

**SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Tuesday 18 January 2010 at 1400 UTC**

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Participants on the Call:

ALAC

Rafik Dammak - NCSG - Council liaison, Co-Chair
Carlos Aguirre - At Large
Alan Greenberg – ALAC
Cintra Sooknanan - At–Large
Olivier Crepin-Leblond – ALAC Chair
Cheryl Langdon-Orr – ALAC
Tijani Ben Jemaa – ALAC
Eric Brunner-Williams - At–Large

GNSO

Avri Doria – NCSG
Alex Gakuru – NCSG
Chris Tshim-Ka

ICANN staff

Gisella Gruber-White
Karla Valente
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Apologies:

Michele Neylon - RrSG
Baudoin Schombe - At–Large
Evan Leibovitch – ALAC
Andrew Mack – CBUC
Carlton Samuels – ALAC - Co–Chair

Coordinator: This call is now being recorded.

Gisella Gruber-White: Good morning, good afternoon, good evening to everyone. On today's JAS Call on Tuesday the 18th of January we have Rafik Dammak, Cintra Sooknanan, Alex Gakuru, Tijani Ben Jemaa, Cheryl Langdon-Orr, Olivier Crepin-LeBlond, Eric Brunner-Williams, Avri Doria. From staff we have Karla Valente, Glen de Saint Gery and myself Gisella Gruber-White.

Apologies today noted from Carlton Samuels, Andrew Mack and Evan Leibovitch.

Can I also please remind everyone to state their names when speaking for transcript purposes? And Alan Greenberg has also just joined the call. Thank you.

Over to you Rafik.

Rafik Dammak: Thank you Gisella and everybody. So let's see to start if I will ask everybody if they have any update for their SOI or their DOI regarding the work in JAS Working Group.

Okay. Hearing no one, so we can move to the next item of the agenda.

So it was it's short one and we just to agree about first I think that we need to run a discussion about the charter regarding the issue about the difference between the (alike) GNSO version. We need - I say we're up for discussion because we need to move forward.

And for the next item, we should agree if we will keep to have weekly meetings or maybe to back to be - I think we need to meet twice per week because we have - I think that we have to hurry up and - because the time for finishing the different tasks that you have to do.

And I think for the last item we need to discuss more about substance issue and to see how we will work for - how we will work to achieve all the tasks that we have to do.

So any comments, any suggestions about the agenda? Okay, everybody agrees with the agenda.

So, for the first item, I think as everybody knows since the updates and from Alan that we - the motion regarding the charter (fail up) in the last GNSO conf call and my understanding is that Alan was requested or ask it to see with Alex about this issue.

Can Alan give us an update about that?

Alan Greenberg: Sure. At this point, the ALAC has not met. There's been a fair amount of discussion on the list mostly from members of this workgroup who have been relatively strongly in favor of continuing on the work that was chartered by the ALAC but the ALAC itself has not had much discussion and certainly has not taken any action at this point.

There is an ALAC meeting next week and I'm recommending that it be discussed and perhaps take action. And not much we can do.

At this point this workgroup doesn't have much choice. It has to two charters and it can choose to work to the lowest common denominator or work on all the items. And there's a very strong feeling we should work on all of the items.

I don't think there's much more we can say at this point. I have pointed out in email that should we decide to do that, it's very important that we in the final report identify which things are under one charter and which things are not.

The GNSO will generally accept or reject an entire report and if things are not identified as such, they will almost surely just project. So we need to be clear in our report.

Other than that, if the ALAC decides that it is not changing its charter in any substantive way to go along with the GNSO one, there will be a discussion exactly between who that discussion will be and what form it will take is not at all clear.

You know, the chairs or vice-chairs of the GNSO are not empowered to negotiate on behalf of the individuals who ultimately will vote the way their stakeholder group decide they should vote. So it's not - there is no precedent.

As I said in the note, there is a strong feeling amongst some GNSO counselors that we shouldn't have been embarking on any workgroups like this until we have written in concrete exactly what the process is by which we do things so that we would not have problems like this.

Nevertheless, this workgroup has gotten started and it will - and exists prior to such rules being firmly identified and we'll - we need to live with it.

Before I relinquish the floor, can I please ask whoever is in control of the screen to give us scrolling control and so we can control the size of the document so we can actually read it? Thank you.

