**SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Tuesday 25 January 2010 at 1300 UTC**

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Participants on the Call:
ALAC
Andrew Mack – CBUC
Carlton Samuels – ALAC - Co–Chair
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
Sebastien Bachollet – ALAC
Dave Kissoondoyal - ALAC

GNSO
Avri Doria – NCSG

Tony Harris – ISPCP

ICANN staff
Gisella Gruber-White
Karla Valente

Apologies:
Alex Gakuru – NCSG
Carlos Aguirre - At Large
Rafik Dammak - NCSG - Council liaison, Co-Chair
Baudoin Schombe - At–Large
Evan Leibovitch – ALAC

Gisella Gruber-White:　　　Thank you. Good morning, good afternoon, good evening to everyone. On today's JAS call on Tuesday the 25th of January we have Carlton Samuels, Tinjani Ben Jemaa, Cintra Sooknanan, Sebastien Bachollet, Oliver Crepin-LeBlond, Avri Doria, Eric Brunner-Williams, Dave Kissoondoyal. From staff we have Karla Valente and myself, Gisella Gruber-White.

Apologies today noted from Baudouin Schombe, Carlos Aguirre and Alex Gakuru. If I could please also remind everyone to state their names when speaking for transcript purposes. Rafik, we're trying to get hold of him and Cheryl Langdon-Orr will be joining us shortly. Thank you; over to you Carlton.

Carlton Samuels:　Thank you Gisella. Good morning, good afternoon, good night everyone; welcome. I am Carlton Samuels. I am speaking from Kingston, Jamaica. I am going to be your chair for this session.

Just as a background we have a situation, as most of you know, the Joint Applicant Support working group was a cross community working group that was chartered by GNSO. We have reached what we consider impasse because of competing - I should say - dueling charters.

Most of you would have seen the charters. Our colleague from At Large, Alan Greenberg, has graciously put together a side by side comparison of the charters...

Alan Greenberg:　Who is now on the call.

Carlton Samuels:　Thank you Alan; glad to see you. Who has put together - and if you would look at it you will see where the outstanding differences are. I'm not sure but let me just declare my hand from the get-go.

You might have seen my public response to the situation. I am still connected to that view. And what we're trying to do here is to see whether or not there is a will to have a resolution and allow the working group to go forward.

As it stands at the moment it is certainly the preponderant view in the At Large is that the ALAC approve charter; is good and sufficient to meet the needs of the At Large community.

The competing charter it is generally believed is way too restrictive and would not provide an output that we think our community is requesting.

Since my views are known on it I will simply say no more on that. Where we are at the minute is that there's an idea floated - an idea, I say, that was floated that is suggesting that the workgroup - the joint workgroup could move forward if the group were to work on topics of mutual interest.

And the mutual interest, as the claim is defined in the GNSO, approved charter. So that is the basis for mutuality of interest, the GNSO approved charter.

And then it was suggested that in areas where there is no convergence then the At Large ALAC could work on those areas for our own purposes. The advice that would go to the board would only come from the pieces that are mutual. That is a proposal that has been run up the flagpole.

I would now open the meeting for comments.

Alan Greenberg: You've got a bunch of hands up.

Carlton Samuels: I am going back to that, Alan, thank you. Just taking me a little while to get to it.

Eric Brunner-Williams: You were first, Alan, go ahead.

Alan Greenberg: Okay...

Carlton Samuels: Yes.

Alan Greenberg: I'm not sure where that proposal came from. I think that was the proposal that was made in the - on the GNSO list or something close to it.

Since that time there has been some indication - there's been a discussion reported between Bruce and Stephane, the Chair of the GNSO, that perhaps there is a way to go forward in a somewhat wider scope.

The proposal that I made which has not been accepted by the GNSO but was well received by the ALAC was that if the group is willing - and I have heard nothing from anyone on this group that indicates otherwise - that the group work on both - on all the issues.

And generally the GNSO one is a subset with the exception of adding an issue about supporting IDN. And that in its report it either flag carefully each recommendation for which recommendation is for which group; that is some would be for both and some perhaps would be only for ALAC.

Or perhaps issue two different reports to subset them so that the - a group that did not charter a specific task does not see the results. And certainly that was the one that I thought the At Large was looking at. And I think it may be more acceptable to the GNSO - as time goes on that may or may not prove the case.

