't know whether they can attend, but in any case the session that the ALAC will have with the GAC which I believe is on Sunday is a session which will have an element discussing the JAS.

And I'm not sure whether there is any one from the GAC that has joined this call? Can you perhaps tell us whether anyone has joined since the start?

Carlton Samuels: Don't think so. No I don't think so.

Olivier Crepin-LeBlond: There's not? Okay.

It's a shame, but certainly we will be discussing the JAS with the GAC and if we could arrange an advance session then I'm all for it.

Certainly if Carlton and Rafik, who are the group's Chairs, think that this is something that would help then I'm all for (unintelligible) Heather and (unintelligible) and finding out if there's a time when we could, or we could meet perhaps even in her smaller groups and need to prepare the work for the next day which will be the (unintelligible) session.

Now with regards to the session we had earlier - and I'm sorry I didn't have the emails from (Katim), at the time I couldn't find it - now I have found it and I thought that we could read a couple of parts from the email because he asks a couple of questions, a couple of issues that he wanted to be discussed on the call.

First he apologizes, he's had a last minute emergency to attend. And so he's not able to be here today. But the two main questions which he has brought forward and I'll read them verbatim: The first one being I really sure would like you to discuss (unintelligible) the time line for the finalization of the JAS word group reports. While I agree that this will help to insist that the (AG) mention that needy applications should seek support through the process based in the JAS word group report.

I think it will help to provide a time line for the finalization of your report. I'm not sure whether the group has decided this yet, but this is one of the questions. The other segment that he mentions there is something that he has been troubled with.

He says, "I'm also troubled by the fact that the GNSO has been rather slow in acting on the JAS word group report. I fear such a situation might well be construed by many as enacted by the GNSO to scuttle the entire process in seeking ways and means to provide support to new gTLD applicants. One important product is that such a perception would be that developing countries will feel that ICANN is not sincere."

"(Unintelligible) in launching a (unintelligible) new gTLD program. I need not say that such a perception will also harm ICANN efforts to strengthen relations with developing countries and get them on our side the nominations would like to have their support. So for this reason I would like to hear what suggestions you have to the Board to ensure progress can not be hijacked by an action in the party."

These are the two questions from (Katim). Thank you.

Carlton Samuels: Thank you Olivier. Eric is on the Board and Rafik.

Eric, you have the Board sir.

Eric Brunner-Williams: Thank you Carlton. For the transcript this is Eric Brunner-Williams.

I post my comment on the chat room and I'll read it. I think the concern with everyone, this is responding to the first of Bertrand's (unintelligible) regarding the concerns of the GAC.

I think the concern with government in the JAS working group was the possibility that national government, which in most cases we assume have resources significantly in access of the current published fee and associated cost might be considered. And I don't recall our explicitly considering public administration of urban areas in developing ex-economies as entities to exclude from consideration.

Thank you.

Carlton Samuels: Thank you Eric. And if you notice there was a post from (Erin) which also addressed that issue. We have not made that suggestion at all, it's something still open.

Rafik, you're up next sir.

Rafik Dammak: Oh okay. Thank you Councilman. I just wanted to go back to (Katim). I just wanted to let people know that it's different (unintelligible) so replied to her because there is that part about GNSO being slow. And I think difference in clarification about that. So it's just more difficult.

Thank you.

Carlton Samuels: Thank you Rafik. Olivier, you're back up.

Olivier Crepin-LeBlond: Thank you very much Carlton. Olivier for the record.

May I ask Rafik if it is possible for him to share that with (unintelligible) because I certainly have not been copied under.

Woman: No most of us haven't.

Carlton Samuels: Oh, I've seen it. Can I cut it and put it in the staff room?

Woman: Oh, I think it would be appropriate for the record.

Carlton Samuels: Very well. I will do just that if you give me...

Man: And it would be appropriate if you read it as well if it's not too long because that would go on the transcript.

Carlton Samuels: It is quite long but I think it's appropriate.

Man: (Unintelligible) or not. Okay, thank you Carlton.

Carlton Samuels: And I will ask Rafik to take the chair from here.

Rafik Dammak: Okay. Thank you Carlton. So just to clarify, you want me to read (Stephan)'s email now?

Man: Yes.

Rafik Dammak: Okay, just let me find it quickly. Okay. Yes, okay, so it saying, hello (unintelligible). It's a personal reaction to your message and (frankly I guess) that the board member would send a message indicating someone of ICANN has been slow in acting on the report and the way you portrayed at GNSO as having acted with regards to the (chart milestone) report.