Rafik Dammak: I would ask maybe Gisella can you...

Alan Greenberg: According to this, Karla and Rafik should have the controls if you can figure out how to - how they work on the new system.

Karla Valente: I'm working on it.

Alan Greenberg: Okay.

Karla Valente: Working on it. I was able to update but working on it.

Alan Greenberg: Okay, thank you.

Rafik Dammak: Thank you. Okay. And we have two people in the queue please. Avri?

Avri Doria: Okay, thanks. I just want to ask a question of Alan. I think I've made my views about what the GNSO Council did. It's fairly plain in a couple of places.

I have a question, though. By specifically removing things from the charter and as they had a chance to vote for a charter that contains certain stuff, they refused to do that and they voted for a far lesser charter. Does that in any sense get interpreted or is that in any sense interpretable as them saying we may not work on these things if we are chartered by them.

And just I wanted to bring that up. I'm not suggesting that it stop us, but I'm just asking is that a thing that we should be aware of and then decide despite that - despite the fact that it looks like the GNSO is saying you may not do this, we decide to accept that the ALAC says yes, you can without prejudice.

And last thing, on a side issue, I did not sign on as a host because I'm not. But if you host, want me to try and help you to get this out, I can log in and sign on again to see if I can figure it out. But let me know. Thanks.

Alan Greenberg: The answer is I don't have a clue. I would not be surprised if some members of Council would interpret what they did as a forbidding the workgroup from doing something or can't amount to saying if you do this, we will not accept any part of your report, but I have no clue.

And there was a request at the end of the meeting because we now had two charters for the GNSO to discuss this. I intervened and said until the ALAC makes the decision, there is no issue to discuss and that was accepted.

If ALAC makes that decision, the GNSO may well have a discussion and result in something akin to what Avri just said or not. I don't really know. I'm not sure what it means to forbid someone to do something since they don't have control over the actual people, does that translate to say if you do it we will not look at your report at all? I don't know, maybe.

Rafik Dammak: Okay. Then we have Olivier and then Eric. Olivier, please go ahead.

Olivier Crepin-LeBlond: Thank you Rafik. One question - actually not one question. First one comment. Obviously we have four choices here. We have a choice of going along with the original ALAC charter. That's one. Going along with the new GNSO charter, that's two. Going along with a charter which mixes the - both the original ALAC charter and the GNSO charter, however mixable these two charters are. And then we have one choice, which is to go along with two independent charters; one for the GNSO, one for ALAC.

I wondered how people felt on this group here about having two charters. Is this something that is doable? Thank you.

Alan Greenberg: I can try answering that. Rafik, is that okay?

Rafik Dammak: Yeah, please.

Alan Greenberg: Yeah? From our point of view I'm not sure there's a difference between having two charters and having a merged one. The charters are imposed on us. We can refuse to do any work should we choose, but other than that, we cannot control the charters and, you know, so we can't go back and say to the GNSO we are deeming yours to be a merged one. The GNSO one is what it is and the ALAC one is what it is, perhaps changing next week.

We just need to figure out how we're going to live with it, not so much change the charter. The charter are words that are out of our control.

Done.

Rafik Dammak: Yes. Olivier or...

Olivier Crepin-LeBlond: Are you waiting for me to answer? Well, you know, thanks Rafik. Yeah, any more feedback on that? It's just, you know, ALAC is meeting next week, so obviously I'd like to try to get a feeling of how people feel on the group itself about working I think specifically - my question is specifically with having the two charters.

Rafik Dammak: So if I can, I think some people said the GNSO charter is subset of the ALAC charter, so if we have both - two chartering organization and we need to respond to their I think their requests so we can work on the task and clearly say what is the ALAC - who - which are the - which correspond to the ALAC tasks and those which corresponds to the GNSO task.

So - but it can be worked around.

So we have Eric, then Tijani and then Alex. Eric, please go ahead.

Eric Brunner-Williams: Thank you all. I'll respond to the poll question which Olivier has asked and then when you're ready I'll get - I'll ask the - I'll raise the point that I had intended to raise earlier.

Personally I prefer to work with the ALAC charter. Thank you.

Tijani Ben Jemaa: Rafik?

Rafik Dammak: Sorry, Erik, I'm not getting your point. Please can you repeat or rephrase it?