There is of course an ALAC meeting immediately following this where I'm expecting there to be a discussion or perhaps a decision on what the ALAC is going to do. Certainly there's been little interest in the ALAC in reducing its charter to match that of the GNSO. And so I'm not expecting that as an outcome.

And so the really important question I think this group needs to answer - and we have pretty good attendance today or at least starting - is to what extent is this group willing to work to two charters understanding that the outputs would have to be delineated based on what those charters are?

Because if everyone on this group is willing to work whether we're calling ourselves two different groups, you know, one chartered by both organizations and one chartered only by ALAC it doesn't have an awful lot of relevance to the discussion other than perhaps we need to call, you know, an ALAC conference call number so the GNSO - it doesn't show up on a GNSO budget when we discuss those items.

But other than that (nit)-level I don't think there's much relevance. So I think the question this group has to answer is are we willing to work on both if the two charters cannot be reconciled and if both groups are willing to work in that environment. Thank you.

Carlton Samuels: And let me just say I can't see the hands; I don't know why I'm not seeing the hands on the meeting view I have here.

Tinjani Ben Jemaa: You have Eric now.

Eric Brunner-Williams: Right, thank you Tinjani...

Carlton Samuels: Sorry?

Tinjani Ben Jamaa: You have Eric now.

Eric Brunner-Williams: Yes.

Carlton Samuels: Yes.

Eric Brunner-Williams: Thank you Tinjani. And then after Tinjani it's Andrew who just raised his hand. My question to you, Carlton, is about the process of interaction not about the substance of the outcome which was the point that Alan just made.

Who is conducting the negotiation with the GNSO? How is it being conducted? I'd like to ensure that we're not engaging in discussion of bypassed interactions as Alan also indicated that there's been more recent interaction. So really just a clarification of when you say there is a proposal from whom is the proposal? Who is responsible for this? Thank you.

Carlton Samuels: The proposal I saw came from Stephane van Gelder and Bruce and essentially those are the people who sent the proposal. They have not spoken to me as a matter of fact. I believe that they spoke to Rafik.

Eric Brunner-Williams: I'm sorry Bruce?

Carlton Samuels: Bruce Tonkin.

Eric Brunner-Williams: Thank you.

Carlton Samuels: And Stephane van Gelder. Those were the ones that raised the issue of how we move on. They have said also that they would want us to avoid confusion because they want to keep it in the GNSO procedures and so we call them discussion forums.

Alan Greenberg: Can I have a quick answer to that by the way?

Carlton Samuels: Yes, yes.

Alan Greenberg: Okay. I see Olivier has his hand up so I know there have been some discussions between Olivier and other people. But just to be clear...

Carlton Samuels: I still can't see the...

Alan Greenberg: Yeah, okay. But just to be clear no one can negotiate on behalf of the GNSO. The ALAC may be more flexible and we may appoint someone to negotiate on behalf of our - of the ALAC but no one can negotiate on behalf of the GNSO; someone can try to broker something however and I think that's what's happening at this point.

Carlton Samuels: I was about to say that I didn't think there was a negotiation at all it was - it's just simply that they were trying to get - find a way that was palatable to the GNSO Council so they were sending it through to the GNSO Council so that (it) changed your mind about it. That's what my understanding is.

Alan Greenberg: The hands are going up and down. Tinjani lowered his, Andrew was next then Olivier.

Carlton Samuels: I still can't see hands.

Alan Greenberg: That's why I'm telling you.

Carlton Samuels: Thank you.

((Crosstalk))

Tinjani Ben Jamaa: May I speak?

((Crosstalk))

Carlton Samuels: Yes, yes, yes, please.

Tinjani Ben Jamaa: Okay thank you very much. So we discussed this question last meeting - last call. And I think there was an agreement that we will work on the sum of the two charters.

I mean each item and each charter would be considered by this working group and at the end if the GNSO keep its position we would say that this recommendation is a recommendation from ALAC and GNSO. This one is only the ALAC recommendation.

We can even go further and put the name of people who will adopt this recommendation but not this one. I don't accept that we only send to the board only the issues related to the charter of the GNSO. I don't accept it. That's all.

Carlton Samuels: Can I ask a question just - and then the next person hand on? My understanding is that it's the GNSO Council who will vote to accept the - any document that is forwarded to them for onward submission to the board.

Assuming the GNSO by charter does not recognize certain aspects of the work do we believe that there is a good chance of them voting to send through a recommendation that they did not accept officially? That's a question from me.