                  At best this shows a lack of understanding of basic processes of our (SO) is committed to following by its own bylaws and by ICANN bylaws. Immediately after the (charts) had ordered, it reported to us it was considerate by the GNSO council at its next meeting.

                  During said meeting, one of the GNSO groups requested the motion be deferred for one meeting. We have a longstanding custom of entertaining such request, hence the GNSO considers its motion again at its June 9th meeting where I am happy to say that the motion requesting amount other things on the report be put out for public comment as soon as possible was approved in (an estimate) by the council.

                  Regardless of your personal interest, I would think that one of your duties as a board member is to uphold the organization bylaws to respect (its own) and to uphold the process in the (OH awok).

                  (Replying) in your message that the GNSO is (unintelligible) to discuss their entire process of seeking ways to provide support to (any of you), (secure) the applicants (its note) into our anonymous (vote choice). It's also serious regard of the way ICANN emits its own work.

ICANN's bottom up process is not pick and choose just because one of the issues that you care strongly about you feel that things are not moving fast enough.

This does not justify false allegations of possible attempts by one (SO) (at the start) of the process as your message was sent in the context of the board, the GAAC staff and the (ALAC can) consider it very public an it could also be construed as an attempt to discredit the hard work being done as a community of volunteers that the GNSO represents.

Your requests suggested to the board to ensure that (publics) cannot be (checked) by an action by any parties and it's clearly aimed at the GNSO in this case. I would also (want), don't (echeck) ICANN core process of working through its SO and ACs towards the board.

I take your message to be a breech of that process and would personally appreciate the answers from you that its taken and that's not what you intend in order to initiate possible discussion of this at both council and board level. I am copying the GNSO council, the direct chairman of the board and the two GNSO elected board members for their possible comments. Thanks.

Woman: Okay.

Rafik Dammak: All right, I'm sorry that that took a long time but I think we - maybe we should (try) again to getting some questions. Okay, just I'm seeing a short discussion. I understand that people want clarification but I don't think that we should talk too much and since this stuff in the protest of the (unintelligible) from the - from GNSO council.

I would be happy if we can get more questions and feedback from the board members presenting the call. And also because we have time or (are we going to go)?

Okay. Sorry, operator, can you check this (call). I (unintelligible) myself. Okay, we have Olivier and Eric in the queue. Olivier, please go ahead.

Olivier Crepin-LeBlond: Thanks so much Rafik. Only (here) for the record, now turning back to (Katim)'s questions, the first one being the timeline. I wondered whether anyone from the JAS group would be able to explain what the type of timeline is going to be, if that has been discussed or it was - has been - actually if there are any suggestions for this.

Rafik Dammak: (Thanks) Olivier. Eric, please go ahead.

Eric Brunner-Williams: Thank you. I wasn't sure that Olivier's - he asked a question actually and I'm not personally prepared to answer it because it was broken up in the middle. I don't actually know what his question was. I wanted to speak about something different going back to Bertrand's point. So I'll wait for a moment.

Olivier Crepin-LeBlond: Should I repeat my question?

Man: Please do.

Olivier Crepin-LeBlond: The question - Olivier here again, the question being the timeline of the JAS working group for its final report or where do we go from here basically, suggestion.

Man: I think we discussed by the working group, is this on the (cards).

Eric Brunner-Williams: Well I was - this is (Derrick) speaking if I can make a response. The - there was a suggestion in the GNSO (act) I recently saw which indicated that the JAS would wrap up after public comment. And my concern with that is that many ICANN reports have very little substantive comment, and I think we're actually not yet done and we still have substantial work to do.

So I don't think we're at the end of our process. That's my personal view and I'll pause there and wait until others speak.

Rafik Dammak: Okay, I can reflect that my thinking - my understanding is that the GNSO is asking that we have a final report so it doesn't mean, I think, that we need just after finishing from the public review to send our report but we should finish.

We should have a final report for after that. Eric, do you want to comment again or your hand's up.

Eric Brunner-Williams: Yes. Thank you (sir). I wanted to actually go back to the substantive issue that was raised by Bertrand. He pointed out that there was a tension between - on the issue of funding. Now there's information that we're not totally aware of -- we being the JAS working group -- regarding the internal discussion within the board about the fee level for sources of funds in order to assist applicants.

