

**ICANN Transcription**  
**New gTLD Auction Proceeds Cross Community Working Group**  
**Thursday 13 April 2017 at 1400 UTC**

Note: The following is the output of transcribing from an audio recording of New gTLD Auction Proceeds Cross Community Working Group call on the Wednesday 17 February 2016 at 16:00 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. Attendance may be found at:

<https://community.icann.org/x/BsfRAw>

The audio is also available at:

<http://audio.icann.org/gnso/gnso-new-gtld-auction-proceeds-13apr17-en.mp3>

Coordinator: Recordings are now started.

Michelle DeSmyter: Great, thank you. Well good morning, good afternoon and good evening to all. Welcome to the New gTLD Auction Proceeds Cross Community Working Group call on the 13th of April, 2017 1400 UTC.

I would like to begin with a roll call. I have Asha Hemrajani, Becky Burr, Ching Chiao, Brad Verd, Daniel Dardailler, Erika Mann, Julf Helsingius, Julia Charvolen, Lauren Allison, Manal Ismail, Marc Gauw, Maureen Hilyard, Olga Cavalli, Tripti Sinha, Vanda Scartezini. From staff we have Joke Braeken, Marika Konings, Julia Charvolen, Lauren Allison and Samantha Eisner and myself, Michelle DeSmyter.

As a reminder to please utilize your mute button when not speaking for transcription purposes. I would like to turn the call back over to Erika Mann.

Marika Konings: Erika, if you're speaking, you may be on mute.

Michelle DeSmyter: Erika, this is Michelle. I've just unmuted your line.

Marika Konings: Ching, are you connected on audio? And may be able to step in until we manage to get Erika back on audio?

Ching Chaio: Sure, hi, this is Ching. Yes, I'm also on the (unintelligible) as well. So noticing that Erika probably will need to – so probably maybe let's try to call her or would you be able to Skype her and to – actually has (unintelligible). Let's get started. So welcome, everybody. This is Ching Chiao, the cochair of the CCWG AP.

And we sort of – for this meeting we have couple apologies as noted in – on the Adobe room. And so why don't we maybe just go ahead and start and if, Erika, you're back please let us know? Okay, so but in any case, thanks again for the time.

I mean, understand – we both understand that it's probably this upcoming long weekend, you know, holidays in some part of the world so thanks, everybody, for spending time still work together for moving this thing along.

So let's start with the declare of interest update. So every time I think we've been trying to emphasize on the DOI and in our last call we did start to work on making sure that people – Number 1, they would provide update, I mean, regularly and also on the community – on the wiki. We also make asterisk mark next to the person who's showing an intent, showing a yes for the interest for applying the fund.

So I'd like to take this opportunity to see if anybody who – or actually just to

remind everybody, if you have an updated DOI, please do so, send to the list or at least to the – to Marika and to the staff. Yes, as Marika share in the chat room is that, yes, the wiki page has just been updated so please make sure that if you'd be so kind please send us the updated one.

Okay, so Erika, are you back?

Erika Mann: Yes, I'm back, Ching. It's something interesting, you all might experience this one day, Adobe is doing a kind of update and they make practically a force update. So be careful when this happens to you, be not surprised, just a forced update, and they do it in the middle of the call and there's nothing you can do. So this was what just happened. Apologies for this. And thank you so much for, Ching, for take over. That's really great.

Ching Chaio: Thanks.

Erika Mann: So Ching the updates about the declaration of interest we want to do each time. So since there is nobody who wants to comment on it, I think we are fine Marika, yes? And we sent out an email, Ching, remember we sent out an email to everybody as well. You sent so many comments which we really greatly appreciated, and our hope that the email which we sent as a comment response to everybody hopefully clarified everything.

If this is not the case, or feel totally free to send to staff or to Ching and to myself any kind of questions you may have. I'll just give you another second maybe just to hear from you if there is something you would like to say with regard to the Point 2. Marika, is there something from your side?