Alan Greenberg: I can answer that. With the current tone within the council not a chance.

Carlton Samuels: Thank you Alan.

((Crosstalk))

Alan Greenberg: They may be willing to accept the parts that meet their charter if they're sufficiently delineated maybe. We have Andrew next...

((Crosstalk))

Alan Greenberg: ...Andrew next and then Olivier have their hands up.

Andrew Mack: Thank you, thank you. First of all it sounds like - it sounds to me like we have a fair amount of agreement. I mean, what - the way that Tinjani just described it it seems to me to meet basically what Alan said earlier on and what my position would be which is let's move forward; let's cover as many of the - let's cover all of the issues that are in both of these, give people the things that they said that they wanted to get.

And, you know, if we can't get the GNSO to agree internally on everything that we would like at least give them something that we feel is the maximum amount that might be actionable from our work plan and push them to - and liaise with ALAC to try to push GNSO to lean forward on the recommendations that they carry forward or that they consider.

The strikes me as just the obvious logical thing. I agree that it's disappointing that they've chosen such a narrow focus but that also may change because my understanding of it is that some of this is - has to do with internal issues within GNSO not even so much with us. So that political piece may change over the course of time too, no? That's my sense of it.

Alan Greenberg: We have Olivier...

((Crosstalk))

Alan Greenberg: ...Olivier and I have my hand up again - Alan.

Carlton Samuels: Thanks.

Olivier Crepin-LeBlond: Thanks Alan. I just wanted to reply to Eric's question with regards to who was dealing with negotiations between ALAC and the GNSO. There isn't such a thing as negotiations as Alan rightly pointed out.

The way that the discussion came through was after the last conference call that took place, the last JAS conference call that took place I emailed - I

emailed Stephane van Gelder privately to advise him that it was highly unlikely that the At Large Advisory Committee would accept the proposed GNSO charter although we were going to discuss this this afternoon which is actually the call following this will be discussed.

But it's very unlikely that At Large Advisory Council will accept it. And so that he should launch a discussion within the GNSO to see what kind of solution we can find At Large and the GNSO but primarily the GNSO itself since they are the ones with the chartering side of things and launch the discussion there for them to find a solution to take us out of this current problem. That's how it all started.

One thing I am concerned about is that at this very call that we're on at the moment there are very few GNSO members, in fact the majority of the people here are all At Large. And I'm afraid that it's not like this that we'll actually be able to resolve anything with regards to the charter - the GNSO charter. Thank you.

Alan Greenberg: Carlton I'm the only one...

Carlton Samuels: Alan, can you go ahead?

Alan Greenberg: Yeah okay. A couple of things, first of all understand we can make the decision to work on - that we're willing to work on both. ALAC can make the decision that the charter stands - that its charter stands or some version of it.

The GNSO then has a decision to say does it, you know, it can say we're withdrawing our charter. If the group is intended to go forward and work on things we don't want them to then they no longer have a GNSO charter. So that's out of our control. They may take a more lenient view; we don't know.

I don't think there's much impact on how - what we do if the GNSO withdraws its charter. The people who were working on this because they believe in it

who may have been affiliated with GNSO stakeholder groups will likely continue. I'm not sure why they're not on this call today; I hope it's not a message. So that to some extent is out of our hands.

You know, but we can go forward. We may go forward purely as an ALAC group. That may have an impact on how the board views the results of course. We have no control over that either. Thank you.

Carlton Samuels: Thank you, Alan. I'll start out by telling you that that was my position. It's written, it's public, it is published and I don't think I'm changing my mind about that.

Alan Greenberg: Avri points out in the chat that she is here and she is GNSO.

Carlton Samuels: Oh well I see that, yes, she's still GNSO and CSG. Yes, Avri, thank you. Welcome. Glad to have you.

But so I would not wish to say much more on that because my position is well known.

Alan Greenberg: Sebastien has his hand up.

Carlton Samuels: Sebastien is on next.

Sebastien Bachollet: Thank you. I have one question is that I tried to understand the process here and the policy development process it's in the hand of the GNSO or all the SOs. And then the At Large can participate with this working group or not participate with this working group.

And in the same time ALAC could have its own working group on topics they want to have. And my question is really how we see that is it a policy development process and it's in the hand of the SOs or it is something different? And the discussion we have here it's relevant.