(Unintelligible), there's the suggestions in Bertrand's comments that there is a tension between funding a limited envelope or a limited amount of money to allocate and the development of objective criteria for the determination of applicants in need and similarly all for the level of support to applicants if it is not, in fact, uniform.

I'd like to go back to that particular issue to see if there's anything that we can learn from the board on that and to (pull off) on Evan's comment of how can we help. This is an area which I don't think we've explored very much. Thank you.

((Crosstalk))

Bertrand de la Chappelle: This is just a rapid feedback. It is not - I don't speak on behalf of the whole board because it's still under discussion. But this is something that I have also shared on a personal basis with a few of the people who were interested in that topic.

There are fundamentally two approaches. They're not completely opposite but the desire to find a set of objective criteria is very good and it has the purpose of trying to avoid that people are competing one against the other.

At the same time it is relatively difficult from what I understand in the document to find something that would actually amount to a completely separate evaluation process and I understand that there is a desire from members of the board to have an element of predictability in this and also a desire to help kick start something rather then the risk of having a discussion that belabors so long that it requires 20 validations here and there and we end up having something that cannot be put in place for the actual launch of the first - of next round.

So this is why the need to have the different actors together in Singapore is so important in my view. The question is how do the people in the JAS group feel about the notion of the establishment of a potential fund that would potentially initially start with a limited amount that would be provided by ICANN that could be completed by other actors so that the envelope is not limited potentially.

So that's the first question. And the second question is how much do the people in the JAS group, what is your sense of the likelihood and the number of actors who might actually request or apply for such help? Because the debate becomes somewhat mute if, in reality, the amounts that would be available - and I agree with Avri who said on the (how do we) connect, that it is not only about money and I think Evan said that as well.

But the problem is much less difficult if the anticipated amount of people who are likely to be applying is relatively limited because then the question of the amount and the competition is not so much at stake.

Does anybody have an impression or a feeling about potential candidates that have even raised their hands or expressed interest in that? As far as I'm concerned, I have not heard of any but it's very difficult to judge or anticipate the amount of potential need.

And it's maybe an important element to take into account. So these are the two elements, the - what is the - what's the feeling about the idea of setting up some sort of fund. We've seen money from ICANN. And second, what is the anticipated demand for that kind of help?

Rafik Dammak: Thanks Bertrand. I think many questions. Eric, you want to comment or - and (look) for your hand.

Eric Brunner-Williams: Yes. Thank you. The - there is - I understand that there is a tension between - or the possibility of having an additional or separate evaluation for applicants is - presents the design problem that the staff is not considered in the current evaluation model.

So I appreciate the point from the board that that is something of an open ended possibility of the qualifications for support being somehow dependent upon a process that does not yet exist.

And that - I thank you very much for that poignant information Bertrand. That's all I have to say. Thank you.

Rafik Dammak: Okay thank you Eric. We have Cheryl.

Cheryl Langdon-Orr: Thank you Rafik. Cheryl Langdon-Orr for the transcript record. I put my hand up at an earlier point but I'll take the opportunity to give some very

preliminary responses from a purely personal point of view to Bertrand's last couple of issues raised.

The first one is to respond to the option or an opportunity for a bucket of money to be created. It is something that prior to the first (judge) (mast on) report that was discussed some sort of bursary or granting tasking has never been seen as a solution by JAS but simply a possibility as one of the - a set of tools that would be appropriate to offer applicant support. It's a whole lot more then just money that would be required and, in fact, a reduction of fees, is a correlation or thing that maybe we could probably look at there as well, as is staged payments and repayments schemes.

So there are a number of ways that JAS has put forward so far to skin that cat which - what might be complimented by a bucket of funds but would not be limited to a support being based on those funds. We certainly did discuss early on the opportunities to have third party input into such a scheme and various forms of windfall activities such as some options contributing to it.

So it's certainly not something that we haven't thought of and we would - I'm fairly confident in saying the interest is in discussing the logistics and issues further.

To the second point as to whether or not we've looked into our crystal ball to see what the land rush on this might be. No, we haven't nor is it our mandate to do so. The JAS working group is very particularly tasked as the resolution 20 out of the Nairobi meeting from the board to look at mechanisms and methodologies and qualifications criteria about applicant support, not do market research on the possibility of how many in the new gTLD process may or may not need it.