Marika Konings: This is Marika. Just to note that indeed staff has gone ahead and updated the wiki pages we discussed during the last meeting so you will now see there a separate column that has been added that basically has a copy and paste of the responses that have been provided by the different members and participants in relation to Question 6.

And just to remind everyone that if you have any updates or changes in your situation please feel free to communicate that to staff and we will make the updates accordingly.

Erika Mann: Yes, thank you so much. Okay, if there's no further question related to it, and I don't see anybody wants raise the hand, so let's move to Point...

Marika Konings: Erika...

Erika Mann: ...the next point.

Marika Konings: Erika, this is Marika. Manal's hand is up.

Erika Mann: We have somebody? Okay, please. Maybe, I don't know why Adobe is not showing. Manal, please go ahead.

Manal Ismail: Thank you, Erika. And just very quickly to note that I updated my DOI with the caveat that I'm still seeking the GAC advice on the final so this might be refined to a later date on the feedback I get from GAC leadership and GAC community. Thank you.

Erika Mann: Thank you, Manal. Manal, that's fine. And I think that's the best way of operating, when you get an update or anybody else to just update, and then this makes it easy for us to follow the various declaration of interest. There's nobody else, correct? Okay, perfect.

Then let's move to the next item on the agenda, can we have the – can we see the letter which we want sent as a reply to the Board? Okay wonderful. So what I would love us to do is really to go through it line by line and bullet point, that we really have a common understanding that this is the approach we will have to choose.

And then, Marika, I ask you did we decide about the timetable last time and could we have another, not to prolong it too long, but maybe see another week so that everybody then can review it and can come back to further comment to us?

Marika Konings: Yes, this is Marika.

((Crosstalk))

Marika Konings: I don't believe – yes, this is Marika. I don't believe we already set a timetable. I think we just noted that we would like to get this out as soon as possible, so your suggestion at least from a staff perspective would be perfectly workable.

Erika Mann: Okay perfect. So how do we want to handle this? Do we want to go through with bullet points by bullet point, which I would recommend? Do you feel all comfortable in doing this? Yes, because I think it helps – and always difficult to find the time to review this document and all of us and have so little time, so just let's do it quickly together.

Shall I read it, maybe or, Marika, do you want to read it? Who was the best to be heard on the mic? Marika, why don't you read it? I'm worried that my connection is maybe not the best.

Marika Konings: Thanks, Erika. This is Marika. I do have to note my mobile connection may not be very stable either but I'll definitely give it a start and hopefully you can take over should drop.

So basically the letter overall follows the approach that we discussed during the last meeting, it's not intended to be a back-and-forth on some of the positions that more acknowledging the Board's input and recognizing that many of the points made by the Board will come in and will factor into the deliberations on a different charter questions.

I think there's only one item which is the last point, that where there is a specific question and further feedback has been requested or suggested. So I'll just walk through it, so maybe it's best just to focus on the bullet point.

So first bullet point, The CCWG is fully aware of the legal and fiduciary constraints and appreciate the ongoing participation of Samantha Eisner and Xavier Calvez to help guide the CCWG in these matters.

In relation to the cost of operation, the CCWG is aware that no specific budget has been allocated to this effort, apart from the staff support that is being provided, although the CCWG may identify future needs as a result of the development of its work plan and/or its deliberations. If/when that happens and such needs are supported by the CCWG's

Erika Mann: Marika, Marika, Marika?

Marika Konings: Yes.

Erika Mann: Let's take it bullet point by bullet point and let's after each bullet point somebody wants to raise a question or make a comment. I think this goes quicker. Otherwise topics are forgotten already again. So the first bullet point was only practically a reference to the work Samantha Eisner and Xavier are doing in this matter, which I think there is no further need to probably to debate it. And then comes, but I want to see if somebody wants to mention something here.