Eric Brunner-Williams: Olivier asked a polling kind of question; how do the members feel about for choosing with choices 1, 2, 3 and 4. I responded that I have a specific choice and that is to continue with the ALAC charter.

Rafik Dammak: You mean to make a poll?

Tijani Ben Jemaa: He proposes that we work with ALAC charter. Since Olivier asked a - he said there is four choices, so Eric is choosing the choice of working with the ALAC charter.

Olivier Crepin-LeBlond: And I have noted that. Thank you.

Rafik Dammak: Okay. I am seeing some comments from go in the chat.

Tijani Ben Jemaa: And I am waiting for the floor.

Rafik Dammak: Yeah, I'm not sure because you were speaking so I thought that you finished. That's why.

Tijani Ben Jemaa: No, I didn't speak. I explain to you what he said.

Rafik Dammak: Okay, so please go ahead.

Tijani Ben Jemaa: Thank you. Okay, so I really prefer to work with the ALAC charter but since we are in a situation that will - we are - it's not easy to solve it because we will be alone as ALAC. It would be a working group of ALAC in this case.

So I will accept to work with two charters and at the end, we will clearly mention which recommendation is accepted by this chartering organization and which one is not accepted by this chartering organization.

I don't understand how we can merge charters because if you will merge them you will add something to the GNSO, for example, charter that GNSO

will not accept or you will diminish something from the ALAC charter that perhaps ALAC would not accept.

So merging is not - I don't see how we can do that. That's all. Thank you.

Rafik Dammak: Thanks. Alex?

Alex Gakuru: Yes, thank you Rafik, Alex speaking. First of all I must say I'm worried that the meaning of this in terms of future workgroups where you have contradicting of different charters. That's the first statement, the - in terms of future workgroups and how they'll proceed when substitutions arise. So we may look at this as an important less maybe to guide how we are going to act in the future or see it as a problem which is unsolvable.

However, as for the poll that has been proposed and that's (sitting) on the list, clearly I would like to go with one point of reference in which - so that whatever we are discussing we are all clear that we can refer to one document, rather than thinking this is in which chapter or the other because it may make us quite confused.

And so the charter in my preference I would like to choose the ALAC one.

Now, having said that, I would - I have to mention that later on there was some compromise that was mentioned on list and I said I could live with it but fundamentally if I'm asked which one do I want to go, I would want to go with the ALAC charter as a point of reference and we can all be referring to that whether we are working alongside that or not.

Thank you.

Rafik Dammak: Okay. We have Eric and then Alan. Eric, please?

Eric Brunner-Williams: Actually I left my hand up because I have a non-poll response to make. If Alan's response is going to be to the poll then he should go first. Whoever is controlling the screen, we really need more real estate for the chat.

Alan Greenberg: My comment is on the current stream.

Eric Brunner-Williams: Go ahead Alan.

Alan Greenberg: Okay. A number of things. There's been some comments in the chat thing. One charter is a subset of the other. That's not quite true. The GNSO did add an item that is not in the ALAC chapter - charter so the ALAC may want to consider that.

We are having a discussion which is, to be quite candid, moot at this point. If the ALAC decides that the charter goes ahead as is or adding the GNSO item or something like that, the GNSO will then have another discussion. We don't know what the outcome is.

The GNSO may attempt at that point to shut down its aspect of this workgroup and have this not be a jointly chartered unit in which case we have no problem at all.

So I really don't think we should spend a lot of time talking about what we will do if various things happen. I think the ALAC has charged and Olivier was asking questions from the point of view of the chair of the ALAC; what should do the ALAC do, we've indicated very strongly that we - this workgroup has a desire to keep on working on essentially the full list of things that we requested are and hence charter have.

And how the GNSO will react, what will happen between the GNSO and ALAC is at this point somewhat out of our control and I really don't think we

should be spending valuable time talking about that. I think we should start getting back onto what it is that we're supposed to be working on.

Otherwise, it's a waste of an awful lot of people hours at this point. Thank you.

Rafik Dammak: Thanks Alan. And I just want to ask Avri to clarify her point of view because I saw that she responded in the chat. Maybe if you can explain or clarify her point. Avri?