But if we can take any form of temperature from the interest that we've seen from at least representatives in the GAAC and in the at large community who are associated with developing in emerging economies, we would expect that

there would be some interest how big, how long, how wide and how deep that will be is yet to be determined.

And probably (futile) on that determination will be what (is on) offer be it a reduction of fees, a payments, pre-payments, post-payments, an extension of payments being back in support, in-kind support or some combination of all of the above.

Back to the point that I wanted to respond to and that was the question on timing. I think in terms of the time costs, whilst the public comment period that is currently on is specific to the JAS master and report number two, and that was focused - we might need to remind everybody other then those in the JAS workgroup, of course, particularly on the criteria and matters around the criteria that the board, GAAC and other particularly requested us to focus on out of the San Francisco meeting.

There are a couple of other matters which still require considerable but not necessarily long periods of time for the work to be completed that are part of the chartering of the JAS workgroup and both during the public comment period on the milestone number two and in between now and the next ICANN face-to-face meeting, I would predict that we should be seeing a (sermon) finalization date.

What we might be able to do is see whether the chairs of the JAS work group would consider at this face-to-face meeting during Singapore and immediately after it, spending some agenda time specifically on a soon set of dates and timelines so that the question raised by (Katim) and other board members can be answered definitively. Thank you.

Rafik Dammak: Thank you Cheryl. Okay, I think we have stuff to do for the co-chair. We have Evan then Andrew and then Avri. Evan, please go ahead.

Evan Leibovitch: Hi there. I wanted to talk briefly to the issue that's been mentioned in - a couple of times about timelines and specifically to try and get to, you know, what is the - what's the process and so on.

One of the things that we were hoping to do, and in part this call is a part of that, is to try and make sure that there is buy in of the ideas that we're putting forward at least on a high level before we start digging down and coming up with an awful lot of implementation detail.

So what we're trying to - at least in my participation in the group that was drafting the milestone report, is we were doing it because of the timelines, because we were trying to get out the documents in time for the board meeting in Istanbul.

We were trying to make sure that at least we captured all of the high level assumptions and intentions of what the JAS group was trying to do and to get feedback at least on a high level so that we didn't start doing implementation of things that would be later found to be either rejected or highly modified.

So what has been started already is that the same milestone report two that you have in front of you is undergoing what we're calling a redline process. And that is that the group is going through the document bit by bit and flushing out those parts that need extra detail, that need clarification, that are going to be subject to that devil in the details kind of work that is now going to be necessary.

But we were hoping before getting too deep and too far down that road, to get the feedback to make sure that at least our assumptions and thoughts and directions at this point were in the right direction. You know, before we start getting into the detail and the clarification and smoothing the rough edges, at least I'll speak for myself in saying that we wanted to get some feedback in just making sure that we were in synch with what the community wanted before we started doing the real drill down.

And it's my hope, as we start getting into the real drill down, that we'll be able to have perhaps a little bit more support from policy staff once we get into the details implementation of this kind of thing which is probably not the core strength of the group in getting into the little sort of legalese final details of things.

And I'm hoping that will happen. We haven't asked for it yet because, frankly, I don't think we're ready. But at a certain point once we get community buy in for our assumptions and our intentions at the high level we can start to move forward on the details.

So in terms of timelines, you know, yes we have to put a stake in the ground and say, okay, when are we coming out with the final report? The reason why that's been so hard to come by at this point is we've been desperately trying to get the kind of feedback that we need to make sure that we're going in the right direction at a detailed level.

And I'm hoping we'll, between this call and what we get in Singapore, I'm hoping that will be sufficient. At that point we can probably make some firm timelines about final reports.

Rafik Dammak: Thank you Evan. We have just five minutes left to this call. Maybe we can extend for a few minutes. We have this - we have a third item which is - was about more - if we can have meetings during Singapore, ICANN meetings.

But I think that was raised already by Bertrand and so - and then it's more action from our side and I think with Olivier. So we have in the queue Andrew and then Avri. Andrew, please go ahead.

Andrew Mack: Thank you very much Rafik. Andrew Mack for the transcripts. The - I'm going to comment on basically the same three issues and I'm going to try really hard not to repeat the good things that Evan and others have said.

I agree about the timeline. There are a number of issues that we've been working on where they really do depend on the - going into more of the deeper really does depend on some of the feedback that we need to get from the community and just looking at some of the work that one of the working team's I've been part of on looking at the support for underserved languages and script.

It's the kind of thing that we really do want to get some feedback from the broader community about the principles before we go into too much more detail so we will be appreciative about that.