No, nothing in the chat room. Nobody raised the hand. Okay, let's move to the second bullet point, Marika. Sorry for disrupting you.

Marika Konings: No, no, no, no problem at all. And I actually just see that Alan has raised his hand.

Erika Mann: Oh, Alan, wonderful. Please go ahead, Alan.

Alan Greenberg: Thank you very much. Although I may have misunderstood in a CCWG plenary meeting yesterday, the CCWG budget was reviewed. And as you may know, they're requesting that budget that was allocated for this fiscal year be spread over two fiscal years. So the details were provided.

One of the items included staff travel. And we are assuming in the wording here that staff travel and associated expenses, translation of documents if any and I kind of stuff, are not borne by the CCWG but are borne by ICANN. Since we seem to have a completely different set of rules for one CCWG versus the other, I think we should explicitly call out here that these are, things like, it already says staff travel is provided, but I think we should be explicit that this is a budget that ICANN is not allocating to the CCWG.

I'm not trying to prescribe wording, but I think we should make sure – make it clear that we understand and they understand that we are using two different sets of rules for two different CCWGs and I think we want to be crystal clear on it. Thank you.

Erika Mann: I agree, Alan. This is in relation to bullet point 2.

Alan Greenberg: That's correct.

Erika Mann: Yes, I do agree. So I think this is something, Marika, which you can – if everybody agrees on that point Alan raised I think this is something staff then can update and resend, Marika, is that okay for you?

Marika Konings: Yes, this is Marika. I had raised my hand as well to respond because at least my understanding is that the CCWG Accountability effort is the exception, not the rule. All the other CCWGs operate under the same principle as this group operate, you know, staff support is provided, and if there are any additional needs that are identified those need to be separately put forward.

So I think it's already covered here in the staff support, I mean, it doesn't

foresee travel support because there are no meetings for seeing apart from those that may take place at ICANN meetings (unintelligible) you know, for those, you know, staff is already foreseen to go there. But I'm happy to add a note that makes clear that what is happening for the CCWG Accountability is the exception not the rule. And if CCWG expects to operate under the CCWG principles that also apply to other CCWGs that are currently in operation.

Alan Greenberg: If I may have a follow-on?

Erika Mann: Yes.

Alan Greenberg: The reason I'm concerned is it is quite possible that we will end up having either legal expenses or other paid things that we will have to go for budget for, and at that point I just want to make – I think we need to make it clear that although we may end up having a budget there are two different sets of rules that are being applied and we want to make sure that suddenly hours doesn't refer to the other one also. So it's just a matter of clarity because in our case we likely will have, before we finish, will have expenses that need to be paid by ICANN.

Erika Mann: Yes, I do agree with Alan. I think clarification is in this particular case very important. I have Ching and then Asha, and, Becky, I would love to hear from you if there was any debate you would like to talk about or you can talk about, we should be aware about with regard to the budget. So Ching, please.

Ching Chiao: Thank you, Erika. So this is Ching speaking. So I think the letter from Steve, he did mention about this CCWG round as a project with the proper budget and schedule. So I think from that particular point, probably we can make a more specific point on this proper budget and probably we can start to work on one and then letting the Board know that we'd be sending out a proper budget then for their review. So probably just an echo from what Steve has said in his mail. So thank you.



Erika Mann: Perfect. Asha, would you be willing to say something or Becky?

Becky Burr: This is Becky. From the Board perspective, we're very – very happy that the CCWG understands the budgeting issues and the need to put together a budget and process it in accordance with the procedures. I think we've all learned a lot from the CCWG Accountability and the IANA transition experience. And so we're very pleased on that.

Asha Hemrajani: Erika, if I may?

Erika Mann: Yes.

Asha Hemrajani: Can you hear me clearly or is there a lot of echo?

Erika Mann: It's fine, at least on my end.