Avri Doria: Yes, sorry. I think it was pretty much what I had said before is that it's time for us to work onto the ALAC charter - charter. We have to make sure, though, that we understand that the GNSO charter, I believe, is meant to stop us from doing certain work. And whether we want to go ahead and do it or not do it is ours to do and it's for them to deal with it but I think we have to be aware of that.

And the other thing is those of us that want to work on things that aren't in the GNSO charter, whether we do it with this working group or outside of this working group could just go ahead and do so, you know, and, you know, I know that that's my intention with things like, you know, fundraising and outside foundations or whatever.

I don't care if this group does it or doesn't do it. At the end of the day it needs to be done, so I'll work with anybody that wants to work with me to do it whether it's in a working group or not.

And that's what I'm saying that they get to decide what the working group charter is, the working group gets to decide whether it wants to obey, not obey the GNSO Council prohibition and whatever the working group does, the rest of us can do whatever we want anyway. Thanks.

Rafik Dammak: Thank you. We have Eric and then Olivier.

Eric Brunner-Williams: Go ahead Olivier.

Olivier Crepin-LeBlond: Thank you Eric. Thank you Rafik. Okay. That's just all what I wanted to hear. I think a number of us from ALAC are on the call so we've all heard various points and I think it all points in the same direction, so that's probably enough for us to be able to expand this and explain this to the rest of the ALAC. Thank you.

Rafik Dammak: Thanks Eric?

Eric Brunner-Williams: Yeah, thank you. Now that we finished the poll responding to Olivier's question, I think we actually have an issue that goes beyond our two chartering organization. The model of jointness involves two or more bylaws recognized entities doing something.

What are the outcomes where the two charters from these two entities - two or more entities are chartering some activity which appear to be the same activity but the charters are non-identical? So as absurd as it is, we actually need General council's advice on what happens if the only difference between the two versions was a comma.

So my point is ALAC needs to take this issue to General Council, not just the GNSO. Thank you.

Rafik Dammak: Thank you. I'm not sure if you have some consensus that we should work in the ALAC charter, but anyway we need to fix this issue. Maybe if I can propose this because we have clearly a problem of time because of this line, so if we can start work on the tasks that they are, how you say, the common tasks between the ALAC charter and GNSO charter in the meantime and to wait for next week to see what is the final response from the ALAC. That matter even if it's clearly the may not to change the charter.

And I understand Avri's point about maybe some people want to work in the issues like fundraising, et cetera, but I'm not sure how it can be done. I think that should be done in the working group, not outside the working group, even if GNSO charter don't - I don't want (unintelligible) to doing that but it's not - okay, maybe it's not included in the GNSO charter.

And in the other - on other hand the problem may be after when we have to write the report we have clearly to show what that is the problem.

So operator, can you check what is this echo problem?

Gisella Gruber-White: Sorry, Rafik, (unintelligible).

Rafik Dammak: Okay. Thank you. I think we have a echo problem. Okay. Please operator, can you check because I am getting my voice...

Gisella Gruber-White: Wait. The echo seems to have disappeared.

Rafik Dammak: Okay. It sounds okay now. So what I was saying? Maybe my understanding what we - there is some concerns that we need to work on the ALAC charter that we need to fix anyway the issue with GNSO Council, but - so maybe that we cannot go to GNSO Council this time but we need to wait for a clear formal response from ALAC for that matter.

So maybe we cannot really wrap this issue today but we have some suggestions from the working group members -- okay, Tijani in the queue -- but - so maybe if we cannot fix this today we can go to the next item and to talk about this substance issues and how the working - what's the working group member think that we need to do for next steps.

So please Tijani go ahead.

Tijani Ben Jemaa: Thank you Rafik. Can you decide on going on - working on the substance please because...

Rafik Dammak: I'm sorry.

Tijani Ben Jemaa: Yes.

Rafik Dammak: Sorry, that's what I was suggesting.

Tijani Ben Jemaa: Yeah, yeah, I know. I know. Let me finish because we - our discussion on the charter will not give us anything now. And at the end, even if there not agreement, we can give outputs with some recommendations which are related to the GNSO charter and the others which are ALAC charter only, so there is no problem, but we have go ahead.

We have a lot of thing to do and to have a very important thing to do which is the definition of the, to say, the need criteria and we need time and we need people to work on it. So I think we have to decide today to go ahead to under substance.