Once we get that, I think that we can move pretty expeditiously. The second thing is in terms of the funding issue. I think that I agree very much with Cheryl and Avri and others who say that this is an either/or kind of situation.

In fact, there may be three or four different kinds of support. There - we talked about the possibility of having support from a fund view. You see this by ICANN. We talked about the possibility of support from auction revenues. There is also obviously price and (keys) support and then there's an kind support.

And all of those, from my perspective, make the most sense from the - if we try to establish a really truly sustainable program, we really want the blend of different kinds of support. I think it's going to make this much more lasting and keep up to the principles that I think everyone on the working group holds very dear, which is that we don't want needy applicants to be competing one against another. That sends the wrong message in my opinion.

And then the last thing is about the number of actors. When we were speaking in as early as the Brussels meeting, we had a number of people - I can think of at least two from the Africa region that expressed their interest. We know that there are some demand out there but we've also received a

response from - at least I have - from a couple of people who said, "Well, it really does depend. It depends on how difficult the process is. It depends on how long it's going to be. It depends on whether or not we're eligible."

I - it is a bit of a chicken and egg situation. We do know that there's some - we understand this is better for predictability but from my perspective it's going to be hard to get a lot of predictability until we get a little bit closer to the finish line in terms of what the final applicant process is going to look like. Thank you.

Rafik Dammak: Thanks Andrew. Avri, go ahead.

Avri Doria: Yes okay. Thanks. I'll be quick. I won't go through the things I agree with others on. There were two issues that I don't think got discussed a lot. One was as part of the GNSO motion and as part of this effort, there was also sort of a request stronger at one point then another, that staff begin looking at what it would take to instantiate or deploy several of the things that this group has started talking about.

So one of the questions that has been brought up is, you know, is there a problem with parallel process? What would it take to do this? What would it take to have a separate evaluation that fits into that? And I think that's one of the steps that needs to be taken with staff in designing the process as needs to work with the JAS group in terms of kind of like what happened in the whole gTLD process.

There was a back and forth - oh, if we do that, then we have this logistical problem. How do we work that? And that process has not started yet. And it was a very important part of the gTLD process.

The other one is I want to take issue with the number, the estimate. I think what we should be looking at is not how many applicants do we have knocking at the door but how much do we want to reach out to developing

economies, to show them there's something they can do here and to help them to do it. So in a sense what I think we need to be looking at is what is our goal in terms of that outreach.

We have a goal of 500 let's say or a projection of 500 possible applicants. Would it for example be unreasonable to say that 10% of them at least should be JAS applicants, or is it 20%?

And then having a goal like that and sort of say how with judicious use of fee reductions and very serious consideration to fee reductions - that really hasn't happened yet outside the JAS.

It's sort of always greeted with, "Oh no, no, no, no, no. We can't do that because of the GNSO mandate that the application process has to pay for itself."

But of course the definition of application process is very variable. So I think that instead of saying, "How many people do we expect at the door with their cups?" what we're saying is, "How much of an outreach do we as ICANN want to make to make sure that we have treated this issue fairly in developing economies?" Thanks.

Rafik Dammak: Thank you Avri. Okay we have Alan in the queue. Alan please go ahead.

Alan Greenberg: Yes, just wanted to quickly support what Avri just said and to reiterate what has been implied but I don't think said quite clearly regarding us guessing at the number of applicants who might fit this model.

ICANN has proven unable to guess the total number of applicants for this entire process, and the estimates range from a small number to absolutely huge numbers, therefore I don't think it's reasonable to expect us to be able to estimate what percentage of the highly variable number is going to qualify for extra support and then try to get an absolute number out of that.

The whole process just has too many variables in it. I think if indeed there's a pile of money set aside for this, then clearly if there are more people, you know, who qualified and the amount each can get may go down.

That's the reality of simple finances, but I don't think there's any way we can come up with absolute numbers. Thank you.

Rafik Dammak: Thank you Alan. Bertrand, please go ahead.

Bertrand de la Chappelle: Yes, I just want to chime in briefly and on a purely personal basis to feed the discussion. I have no objection at all, quite on the contrary, with Avri's approach.

The reason why I was asking was not at all to put any pressure or to ask the JAS to make an evaluation, and I fully agree with Alan saying given the unprecision in the amount of applications that are likely to come in the normal process, it is extremely hard to know or anticipate how many could come in the specific support program.