Asha Hemrajani: Okay great. Thanks. So I think I want to go back to what Alan was saying. I think what Marika – how Marika responded was actually spot on. The CCWG on Accountability was a unique case and whether or not we've learned lessons from it, which I hope we have, this particular CCWG on Auction Proceeds is going to be like any other previous CCWG. So I don't see any differences there.

But I take Alan's point. I would also – I would like to understand better what specific line items he means. So is it only staff travel? So in that regard, I would maybe would – I'd like to suggest that Marika, you have a word with Alan offline just to clarify what exactly – which line items he means, is it just staff travel or are there other things that he finds different? And then we can – and then just confer with staff on that in terms of budgeting.

I just want to – I think it would be worthwhile to clarify that before you put that in the letter back to the Board, it would be worthwhile to just clarify exactly what Alan means before we actually – before you guys want to address it in

the letter back to the Board. Thank you.

Erika Mann: Thank you, Asha. And thank you, Becky. Alan, why don't you just clarify this right away instead of going back and forward, it makes no sense. Alan, just please.

Alan Greenberg: I'd be glad to. The document that Bernie presented had an item of staff support which said—including staff travel, language support, management, communications and contractors. You know, communications is if you have to hire a public relations, you know, group that, you know, presents pretty pictures or things like that, which Accountability did.

And there's a \$2.4 million item for that in the CCWG Accountability budget. So all I want is clarity that if we end up having to pay for legal costs or some other consulting related to helping us put together a good plan for the auctions, at that point are we also going to have to assume the costs I just identified that is, be comparable to the CCWG?

Or are we now having a third variety of CCWG that is with some explicit costs but not with the overhead costs that are normal? So clarity, we could handle it either way but the question is if we now need a half-million dollars of legal costs for instance, do we also have to budget a half-million of staff costs would suddenly show up? That's the only question I was asking.

Asha Hemrajani: Yes, okay. Okay, Erika, may I address that?

Erika Mann: Sure.

Asha Hemrajani: I think I now understand better what Alan means. And I think this is why I had written in the chat it would be worthwhile for this particular CCWG to get together and to figure out what the budget is in terms of – after figuring out what the needs are. So we have to figure out what our needs are in terms of legal costs, in terms of staff costs. Even for staff it's worthwhile to sit down

and have a think which is what Bernie did in the CCWG on Accountability.

The budget that you are referring to, Alan, is with regards to Work Stream 2 a separate \$8.8 million budget that we sat down, and we meaning the project cost support team, PCST, had sat down together with the cochairs of the CCWG – sat down and actually put our heads together to figure out which areas we need support on and then we had line by line item budget for each item and the total was \$8.8 million, including – and in those line items it included standard staff support.

So it's worthwhile for this particular CCWG to sit down and figure out which staff, including Marika and Xavier, for instance, to figure out what areas support is needed and then what would be the approximate budget. Because this is what I have been requesting from two, three meetings ago, we need to have a budget, and then we will work according to that budget. I hope that makes sense. Thank you.

Erika Mann: So, Asha, I think this makes sense. I just want to be – Asha? Yes, Asha, you want to say something?

Asha Hemrajani: I'm sorry, sorry, there's a lot of echo, sorry. I just want to echo what Jonathan just mentioned in the chat in terms of the forecasting, so I suggest – I'll just read it, "In terms of checking cost, suggest checking language of charter as a starting point and then take the forecasting approach suggested by Asha."  
Thanks.

Erika Mann: Yes, I think we can do this. What I would recommend, if you all agree, that Marika has a discussion with Xavier. They sit down and invite their colleagues whom they would love to have a long. And then they send – a staunch a discussion we already had based on past experience, they send us a proposal we then can discuss in this group again.

I just want to ensure that we have – that we plan some flexibility. I don't mind

to budget everything line by line, but this is a quite complex matter, and to the very end or even before so end of '17 or early '18 we might experience unexpected cost factor and we shouldn't then have difficulties.

So would you agree that we handle it in such a way?