I was a little bit puzzled by the answer of the legal because I would have hoped that they could answer this type of question prior to - or just - not just saying that it's the first time it's happened and we don't know what to do.

But in the same time my suggestion is that you spend a lot of time on discussing that issue; I would like to advise or to suggest that you carry on the topics because also you have a recommendation or request from the board to do some work. And it's important to keep their work done and not just discuss on this - on the (unintelligible) issue. Thank you very much.

Carlton Samuels: Well Sebastien there is actually some comment from the board on the charter, the legal - the General Counsel's office actually sent its advice. And essentially it kind of ducked the issue said well we don't have any precedent to proceed here in the bylaws. And they just kind of recommend that, you know, try to work it out you fellows. That is the substance of the response from the General Counsel's office in my opinion.

Alan Greenberg: We have two hands; me and Olivier.

Carlton Samuels: I am kicked out again so I can't see; I'm trying to get back on. I don't know why it keep on shoving me out.

Alan Greenberg: Should I go ahead then?

Carlton Samuels: Please do.

Alan Greenberg: Okay. Several things, on the question that was Sebastien raised on policy development the GNSO is charged with gTLD policy development. As far as I understand this is not policy development this is implementation. It is outside of the policy development process as far as I understand which is why it was a joint group to begin with.

This is not formal GNSO policy; if it was it would be a PDP one chartered by the GNSO and my understanding is this is completely separate from that. There may be policy but it's not gTLD policy.

And with regard to the response from legal I - the answer they gave was exactly the one that I had predicted and I think I said that in a public forum. I was expecting the answer saying it is - there is no precedent; it is not forbidden therefore you can do whatever you feel is appropriate and that's basically what they said.

In terms of getting the work done I'll make the statement here I've made several times in this group and a number of people have made on the GNSO; let's stop talking about process and go back to talking about the work.

The process part is out of our control. It is being handled; we don't know how it's going to turn out. Let's assume it turns out the way we want it to and do some work. Thank you. Next hands are Olivier - Olivier and...

Carlton Samuels: Olivier and then Sebastien. I'm back on.

Olivier Crepin-LeBlond: Thank you Carlton. Well Alan has just said it. You know, the GNSO will deal with its process on one side; the ALAC will deal with its process this afternoon. And I think we should just get a move on and get this group to move because I don't expect it to be disbanded; I don't expect it to be blocked all together.

And as it looks at the moment if the GNSO says no ALAC is likely to be a bit more positive than that. So the last thing it wants to do is to have an actual mandate to do something and not do anything because it's spent so much time on process. Thank you.

Carlton Samuels: Thank you Oliver. I see an endorsement of that position. Avri is endorsing that position. Can I hear from - and I see Alan is doing the same. Dave is also

and Andrew. So it seems from the participants on this call there is a majority position that we simply move on and start the substantive work. So that's what we will do.

So the decision we can report is that the members of this workgroup have agreed that we will move on and start the substantive work. Now just to make sure that we are all on the same page as to what that means can I have a succinct framing of what we mean by that? Anybody can jump in here. Andrew.

Andrew Mack: Thank you Carlton, sorry. I think I'm going to go with Alan's first explanation which was everything that's on - that's contained in either of the two charters that we would like to go forward with.

Carlton Samuels: Great, that's one. Thank you, Andrew. Alan.

Alan Greenberg: Yeah the one specific thing that we can do in process if we can do it quickly - I don't want to have a huge debate over it - is the GNSO did add - and I am saying design mechanisms to encourage the build out of IDNs in small and underserved languages.

It's an issue we had talked about in this group. We did not reach sufficient consensus to put it into our projected charter for the second group. If the group generally feels that this is something that it will not hurt to talk about more then we could suggest to the ALAC that they add it to theirs. That is the only...

((Crosstalk))

Alan Greenberg: ...process thing that I would think might have some merit in making a decision and then we should go forward. The ALAC is meeting after this so there is an opportunity for the ALAC to add that should the ALAC choose to which I

would think it would only do on the recommendation from this call if not this group. Thank you.

Carlton Samuels: I am looking at the charter. If you look in the window it's the side by side charter; that's the one labeled 1(e) and that Alan is referring to. And that's saying - can I ask Tinjani? Tinjani you have the floor. Tinjani?

Alan Greenberg: He may be muted.