What I just wanted to know is if in the course of your work you just felt a particular interest or notification of specific actors. As a matter of fact I think, and again I'm speaking personally, that Avri's approach of something that would be a little bit more proactive makes some sense, and it actually could even be useful to do some kind of back of the envelope calculation.

On the - some of the points that have been raised I want to clarify something. The question about the fee reduction in the end amounts to a reduced amount that comes into the ICANN budget for the new gTLDs in terms of covering the overall expenses.

And I agree with Avri that it's been done in a way that has many potential complications. The thing is - the bottom line is whether it is a fee reduction on

criteria, or whether it is a priori evaluation of funds that are dedicated into a specific vehicle, the end result is the same because whether ICANN gets in its budget less fees, or whether it puts out in a fund a certain amount and gets it back when the new applicant is supported, it amounts to a reduction in the overall budget.

And so it's a matter of a certain number of persons when we try to do a back of the envelope mechanism. So fundamentally the question - and I want to just raise that because it is not so much a focus on fee reduction or a fund.

The end result is more or less the same. The key question is how proactive this is and in particular how much the support of applicants is likely to go on a financial basis during the application moment, or in in-kind support during the application preparation for instance, or after the application is actually accepted in the ongoing operations.

I could very well imagine that entities not necessarily linked to ICANN put in place a certain number of mechanisms to help applicants in the course of their preparation, and I'm sure that they already do it, in the course of their preparation of the application or in the particular reduced fees for providing back end services.

The whole thing is going to be dynamic in the future. What I'm mostly interested in is trying to set up something that kick starts and basically seeds the process.

And I agree that it may require some back end force in terms of implementation, but if we do too much back and forth in terms of implementation then we're likely to establish something that will not be operational for the first round - for the next round.

So my question is, is it - the goal in my view is to have a discussion in Singapore that basically hashes out the fundamental elements and chooses

for instance between the option of focusing on a objective reduction of fees, which I understand is becoming very difficult to shape correctly, or setting up something that has a seed approach.

And second to see how the proactive movement can be made so that there is a ramping up of efforts in the communications campaign, and also an appeal to a certain number of actors who have the possibility to help in-kind, not only for the application itself but also for helping run the operations in the future.

So my focus and my message here is that in Singapore if we could as much as possible focus on what could be implemented in an operational manner as early as possible so that something is in place by the end of this year, it would be probably better than trying to finalize the process on multiple parallel tracks, but that's just my feeling.

Rafik Dammak: So Bertrand, we have Alan and then Eric. Alan, go ahead.

Alan Greenberg: Yes thank you. A couple of comments on some of the things that Bertrand just said. In terms of - effectively what we was saying is it's a zero sum game and if you put - take money in one place - if you take money from one place or put money in one place it comes from somewhere else.

For the overall domain ecosystem it is a zero sum game. From a point of view of ICANN budgets however it is not, and a point of view of meeting the criteria of repaying - of paying for the cost of the process it is not.

Although it's a small item the $25,000 repayment of sunk costs to the - essentially into the reserve is an item which is not part of the ongoing costs and could be deferred, could be changed for some set of applicants.

ICANN has already accepted that the whole thing will not be repaid in the first round. Extending it a little bit farther wouldn't alter anything, that's number one.

Number two, there has always been the assumption that it's a high probability that there will be some large amount of extraordinary income from auctions or things like that, and the assumption has always been and stated that this will not simply be wrapped into the ICANN budget, but be used in some other way presumably through a foundation or whatever to isolate it from, you know, various taxation rules and other things like that.

The support of new gTLDs for developing countries or disadvantaged applicants is one of the possible uses of that money, and again money that goes into that pile is - if we spend it on disadvantaged applicants cannot be spent on, you know, funding a university seat in ICANN matters.

So it's a zero sum game from that point but it isn't - doesn't come out of other money within ICANN. So we have a lot of decisions that have to be made, the Board and the Community, and not everything is a zero sum game from the perspective of these things.

So we can help disadvantaged applicants without impacting other players in the same gTLD domain. Thank you.

Rafik Dammak: Thank you Alan. We have Eric and I would just like to remind people that we are already ten minutes addition call so maybe we can get - work five additional minutes. Eric, please go ahead.

Eric Brunner-Williams: Thank you very much Rafik. Eric Brunner-Williams for the transcript. This essentially follows the question I asked earlier to Bertrand about the tension between an envelope with limits and object - and the development of objective criteria.