Asha Hemrajani: Can I respond to that, Erika, please?

Erika Mann: If you want to respond, feel free.

Asha Hemrajani: Yes, thank you. So I hear what you're saying in terms of flexibility. This is where I think we first need to have – we need to first have a first cut. And then, you know, decide on a mechanism by which, okay, if we realize that we need – we may need more funds – first of all, let me take a step back. The first budget will have to be approved.

And then if the CCWG decides or thinks that it needs more funds, then, you know, I don't see any issue with, you know, sitting down together, coming up with another set of figures and then discussing and then getting that approval for the second round. But it cannot be – if there is a significant jump in expenses from the first figure, from the first budget, it may not be automatically approved. So it should not be assumed that any surplus expenditure will be approved, that I would not think is wise thing to think will happen.

So that's why I think the first step is to start off with a budget with the first round and then if we decide that we need more money we will have to come up together – work together on a second set of figures. Thank you.

Erika Mann: This would be fine with me, Asha, but we will want to have I think this group some kind of requests for certain flexibility. We can work with the process you recommended if everybody agrees, but we have to be cautious, you know, the setup of funds or the setup of whatever kind of processes we design, it

might not be that easy and there might be either legal costs or other costs involved which we can't plan ahead in the moment. So that's all.

I see Alan, you want to come back on this topic?

Alan Greenberg: Yes, thank you. My understanding is we don't have any current budget requests at this moment and that's what the letter says. My only concern was if and when we do have budget requests for us to understand which line items we might need to include over and above the explicit new requests that we have. That was the only – the substance of my question. And I think Marika understands it so I don't think we need to go right budget...

((Crosstalk))

Alan Greenberg: Thank you.

Erika Mann: Totally agree with you. Wanted to make the same recommendation. Marika, we give it back to you and you handle this with Xavier and you come – send something later along the line which we just discussed. Let's move ahead. There's nobody else on the list so let's (unintelligible) bullet point. Back to you, Marika.

Marika Konings: Thanks, Erika. So the next bullet point reads, "Concerning the suggested nominal goal for the overhead is no more than 5% by the ICANN Board, the CCWG will definitely consider this input when it considers the relevant charter questions as well as the elements the Board has suggested the proposed mechanism and/or process should include.

Erika Mann: My point was that one discussion we had in Copenhagen about the 5% and I mentioned that this is a recommendation and I want this to be understood as a recommendation. I think it's very good to work with the 5%, but again, back to the flexibility. When I said this, Xavier was nodding, so it's not – I think we have to be careful that we don't work with estimations which are hard core,

because again, we don't know what's going to happen.

So if you (unintelligible) this would be my recommendation, keep this 5% as a general understanding but the understanding as well back to the point we just had, that in case – there will be (unintelligible) will need more access to more resources, we then will have to have a discussion about it.

Somebody else wants to – I have Asha, is this an old point, Asha? An old hand?

Asha Hemrajani: I'm sorry, it's an old hand, sorry about that.

Erika Mann: Yes, Alan confirms. Jonathan is writing. Marc is writing. I wait for a second with regard to this bullet point and then otherwise we can move forward. Olga is okay. Yes, Marc makes an interesting point which we have to take into consideration, he's right. Jonathan agrees.

Seems like a reasonable target but it's not yet clear how it will fit in the CCWG business model, I agree, CW business model. Marc makes an addition. In Holland it is 10%, that's similar in Germany, it's about 8%, Belgium EU budget is typically between 8% and 12% so we need to have flexibility. Julf agrees as well. And Asha is typing.

So I think we have a common understanding. We will try the 5% but we don't want it to be seen as a hard core. It's a goodwill and then if the - if the budget constraint understanding our - the budget constraint in general of ICANN we will try to meet the target but we might need to request more. Marika I leave it up to you to do the drafting in a good way.

Yes.

((Crosstalk))

Erika Mann: Alan is this an old hand or is it a new one?