Thank you.

Rafik Dammak: Eric and Alan, you raise your hands. Eric, okay.

Eric Brunner-Williams: Thank you. It's Eric Brunner-Williams. Please whoever runs the real estate, we have a chat window that is so small that really everything scrolls off of it after the first line feed. And more than five sentences of total screen space is wasted showing up the PDF that none of us really cares about, at least not in the sense that we have to read it this instance.

We have some very dysfunctional communication medium at the moment. Can we improve that please? And yes, let's go onto substance. Thank you.

Rafik Dammak: Okay. Alex?

Alex Gakuru: Yes, thank you. I think it's nice that we can go into the substance. Of course, that will be good and we have important work to do as Tijani says and we can jump into it but there is a - we also have to be aware that until we have clarified the whole framework we are working, we may do so much of other wonderful things, but it may all be in vain.

So I think it is (unintelligible) for the chair, and there are other ALAC and maybe all our liaisons to get this issue resolved as soon as possible, so that we don't waste a lot of time doing a lot of great stuff that will never see the light of day.

Just a comment, if there is no resolution, there is no possible resolution, we might as well agree that we can proceed and we just request for advisement of this group. It's also another possibility.

Thank you.

Rafik Dammak: Thank you Alex. I think also I agree, as I said before, that we need to go to substantive discussions, so we'll go to the next item.

Just...

Man: Rafik you're getting very, very quiet. I can't - we can - I can hardly hear you.

Rafik Dammak: Ah, sorry I just - I got a call that, you know, some problems to talk easy. I said that we should go to the next item and to go to more substance, actually - I have the feeling that everybody wants really to go into real work.

And we will resolve as soon as possible this issue of the chart thing.

Okay, now I cannot see the agenda. Jeff if you will fix the issue of precognitive? Do you think that we should just keep having only one meeting per week or we can go to like what we have done before to have two meetings per week?

Do you have anything?

Jeffrey Eckhaus: Yes, I do think that we need to work hard now and we don't have time. So the best is to have only one meeting - only one call per week, but we - to work between the calls. That's the problem. I'm not seen in the past time that it wasn't the case.

And people didn't produce any - most of the people didn't produce off calls, and other people produced it a lot, but most of us didn't.

So if we can - moment please, if we can decide on working between the calls, I'd propose to have only one call per week, but if we cannot we do two calls per week.

Thank you.

Rafik Dammak: Thank you. That's really - I don't think that it's - that's a good idea to criticize people what they have done or they didn't have done. It's a working group and we are not sure about the - how the people can produce - commit their time to working the working group.

And so we should (unintelligible) by stating, but I understand that we need to work in the meantime between the calls and that I think that everybody will try to do his or her best to work and to discuss more events, maybe we can pass it over.

Evan, then go ahead.

Alan Greenberg: Yeah, with regard to work on the mailing list, we are having problems with almost every single working group and the main ACSOs in terms of relatively little work being done between meetings.

For whatever reason, whether people are burnt out or it's just not working very well right now and I don't think we're likely to change that by simply saying it louder or saying it again.

So yes, we encourage work between meetings, but I don't think it's going to be very - all that successful.

I would suggest that we do what a number of other groups are doing, we schedule a second meeting and then decide whether it's held or not, but allocate the time slot.

So if we decide we need a second meeting, we don't have start doing the doodle then and figure out what the best time is. So I would allocate a second meeting, perhaps the same one we used last time around.

But then decide on a case by case basis whether it's used as a general meeting, as a subgroup meeting, or not at all. Thank you.

Rafik Dammak: Thank you Evan. Yeah, so maybe so the second meeting which would be in the - Friday, like before maybe just we'll ask - give the - just to prove for an amount of time by sending Google it's work.

Yeah, so far that's was the same meeting as. We will have Google point to just to confirm about the time.

Okay. See if that's - (Unintelligible) consulting that we need the second meeting that's to proper the work. And just - at any point, that we need to ask people to work in the meantime, the mailing list, like Alan explained it well, it's

not saying only in happening in our working group, but it's something common in many working groups.

It's - some that have a lot of talking, they discuss a lot of the main ideas, but some other that's not the case. So we need to try to do our best and to work on the mailing list between the calls.