If the qualification that we recommend - implemented for applicants to demonstrate their trade and their viability, as well as the diversity interest that they contribute, if that objective criteria is yet to be developed and yet to be

implemented, if it can reduce the costs of ICANN's general evaluation how can we - how can ICANN realize the savings of that essentially additional evaluation process?

I think that is an area that - where we actually can cause the zero sumness of this to diminish, because if we can save costs in the evaluation process by qualifying applicants, that's money that actually is saved to ICANN. Thank you.

Rafik Dammak: Thank you Eric. I think there's not any further comments.

Bertrand de la Chappelle: Well if I - this is Bertrand for the record. Just briefly and I apologize because I will have to leave for another meeting, but I want to come back on what Eric was saying.

I think we've identified two elements that are worth exploring further, and I'm listening carefully to the arguments. I'm not sure we are completely understanding each other so it needs to be discussed a little bit further.

What I just meant is that in many respect - and I may be wrong and again this is worth discussing. In many respect when I look at it in terms of the movement of funds, whether it is a fee reduction apart from the amount, whether it's a fee reduction or if it is money that comes out and comes in, the end result is a global amount that is reduced by a couple of percents or a few percents.

So although I'm very fond of non-zero sum games in general, what I meant here is that it's basically - for ICANN it is monetarily neutral and the comments that were made regarding the desire to have a fund that could get the proceeds from auctions or things like that is clearly what some of us on the board have in mind, because the idea would be to take this opportunity to have a vehicle that could be fed later on with additional revenues so that the

pool of money does not come into the normal ICANN budget, but on the contrary can be dedicated to a certain number of positive users.

So the second element is regarding the process and the evaluation I hear what Eric is saying. There's clearly a benefit in additional - all additional screenings.

I'm not sure it can be evaluated monetarily but it can certainly be an element in terms of the security and the confidence in the potential of the applicants. What I think the discussion as highlighted is whether the criteria are as objective as possible or whether it is the allocation of a pool of resources, there will need to be some sort of panel or structure or evaluation team that should ideally be distant from ICANN but could be in part drawn from the ICANN Community, and I think it is in the JAS proposals.

So these are the two elements that I think could help structure for the discussion, one, in terms of operational efficiency and capacity to put in place something relatively rapidly.

Would the notion of another structure getting seed funding be a way to kick start the process, and make sure that the resources are ramping up with the actual needs fast enough so that there is no competition between the different potential requesters?

And the second thing is in any case there will be a need for some sort of evaluation panel, and if the JAS Group could think about how could such an evaluation panel be formed in a way that would be sufficiently neutral and trustworthy, I think it would be an incredible addition to the discussion at this stage. And again apologies - I will have to drop off.

Elaine Pruis: Thanks Bertrand.

Rafik Dammak: Okay I don't think there's any further comments.

Olivier Crepin-LeBlond: Rafik, can you speak a bit louder? I can't hear you. I'm sorry. It's Olivier.

Elaine Pruis: I - yes I can't hear you either Rafik.

Rafik Dammak: Okay sorry. And now it's okay?

Elaine Pruis: Better, thank you.

Rafik Dammak: Okay, so is there any further comments? And for Item 3 I think we have ongoing discussion about possible meeting with the GAC. I hope that we can fix that one, and we have that public session on Thursday that I think the Working Group will - members will be happy that we have the Board members and the GAC if they can attend on Thursday.

Otherwise I think - okay if you want to comment, otherwise I think we can adjourn the call for today. Thank you everybody for - oh Olivier. Yes please. Sorry, I was...

Olivier Crepin-LeBlond: No I'm sorry. Thank you very much Rafik and (Cynthia). I know I just put my hand up just now. Just as a little takeaway or perhaps a little bit of homework, I wonder if I could send over to Steve, Sebastien and Bertrand for - or in advance of the Singapore meeting - I know that the ALAC is having meetings with the Board and there will be interaction in Singapore.

I just wonder whether - well if Steve, Sebastien and Bertrand could go back to the Board and perhaps answer some of the questions that have been raised today.

I'm not sure perhaps - I'm not sure whether they've taken note of them or whether perhaps we could ask the group, the JAS Group, to just compile the questions which were asked today and so that we can actually have answers

or at least the JAS Group could have some answers by Singapore from the wider Board rather than just personal views from the Board members. Is that something that you wanted?