Tinjani Ben Jamaa: I was muted, sorry. Okay I don't think that ALAC should add anything now. Now we have to - we agreed that we would work on the - on all items of both charters. That means that we will work also on the item of the IDNs. But at the end if GNSO reach an agreement to join our proposal we can add whatever we want to add. But at this time we have to work, to go through the steps.

Carlton Samuels: Okay, okay. So Andrew you back again; do you want to speak?

Andrew Mack: Yes sir. Just a quick suggestion, looking at the - looking at the charter that we had and the discussions we've had looking at the ALAC charter and also with the thought to try to push a little bit of harmonizing between the two I think that if we can do it in a way that - I don't think that there's anything in the ALAC charter that prevents us from working on the IDN issue.

And if we think we can get it included in a revised ALAC charter without a lot of heavy lifting I think it will make it more likely that we will get some of the other recommendations looked at by GNSO because the two charters will be that much closer together.

If it looks like it's going to be something that's really difficult to get through I would agree with Tinjani and say leave it out, let's work on them on parallel tracks but let's work on all the things on both lists.

Carlton Samuels: Well I am reading Tinjani's intervention as merely a way to limit what Alan was suggesting. Because if you - the substantive difference in the charter if you add the (unintelligible) mechanisms it's probably it. That's what Alan - understood Alan to be saying that we work with the ALAC charter plus.

((Crosstalk))

Alan Greenberg: ...can certainly defer that decision and we can go - we don't have to make a call right now. If the GNSO keeps their charter in and we're jointly chartered then this group can validly work on it. If the GNSO were to withdraw its charter all together the ALAC would have to add it to allow us to work on it. We don't have - no one has to make a decision on that today.

Carlton Samuels: Okay. Avri can we have your...

Avri Doria: Yes.

Carlton Samuels: ...input please?

Avri Doria: Thanks. A quick question for Alan; he keeps talking about the GNSO withdrawing its charter. I'd like to know if there's any actual discussion of that. I certainly haven't seen any on the list.

The other thing I'd like to point out is I'm ambivalent about the work item itself. I think that if we've made a decision to work on the union of the two charters we don't need to add it to the charter. The ALAC doesn't need to add it to the charter.

However if they want to be in your face to the GNSO and say we looked at your charter and we find one thing worth picking up from it and that's the addition of the work item and we therefore have added that to ours, thank you for suggestion, then I think they should.

But realize that it is kind of in your face. We looked at your charter; we saw what you took out. Nope we're not taking that out. We reaffirm that we wanted to do all the work that we listed before but, yeah, thank you for the extra item and we're going to add it.

And I think that's a great thing for ALAC to do but I think if they do it they should do it with the knowledge that that's what they're doing. Thanks.

Alan Greenberg: I can answer Avri's...

((Crosstalk))

Carlton Samuels: Thank you Avri. Alan you wanted to add to that?

Alan Greenberg: Yeah I can answer. Avri there was discussion that having two charters is completely untenable and not something the GNSO would accept. That wasn't the formal GNSO position that was the position taken by a number of councilors.

So it is conceivable that in this - faced with the situation of two charters the GNSO would say this is no longer a joint workgroup and we don't, you know, and it's not an issue. I'm not predicting that. There has been the - a tone if not a specific statement to that affect. Thank you.

Carlton Samuels: Avri back to you.

Avri Doria: Yeah, thanks. In which case I actually think that, you know, the GNSO having put out the charter, ALAC, you know, in thinking about it further ALAC does have a responsibility to look at that charter and offer a response.

So I think offering a response that includes the whole charter plus that would be a really fine thing to do. And it'll be curious to see what the GNSO Council - and this is not the GNSO we're talking about it's just its policy council -

decides to do with it. So I'd say - I'd encourage ALAC to add this even though I was going to say I'm ambivalent on the work item itself. Thanks.

Carlton Samuels: Can I just say something here? Quite frankly that's what I would recommend. I think the ALAC will take this up in our meeting following. My posture is that we must make up a official response to the GNSO and we must tell them what our posture is.

I would certainly support a union charter knowing fully - with the full understanding that my issues - my issue is that the elements of the ALAC charter that were left out are simply nonnegotiable.

I have Tinjani.

Tinjani Ben Jamaa: Yes. Did the GNSO answer it or reply to our - did they give an answer to our charter? Why we have to answer their proposal? Why we have to comment on their proposal?

Carlton Samuels: Well my thing is it's for closure. They voted on a charter that we - and I think of closure we should just have an official response to it. So that's what I would do.