Alan Greenberg: It - Alan. It's a new hand. Just a comment.

Erika Mann: Okay go ahead.

Alan Greenberg: It doesn't need to be included but just as a comment there are likely to be certain fixed costs associated with this kind of thing. So it ends up coming down to how much money we actually have because for fixed costs the percentage varies as the gross increases and it also may vary over the length of time it takes to disperse the money. So although we certainly want to be prudent I'm just - well all I'm trying to do is give a rationale why it would be inappropriate for us to commit to a number at this point. Thank you.

Erika Mann: I fully agree and I think this will be understood. And that's a point which we have to be from the very beginning clear because if we set the wrong expectation and we just say we can meet them face difficulties later on with the board. Everybody agrees with the exception of Linda. She said 5% is a good mark but I think we have a common understanding and (Maureen) as well. So let's if you all agree nobody I give you another second then we move on to the next bullet point. And we get this back from Marika so keep in mind we will have the option for another review. Okay perfect Marika, back to you. Next bullet point please.

Marika Konings: Thanks Erika this is Marika. So the next bullet point the CCWG supports the board's recommendation that a wide net should be cast and is happy to report that in addition to the members appointed by the CCWG charter organizations 45 participants and over 20 observers are signed up for this effort many of which have no direct affiliation with ICANN SOs AC.

Erika Mann: That's a critical part I always found. I like the idea about a wide net but I'm concerned to be very frank as well because our mission is driving us in this effort and we already have the difficulty of understanding what initially means

with regard to this money. So if we have a very wide net I am a little bit concerned that we will lose a lot of money just evaluating proposals and have an expert look at things which relay to totally different topics which might not in any way relate to ICANN and to ICANN's. So but that's just my concern. I would love to hear your points.

Woman: Did we lose Erika?

Erika Mann: Alan let me start with Becky please.

Becky Burr: Hi thanks. I think that but the most important issue is for the group to understand what the purposes and, you know, what the goals of spending this money really are. And once the group determines the sort of the - (crisp) what is it that we want to do with this funding, what do we want to accomplish then a number of things fall into place including the question of how far you would cast a net with respect to applicants.

I think, you know, one of the board's concerns was just that, you know, that a lot of different perspectives be included in the discussion that are going on. And we're pleased that there's such good participation. I think, you know, other groups will become aware of it and many of us are talking with people about it. So I think that's fine but I just want to sort of start with at a certain level I think the most important message from the board is let's figure out what the goal of these – of the – of these funds, what we want to accomplish with these funds and then many, many things will fall into place from that.

Erika Mann: Yes. So some have difficulty of understanding Becky. So what Becky said in just very quick to repeat here is that the goal will practically define as soon as there's a clearer understanding about the goals what we want to achieve then it will be a clearer learning as well of about how the definition of about the wide net can be understood. I hope this helps. Let me go to Alan please.

Alan Greenberg: Thank you. I think Becky and Asha have addressed it. I thought the question



was casting a wide net for participants in this group not for who applies in the final for the actual fundraising. And that's what it that's what the question answered. But Erika's first comment was talking about who applies for the money. And I didn't think that was what we were really looking at at this point.

Erika Mann: Maybe we want to clarify this because I remember from discussions whenever (Steve) we are talking about this point that this is what he meant. He meant a wider net outside of the typical traditional ICANN community not - that's fine with me but I think it is something we will the process of reaching then now to a wider audience might cause in itself some difficulty. But if this was my misunderstanding that may be something we can clarify as well. Alan, Becky maybe you can...

Alan Greenberg: Yes I...

Erika Mann: ...take this in your hands and...

Alan Greenberg: Yes.

Erika Mann: ...clarify this.

Alan Greenberg: Okay I think we don't want to do anything now which precludes a wide - allowing a wide range of applicants in the future. But I thought that the specific thing was making sure that we are inclusive at this stage. And...