Rafik Dammak: Okay, so Rafik speaking. For question I think we need to compile them. I asked Karla to take notes. If it's possible if she can combine - compile those questions and to send them as soon as possible to the Working Group so we can send them through maybe ALAC to the Board members. What do you think?

Karla Valente: This is Karla, Rafik. I will do that as soon as I get the transcript.

Rafik Dammak: Thank you. So does it make sense for you Olivier?

Olivier Crepin-LeBlond: Yes Rafik, Olivier. Again just wanted to get an idea from Sebastien and Steve, and I don't know if Bertrand is still there, whether this is something that's workable for them as well.

Rafik Dammak: I think Bertrand's not on the call. I'm not sure for Sebastien.

Steve Crocker: Crocker's still here although my battery is getting low. The - in multiple levels I should say on both real battery and symbolically. Anyway apologies for - my attention has been intermittent here but what is the specific question about what's workable?

Olivier Crepin-LeBlond: Olivier here. Several questions have been asked by the JAS Working Group members today. If we can compile them and send that as an email to you and to your colleagues, would the Board be able to compile answers or at least discuss those in their early meetings in Singapore so as for the Board to have answers to the ALAC when the ALAC meets with the Board, and also answers to the JAS Group when the JAS Group meets?

Steve Crocker: Yes, so I can't commit the Board. This is - I'm apathetic with the question but I can't make a formal commitment on behalf of the Board. But I would recommend moving forward and I certainly hear the question that you're asking.

And I, you know, both - speaking both personally and to a limited extent on behalf of the Board, we'll endeavor to do what we can. Let me make two other comments, and again speaking just very personally and not in an official capacity.

First of all, with respect to the meeting on Thursday I checked my schedule while this discussion was going on here, and I'm conflicted so I probably will not be able to come to the public discussion.

As a separate matter, let me insert a comment at a sort of different level. I've been following loosely but not in great depth this whole discussion about trying to provide support in developing countries and disadvantaged applicants and so forth.

I think the situation in general is kind of mixed. I think there is a fair amount of empathy with the general notion. I don't think there's anything close to a specific plan and when I step back and think about it more broadly from sort of first principles, I come back to the following basic thought.

A top-level domain is not in and of itself an end to anything. It is just a tool that's part of something else, so I would say a - an approach that I would find, and again let me emphasize I'm really just speaking my own mind here, but an approach that I would find more productive in a way is to say, "So what is the - what are the needs in the developing countries and how does having a top-level domain fit into meeting those needs?"

And that would be the basis for trying to organize a broader level of support, whether it's funding or whether it's expertise or whether it's assistance in working through procedures or whatever.

But I would think that it would have to be part of some specific larger goal, and I don't have any preconception pro or con as to what those would be. It's - just to me attainment of a top-level domain by itself is not a complete picture of anything. It's just a single step in some larger process. I'll go back on mute now.

Rafik Dammak: Thank you Steve. Okay, I think we can get a last comment from Sebastien.

Sebastien Bachollet: Thank you. I don't know if it's the last one but I think I will do my best to have that question to the Board for discussion. But I think it's one important piece that we need to have in front of us before and after the decision about the food program of the new gTLD.

And I think once again it would be very prudent to have some discussion prior to the decision itself, and we need at least to figure out how we make a sign to the commonality that we are concerned and we will do something.

When I say we'll that ICANN will do something within the new gTLD development, and enter that truly into the program currently and the discussion.

And I think you also maybe not just to ask the question but to add two points, one is if you can have some idea about what time you need to do some - to finish the work.

I know that it's a tricky question because what it's - need to be done to finish the work, it's maybe the first question before what the time you need. And second, do you have some need - additional needs or help you need like support and all those type of things we can think about?

It's important also to deliver feedback to the Board and to the GNSO and to ALAC on that - on this issue. Thank you very much.

Rafik Dammak: Thanks Sebastien. Okay. Okay I don't think we have comment and so thank you for - everybody for joining our call today and to especially - clearly Elaine in Australia. I think it's the - more than midnight now there and...

Elaine Pruis: Okay, well after midnight down under.

Rafik Dammak: Thank you for everybody. I think we had a real good discussion today and we will try to compile the questions, and we will continue that in the Working - in the Singapore meeting. Thank you everybody. I adjourn the call for today and see you in Singapore.

Elaine Pruis: Thank you on the call everyone.

Sebastien Bachollet: Thank you.

END