Tinjani Ben Jamaa: Okay. But Sebastien said - Sebastien said that this working group is the GNSO's working group. And I think they think so. They think that this is their working group and we are an appendix to them. And this is not right because Resolution 20 didn't say that.

Carlton Samuels: Maybe...

Tinjani Ben Jamaa: It's - is a joint working group and we have exactly the same rights and the same, if you want, inputs. And I perhaps - also perhaps ALAC is more active in this working group. So I don't understand why they feel as if they are the

boss and we have to always follow or always answer their proposal (unintelligible).

Carlton Samuels: Well, you know, it's probably serendipity you use the word appendix which in the clinical sense for at least the human beings is purely there...

Tinjani Ben Jamaa: Sorry for the English - sorry for the English.

Carlton Samuels: It probably is the appendage. I quite understand that, Tinjani, in my opinion I am not willing to cede what I believe I'm just simply saying that as a matter of...

Tinjani Ben Jamaa: I understand, yes.

Carlton Samuels: Of course to tell them...

Tinjani Ben Jamaa: I understand.

Carlton Samuels: ...and that's my - that would be posture but of course the ALAC will take it in advisement. Andrew.

Andrew Mack: Yes sir. Can I make a suggestion, Carlton? I think what I'm hearing is basically two sorts of issues; one sort of issue is around what exactly we're going to - we want to work on. And I think that there's pretty wide agreement about that.

Then the other sort of issue is around - if you will around optics and power. And I - while I am concerned about the optics and power issues I'm also concerned that there's a limit to how much real influence we have and whether this is the right time for us to try to sort all this stuff out anyway.

I wonder if we can't punt some of those down the road a little bit because, you know, it's absolutely true what Tinjani is saying and yet I'm not sure we have the ability to really do that much about it.

Carlton Samuels: I agree. At this point I think we should just agree. My proposal to the group here is that - is that - as a process way forward is that we agree to work on the union charter if that is - this is a proposal on the table at the minute - and then we see how it pans out in the end.

I mean, that's what I'm hearing; that's what would be - to me that is the decision that needs to be made by this group.

Andrew Mack: And I guess what I'm hearing is is that if that is the decision that people seem comfortable with and I know a lot of people have to get off this particular call early - I have to leave in about three minutes because I wasn't expecting it to be moved - so if we're all in agreement I think that that's a good outcome. And I just want to make sure we're at a stopping point.

Carlton Samuels: So if there's no objection I think we have all talked our way into agreeing that we have a union - work on a union charter. The charters are there for everybody to see. Probably the next meeting we will simply decide how we divide the work and how we process the work. Is that agreeable to everyone? Avri.

Avri Doria: Yeah so we're - we're putting off - we got even 10 minutes left on this and I know Andrew has to drop out so he could stick up his hand quickly on the things he wanted to work on. We've got 10 more minutes at least on this one. Do we have to wait for another meeting to think about how we're going to split up the work or...

Carlton Samuels: No well - no we could start now. I mean, my thing is we can start now; it depends on what the - it's perfectly reasonable for us to start now how we

divide up the work. There are all these issues - they're laid out there; you see them in the document pane.

You know, we can decide who's going to do what or do we have committees on the whole to look at everything? I am personally interested in three issues; the first issue is what is the modality by which we will provide assistance? That one is key to me.

And what - well there's - the first is the eligibility rules; what are the eligibility rules? The modality by which we will provide assistance. What kinds of assistance could be contemplated? Those are the three main areas to me.

Tinjani Ben Jamaa: Carlton?

Carlton Samuels: Yes I'm seeing Eric's hand.

Eric Brunner-Williams: Thank you, Carlton. I want to take this occasion to remind the chairs - and I know Rafik isn't on the call but so just to remind you, Carlton, that the chairs are not the working groups. And your agenda - your individual agenda is as good as anyone else's but it's not really better than that.

So we need to agree on what we're going to do. And it really doesn't spring from my mind alone or anyone else's mind alone. Thank you very much.

Carlton Samuels: I quite agree. I - my intervention there is intended to engender conversation. Avri suggested that we should decide now and I started (hopeful) by saying if we group all of the aspects of the charters - since we are going union charters we should at least group them into aspects that are heads of agreement as it were and that's what I was trying to get started, that discussion.

Eric Brunner-Williams: Tinjani and Avri have their hands up.

Carlton Samuels: Avri.