Okay. Alex. And then we can

Alex Gakuru: Yeah Rafik, Alex.

Rafik Dammak: I can see.

Alex Gakuru: Yes, Alex speaking. I want to support what Alan said, because what happens is that the very people who are on certain working groups, they tend to be on many of them.

So the buy notes, you are hearing talking about, is actually mostly repeating itself in many groups. So indeed in terms of moving forward, I support that idea of having another block of time, so that we were ending a meeting, we agreed we meet in our next agreed lot. I think that's a good way of approaching it.

Thank you.

Rafik Dammak: Thank you Alex. So as we have only - (unintelligible) go to the next item. And this is about our next steps, but maybe I think if we need to working - to dispatch work between having the meetings or - I'm not sure, but in the first thing, we started to have two subgroups with two leaders or we can - I'll say, all the working groups members will meet in the same time in the same past, so any suggestions, any call - any advise that matters?

So maybe, if we are going to start actually impressing the work in common tasks between the GNSO and ALAC charter, now what do you think - what tasks that we should start to discuss or we should discuss all above this point at the same time? What do you think about the best way to follow?

Okay. No comments? No questions? Alex please.

Alex Gakuru: Yes, Rafik I want to (unintelligible) just get the stuff a view on this, so that we can all be on the same page. Thank you.

Maybe share a comment on what the staff's view on the reformat. Thank you.

Rafik Dammak: Say Alex, that's your call exactly.

Alex Gakuru: Sorry Rafik. I didn't hear you.

Rafik Dammak: What was your, I mean, I didn't get your point. You have a problem with this?

Alex Gakuru: Oh no. I mean, my - what I was asking is, if we are discussing as a group, we probably want to get the internals of the stuff also. I'm sure they also have an opinion of what you're doing and any advice they might give us from the staff prospective. That's what I'm inviting comments if you have any contributions to the reformat. Thank you.

Rafik Dammak: Okay.

Karla Valente: Hello. This is Karla Valente.

We are planning to have a short meeting to discuss what to do in the case like that. We haven't had a chance to have this meeting yet. So, I will be able to tell you something more in the upcoming meeting.

Rafik Dammak: Thank you Karla. I also see (Noel).

(Noel): Yeah, I - I think you're going to get as many views as there are people. There are some people who want to work groups. There are some people who don't. I - we have two co-chairs.

I would see that they come up with a proposal and simply make it unless they're - there's any major objection that we go ahead and start doing the actual work, whether we do it in three some teams, or as a group, we being successful with both, but I think we just - forgive me, but I think you need to make a decision and recommendation and we start.

Rafik Dammak: I think that one of the - if we should start, maybe decisioning the point A about the criteria for final for formation, and I think it's one of the tasks, important tasks that we start now to work on, on the working group or see them that, because it's one of the important points and then maybe to see from the out advance issues, dispatch in the (unintelligible) of work.

So...

(Noel): Just for the record, is Carlton still the co-chair, 'cause I don't see I saw any regrets from him, but he's not here?

Rafik Dammak: I see - he has...

Woman: He did apologize.

(Noel): Okay. I'm sorry. I looked in the spec.

Rafik Dammak: But we just need to...

(Noel): Okay.

Rafik Dammak: He is to, at least, we need to send him a back up that we discussed today.

Okay. I saw some other comment that point A is particular to all other points.
Oh, that is critical. (Unintelligible).

Alex.

Alex Gakuru: Thank you Rafik. I think more or less, you have - are setting a directive, but I think I was just going to recommend, that you as the co-chair you get in touch with your co-chair and then maybe just discuss and recommend to us and we are ready. We just go on, more or less, your fatty answer. But, thank you.

Rafik Dammak: Yeah, and just at a time that we can talk now, how to - best to work on something substantive, because just because - but anyway, I will need to check with my co-chair about that point.

But that's why I asked - suggest that to working the point A, but it's different more of the case, that we start with other -and I know, to start with other points, now there is no problem.

Okay, I just see that Avri raised another point about how we can take to bring new people to the working group, especially though, because there was a discussion about - expected that we may need for some tasks.

I'm not really sure how we can fix that. Maybe I can send again a request to different SO and AC, but maybe we need also some external expertise.

Avri. You want to...