Erika Mann: Yes perfect.

Alan Greenberg: ...if that is indeed what was asked than the question then the wording there is just fine.

Erika Mann: Yes I agree. Ching you wanted to say something?

Ching Chaio: Yes probably just because I saw Jonathan posted about and you probably

mentioned some, you know, including participation outside the normal ICANN, you know, the ICANN communities. I'll probably also remind everyone is about the very first - at the very first the few first meetings we asked anybody to describe and also share about the (unintelligible). So the wide net perspective I would say probably is about the also the members (unintelligible). So probably the board will also address that and make sure that we do - that we make sure we include different areas of expertise and show that we make the right choice so probably I want to add to that.

Erika Mann: I see I just read (Louisa) understood it similar like I did. I mean that's something we can clarify. There practically two stages so one stage is now which is more the defining of the process and we want to be inclusive as possible within our more traditional environment probably. And then the question who can assess the fund maybe that was the reference from (Steve) because we certainly can clarify that. (Unintelligible) you make you want to say something or that's an old hand?

Woman: I just Erika thank you. I just want to confirm everything that you've just said. This is not about the latest stages. This is about currently we want as broad an - pardon me, broad as participation as possible from different for instance iStar organizations could be one possibility. So that's what we've been saying all along. So I just want to confirm that officially. Thank you.

Erika Mann: Okay fine. I think we have an understanding together what we need to clarify here and I will recommend Marika that you find a way reviewing the current language and being in the letter as clear as possible. And if there's a question we want to raise the board I think we should do it at this stage. If there's nobody else let's move to the next topic. I'm looking at chat and comments Ching yes he's confirming this. (Maureen) is mentioning that we have to be inclusive which is true and Becky yes it's practically saying similar comments Asha just made an (Alan) before. Okay let's move onto the next bullet point. Marika please.

Marika Konings: Thanks Erika. This is Marika and I'm happy to add the suggestion that Ching has posted in the chat into the previous one. So the next bullet point with regards to the concern expressed in relation to conflict of interest the CCWG would appreciate some with further specificity with regards to what the board had in mind. The CCWG knows that a declaration of intent is already required to participate in the CCWG so (unintelligible) of all member participants is clear.

Furthermore the question what conflict of interest provisions and procedures need to be put in place as part of this framework or for fund allocations will be part of the CCWG deliberations, especially the suggestion that there should be a clear separation of those designing general direction and those receiving funds may require further clarification. And the CCWG is currently operating on the basis that as long as CCWG member/ participants declare their intention to (unintelligible) potentially apply put a new gTLD auction proceeds once a proposed mechanism has been approved by ICANN board This provides for insufficient transparency and accountability in the stage of the process.

Erika Mann: Thank you Marika. Becky please.

Becky Burr: Thanks. I hope everybody can hear me. Again I think that the concern of the board is just that we need to be very mindful of the potential for conflicts of interest as they - as we go through this work. Again, you know, we understand everybody's declaration of intent is available and that we've been able to understand sort of the variety of responses. And so long as people keep those up to date that will be very important. The other thing this goes back to what I was saying from the beginning is that once we determine what the purpose that we want to accomplish, what we want to accomplish with these funds then the issues about conflicts will become much clearer.

At this point we're talking pretty theoretically. And although it's very important from a theoretical perspective it's very important that we from a theoretical

and actual perspective that we avoid conflicts of interest. Once we actually have an agreed upon goal for the funding then it will be much easier for the group to understand what potential conflicts there are and how to address them. Can you hear me?

Erika Mann: Yes.

Woman: Yes we...

((Crosstalk))

Erika Mann: It's a tricky point. It's a complicated issue because I think we want to have in this space if we want to be really inclusive and we want to have as many participants as possible to shape the process we - I think we need to work and to work the (declaration) of interest which should allow us to be sufficiently transparent. The next phase will be much more complicated but I think in this phase you want to keep and stay inclusive as much as possible. Yes I appreciate your comment Becky. Somebody else who wants to say something? That's really a core issue which we should be clear about what we want. I see that (Mark) is writing. (Mark) you can't talk? No okay.