Avri Doria: Tinjani's before me.

Tinjani Ben Jamaa: I have my hand up, Carlton.

Carlton Samuels: Please go ahead, I moved away from the desk for a minute.

Tinjani Ben Jamaa: Okay no problem. I think that there is at least two main topics on which we have to work in this group. The first one is the fund raising mechanisms and distribution mechanisms that Avri volunteers to lead.

Carlton Samuels: Yes.

Tinjani Ben Jamaa: And the second one is the - a need criteria definition and for which Cintra has some inputs. So at least we have those two main topics that we have to already begin working on.

Carlton Samuels: Good, thank you; I agree, Tinjani. Avri.

Avri Doria: Yeah I think that in one of his messages Eric did actually a fairly good breakdown of like three or four steps if you wanted general buckets that things fell into.

                     And I think when you asked the question are we doing this as a committee as a whole or as separate I think you may want to look at the same sort of mechanisms that we used in the first half which was there were separate groups of people in this case, that is in A and B, this time it may be A, B, C, D, that would work...

Carlton Samuels: Yes.

Avri Doria: ...between meetings and at each meeting would bring it back to the committee as a whole. And that keeps the energy of people who are dedicated to a topic working on it but it keeps the whole working group involved in terms of discussing and pushing things forward.

So I'd suggest that the - that the chairs and that those of us that are interested - and I wasn't necessarily volunteering to lead a mechanism though I'm certainly willing to do so if that's the right thing to do but, you know, certainly that we declare, you know, which of the - is it two, it is three, is it four buckets of categories.

And as I said think Eric started out really well. And, you know, I think I fell into his fourth bucket if I remember.

Carlton Samuels: Yes...

Avri Doria: And follow that kind of both committees working between meetings and reporting and discussing at meetings so that we don't have dead space between meetings. But that's just a suggestion.

Yeah, I don't remember - Andrew is asking what were Eric's buckets. Perhaps Eric can answer that. I read them; I said, yeah, this is kind of cool but then I moved on. Thank you.

Carlton Samuels: I was about to ask Eric if he could just put them up so that people could see them. It's the same idea we're actually converging on. If we could put it up. I like the framework you suggested, Avri, that we have these buckets - we have these buckets that we put all the concerns into the - unionized concerns and then we create four different subgroups and work through.

Members can attach to each subgroup of interest and at the meetings and the calls then they - the members elect a spokesperson for each subgroup

and we would depend on that person to present at the calls. Yes Alan. Hello? Alan? Alan?

Avri Doria: Try your mute.

Carlton Samuels: Alan you have the mic.

Avri Doria: Perhaps he's muted.

Carlton Samuels: Perhaps he's muted; he's not hearing me. I hope he saw that. Okay can we go to Eric then until Alan comes on?

Eric Brunner-Williams: I think I have the mail that - are you sure that I used the word bucket, Avri?

Avri Doria: No you didn't use the word buckets. It was - that was my word. You had four steps or four - I mean, sorry...

Carlton Samuels: Categories, groupings - groupings of the issues...

Karla Valente: Yeah, hello this is Karla. Hello this is Karla speaking. The subject was some areas of work. And I just re-forwarded the email to the mailing list.

Carlton Samuels: Okay thank you Karla.

((Crosstalk))

Eric Brunner-Williams: ...the chat window.

Karla Valente: I will copy and paste to the chat window.

Eric Brunner-Williams: No I think I already did, Karla.

Carlton Samuels: Okay.

Karla Valente: Thank you.

Eric Brunner-Williams: Oh it looks like that's a different one.

Carlton Samuels: Well this...

Avri Doria: Yeah that's a different one.

Carlton Samuels: This doesn't seem that is the kind of...

Eric Brunner-Williams: Okay forget that one and go with the one that Karla just sent.

Carlton Samuels: Okay. Oh Alan is back. Alan your hand was up, I was calling, so you can go ahead.

Alan Greenberg: Sorry...

Carlton Samuels: Alan?

Alan Greenberg: Sorry, yeah I didn't hear the first part of you. I wasn't actually back on I just heard noise. The only point I was going to make is to the extent that we have to prioritize things we should look at what is explicitly requested by the board and what is perhaps the most critical in terms of timelines to get this in place for the first round of the gTLD call. Sorry that was all I was trying to say.