Avri Doria: Yeah, I was typing again. I'm getting out of the habit of talking during these meetings.

Basically, I mean, one of the things that we did have an offer from the staff a long time ago, but we weren't quite ready for that then, was to have people

come in who know how to set up these programs to determine need and to deal with the trans-cultural issues in that kind of thing.

There are lots of - whether it's foundations or other, you know, groups that figure out - that do this, that basically, you know, put out a call, get out applications, determine need, make determinations.

And perhaps we could go back to the staff, you know, we can ask you know, Carla who was part of that early conversation, the conversation that I had with the staff in which I reported on and we talked about a little, but as I said, we weren't ready to get that, you know, financial need determination 101 conversation, so that we sort of jump start the thing and don't try to sit here reinventing that.

Does anybody in this group have already done this kind of activity, they should raise their hand and they should take a leadership role in getting that sort of sub-item organized.

But if we don't have someone who can raise their hand, I think, you know, whether it's World Bank programs, board programs, some other programs, there are people that have done this financial need determination.

It's just we have our own criteria, but they've done this task. Can we get one? Can we use that as a skeleton to build on to move quickly? Thanks.

Rafik Dammak: Eric. It is...

Eric Brunner-Williams: Oh thank you. Following up on Avri's point. The - there is actually a way that we can parse this out without going to the excellent sources, such as the World Bank.

We know that the application fee is only part of the total cost of realizing the ambition of having an operational registry and serving a particular community or other purpose.

So, we could look at, whether or not, the application fee has eaten, say more than 50% of the applicant's total resources or what resources are left of what the applicants have to carry out the rest of the mission beyond simply paying ICANN for the privilege of having your paperwork looked at, as a crude metric or initial metric for what constitutes original point at - we're saying that the applicants meets the needs criteria or the applicant does not meet the needs criteria.

Avri Doria: Did he go away?

Rafik Dammak: Did he. Okay.

Eric Brunner-Williams: Did anyone hear what I said?

Avri Doria: Heard - we heard the last part of the paper, but then was complete silence.

Alan Greenberg: I think he just stopped talking.

Avri Doria: Oh, okay.

Eric Brunner-Williams: Should I continue?

Alan Greenberg: Yes, if you have more to say.

Eric Brunner-Williams: Well, Alan the question is, was I interrupted?

Alan Greenberg: We don't know. We heard silence. We don't know if you were interrupted or you stopped talking.

Eric Brunner-Williams: All right. Okay. So, I did not stop talking.

Alan Greenberg: Then back up two sentences and start again.

Eric Brunner-Williams: Yeah, thank you. I'm proposing an alternative to going to the World Bank or others for external advice, which is taking a look at the ratio of the application fee to the total assets of the applicant and determining some threshold for which, if the application fee takes more than some percentage of the applicant's total resources, then the applicant meets the needs criteria.

If the applicant has other expense then simply paying ICANN for the privilege of having its paperwork evaluated.

Alan Greenberg: We did hear that part.

Eric Brunner-Williams: Okay. Good. That's the idea. Thank you.

Rafik Dammak: Anyone to the sense of the site? What?

Alan Greenberg: I'll respond. I think Eric is suggesting that we look at what the other parts, what the other requirements are of making an application and becoming a GTLDR, so we can access- we can identify where else we can help and to what extent and perhaps use that as a metric for whether help is needed.

I think that's a fine idea.

Start to address the main issue that the board raised of how do we recognize that someone needs help.

Rafik Dammak: Yeah. Yeah. So do we need to define some metrics or...?

Alan Greenberg: I think Eric is saying that we need assess what the overall requirements are, which will allow us as one of the products to assign metrics, yes.

Rafik Dammak: Yes.

Eric Brunner-Williams: Alan is expressing it correctly. Yes this is a proposal for a metric. Let us say, that we decide that the minimal cost is four times the application fee, if the applicant has less than three times the application fee, then they're an applicant in need. Something as simple as that.

And to Avri's point, yes this is a metric. It's not a process. Thank you. And I'll lower my hand.

Rafik Dammak: Thank you. Any comments about that or...that we're saying that if I understand correctly people that participants that we need to define some metrics to define some metrics to determine where are financial needs.

Alan please.

Alan Greenberg: Yeah, I think if we don't do that, we're not even - we're coming - we're not coming anywhere near addressing the board's most explicit question of, how does ICANN decide whether someone is in need, because everyone's going to line up and say, "I need", and the question is, to what extent can we put metrics in place so that without - with being relatively objective, we can identify those who are truly in need from those who simply want handouts.

So I think that's the core of what we have to do. If we can't do that, then the whole thing is lost to be honest, in my mind.

I will point out, we have five minutes left. We need to decide what we're going to do before people start dropping off.

I think there was a decision or recommendation that we try to establish a second meeting time in which case, I guess a doodle or something is

necessary and that kind of logistics, I think we need to fix it before the hour is up.

Rafik Dammak: (Unintelligible) or just to confirm a bunch of time, I think we should may need to meet this Friday, then to just to check about the time it's a...still...

And, okay. Jaime go ahead. And then...

Jaime Hedlund: Can we decide that for the next call, we come with ideas, good ideas about the metrics?

So that we can at least, begin the work. And also, we try to form a group working on this specific item. If we need external competencies, we have to look for them now.

Eric gave a very good idea about the World Bank yes. Okay, but it's various other ways of metrics to work. We have to find them very soon and we have to start working.

Thank you.

Rafik Dammak: Alex, yes.

Alex Gakuru: Yes, a great comment on the scheduling of the second meeting. Can we try different days as well, not just Friday? I do have some challenges on Fridays myself (unintelligible) and then we'll vote on another event.

Thank you.

Rafik Dammak: Very well. We'll try if we can, we can another date than Friday.

Alan Greenberg: It's a separate - if it allows a bit of work after this one, it's really got to be Frid - Thursday or Friday. There are no alternatives.

Rafik Dammak: Yes, so I - so (Unintelligible).

Man: Sorry Rafik for jumping in, but I don't mind Thursday, because and I also have another call, then I can schedule the two around the same day, because I'm trying - no good, a call every day on different ones. So I do have one Thursday, if possible, then I don't mind Thursday other than Friday, but I'm not just - I'm just saying, we should put it there for polling. Thank you.

Rafik Dammak: Okay.

Woman: Thursday's the day the big call with our cause. And I do believe that doodle has gone out and Friday was the day that suited many people, if not everybody, because it's difficult to find a day that works for everybody.

Rafik Dammak: Okay. Thanks. Thank.

Woman: I think it's just a time of call that must be settled, whether it's 13 or 14 UTC.

Cheryl Langdon-Orr: So I get a choice of wasting an hour of my life at 1:00 am or 2:00 am in the morning?

Guess who I will be turning up to one call?

Rafik Dammak: It's very difficult.

Cheryl Langdon-Orr: And in case you want that for the transcript that was Cheryl who really wonders what is going to change in the last hour of my life?

Rafik Dammak: (Unintelligible) go ahead.

Man: Yes, I think that Friday is the best day, because we will have time between the first call and the second call. If we do it on Wednesday or on Thursday,

people will not have time to digest or to work on what we did and that we will come again with nothing prepared.

So the best is to give time to people to work and I think that Friday is the best. Thank you.

Rafik Dammak: Thanks.

Well, it's just if we could only one or two weeks left in this call, so for the next week, maybe and we need to - it's difficult people to turn their - just (unintelligible) how we can work with the metrics and how we define them, so that between - that we can have more - that we can go in more details in the next call, that we'll - I guess to people and to request them to continue the discussion in the remaining years in the main time.

(Unintelligible), I think that you would have the last word in this call. Please go ahead.

Eric Brunner-Williams: Well thank you Rafik. Are we missing any action items coming out in today's call. For instance, we haven't decided who or when any communication will be made to ICAAN General Council regarding divergence of charters, nor have we made any decision about who will be responsible and when it will be done, our communicating with the GAC or other bylaws recognized entities who may be interested in operating under a jointness agreement.

Thank you.

Rafik Dammak: Thank you Eric. Any comment? Anything else? No comment. I see no...I think that we can adjourn this meeting for today.

Thank you everybody for the call participating here, participating for our next effort - our first meeting in this 2011. And we will look for the next - particular

hope that we can work on the main time about the point A, especially about the metrics.

And I think that we adjourn. Thank you.

Woman: Bye, bye. Thank you.

Man: Bye, bye.

END