Carlton Samuels: Okay thank you. Well I could go tell you what the board - the board resolution says in particular. Provide specific guidelines on the implementation of the recommendations that is from the working group such as determine the criteria for eligibility for support.

So they are concerned about eligibility - what the eligibility rules are and they are concerned about a sustainable funding model. That may be independent of ICANN. And they are concerned about the implementation that it should be transparent and it should benefit the global community.

So it seems to me there that they - the board is seized with ensuring that whatever we are recommending is implementable; we should have well defined eligibility rules. We must proffer a sustainable funding model maybe independent of ICANN; that's what they say.

And the implementation that is to say those who get in the pot - the route by which they get into the pot must be transparent to the community. So there you have it; they have actually prioritized the areas of need.

And if you look at what we were suggesting in terms of the breakdown - work breakdown structure we were concerned about eligibility rules, we were concerned about the funding and mechanisms as well as the distribution mechanisms. And clearly those two are very important to the board. At least those are two that we seem to - everyone seems to agree on straight away.

Yes Tinjani?

Tinjani Ben Jamaa: Sorry, no I will lower my hand.

Carlton Samuels: Eric.

Eric Brunner-Williams: Oh thank you. I have actually a somewhat pressing agenda item which is Thursday the temporary drafting group legal meets. And on their agenda is the continuity instrument. And I propose to take the position that relief from the burden of the continuity instrument is in the interest of the applicants who are needs qualified.

And attempt to obtain less onerous terms for needs qualified applicants than the terms that are currently in the fifth version of the Draft Applicant Guide. There's been correspondence between myself and Richard Tindal primarily on the subject in the last day or so. Thank you.

Carlton Samuels: All right thank you, Eric. Any other comments? So we have three major tracks as it were, groupings. Is anyone available to ensure that we are aligned with, A, the concerns that are listed in the unionized workgroup charter? And, B, the priority of the board?

Eric Brunner-Williams: I'm sorry, Carlton, what are you asking for?

Carlton Samuels: I'm asking whether or not there's anyone who would be willing to volunteer just to do a quick check and put to the group to make sure that the groupings that we are proposing here and the priorities that we assign are in keeping with the board priorities as well as the unionized charter list of concerns in the charter. You follow me?

Eric Brunner-Williams: Yes thank you for the clarification.

Carlton Samuels: No volunteers?

Tinjani Ben Jamaa: I propose that people subscribe for each track by email.

Eric Brunner-Williams: That is one subgroup.

Carlton Samuels: Yes - yes Tinjani; we have the tracks. I think we have - we have a kind of consensus emerging about the tracks. And it would (be wise) everyone who's interested to volunteer for a track that's good. But just to ensure that we have the tracks and we prioritize the work Alan was suggesting.

I would also recommend that we at least make sure that the priorities of the board is recognized by each track and so the members of that track would know what the priority is in terms of work.

Okay all right well I will do this for the group. I will, to the best of my recollection, put out to this group the tracks that I think are talked about here. I will then ask for each volunteer to add their names to the track. And we will start from there.

It's now three minutes until top of the hour. We have a hard stop at top of the hour. Are there any other issues, concerns that members would like to bring forward now? Cintra? Cintra?

Cintra Sooknanan: I just want to confirm our next meeting is this week? Right?

Carlton Samuels: Yes there's a Friday meeting.

Cintra Sooknanan: Right. What I would like to do is with the information that I have found so far in terms of legal aid applications if I could just forward that to the group so that - because indeed the eligibility requirements is an aspect of it that is pertinent right now and is something that I think we can all contribute to and we'd all be interested in.

Carlton Samuels: Very good.

Cintra Sooknanan: Right? So I will start forwarding what I have found. There is an (interest of justice) test which I don't think is really applicable but we can phrase that in a way that is more interest of the community. So that's an area that we really need to look at. Okay?

Carlton Samuels: Yes. I see your note, Eric, we will send out a - work with staff to create an agenda for Friday's meeting. And we will take note - we take note of what

you've said here. The notes of the meeting as soon as they're turned around I hope it will contain that note.

It's a minute to the top of the hour; I would like to close this meeting because I'm due for the next one. There being no other business? Well staff was not going to make the agenda; we were going to work with staff to make the agenda. We need some help from staff.

Okay everyone? Take care.

((Crosstalk))

Tinjani Ben Jamaa: Okay bye.

Carlton Samuels: This meeting is over. Bye.

Gisella Gruber-White: Thank you everyone.

END