(Mark): Yes I can talk.

Erika Mann: That's much better (Mark) please.

(Mark): (Unintelligible) yes I think my (unintelligible) are rather clear. I think this bullet is perfectly phrased however there are at least I believe 50 or 20 of us that are phrasing the risk that if you bought this differently and besides that everybody in this group who is on a yes or a maybe in the DOI have to leave this workgroup it should not be that we are being punished for helping this workgroup for about three months and then being disqualified because we helped for three months. So that should be covered one way or another.

Erika Mann: Yes, I agree with you. But I mean you can't have it both ways. You can't be inclusive of work within the community and then at the same time argue that because of potential interest certain members would not be allowed to participate. They would – as long as they declare things but again that's my opinion. I'm looking, nobody is raising their hands so you I assume that you are happy with the proposal that the text the way this re-recommended? Asha is typing, Alan is typing, many more. Give us a second just to wait and feel free. I see there is Manal. Manal would you like to say something? Manal can you hear me? Manal are you on mute?

Marika Konings: Erika this is Marika. I think Manal she is putting in a checkmark when she agrees with what you suggested and what's in the chat.

Erika Mann: Okay.

Man: (Unintelligible) yet?

Erika Mann: Okay in this case I would say Marika we are pretty clear about what needs to be done in the next step. And then once you have reviewed based on a discussion today and added maybe some more additional flavor or language we then can review the same topic the same letter again. Does this work for everybody?

Marika Konings: Erika this is Marika.

Erika Mann: Marika please.

Marika Konings: And just ask for a clarification. So basically that will go ahead and you can make...

Erika Mann: Yes.

Marika Konings: ...make update as ask suggested. We'll then get the letter out, give people a

week and if no further comments are received we can work with the Leadership Team to get this to the board. Do I understand your proposal correctly?

Erika Mann: In this case because it's so time sensitive and is Eastern time I would recommend if you don't get within a week a reply we will put it on the agenda for the next call again that you are really certain that everybody has the time to review it. Marika?

Marika Konings: Sure.

Erika Mann: Yes okay thank you. Thank you so much. Okay then the next item on the agenda I want to be having now can we move to point – so that's again about the work plan. Is it correct Marika? My timeline is moving away here on my Adobe. Yes please Marika. This is something we started to discuss last time and I think it's a wonderful graph looking at a way we want to frame the chartering questions. Marika can you come in - part of us last time can you just maybe re-frame what we want to achieve under this topic here?

Marika Konings: Yes thank you Erika. So this is Marika. So indeed the graphic that you see on this screen we run through that on the last meeting as well as we sent to the (unintelligible) to request for input or feedback. And I don't think I saw I mean so just very briefly as some of you may not have been on the last call additions they - a approach is being proposed for dealing with the charter questions which then also help define how to shape the work plan. And this is, you know, based on the initial survey that we run on the charter questions and some of the feedback that was received. So the idea is that we would start an initial run through of all of the charter questions really at a high level just ask, you know, are their initial responses that people had are the potential, you know, gating questions identified and do we have a common understanding what the question is trying to ask? And of course as part of that there may be as overarching themes that need to be addressed.

And I think, you know, Becky already alluded to for example here the objective is that something that will need to be agreed upon or addressed before we actually go down further the path of really coming down. So again the initial run through is really making sure that there's a common understanding of what the questions are that need to be addressed is already initial response. And several of you have helped me filled out in the Google Doc that we created and as you may have seen, you know, the attempt is that we created a discussion unintelligible captures some of their ideas or responses that were made as a result. So once that has been done and the idea of the templates is then as well that we have a repository where we then capture those initial discussions and feedback as well as any - it's piece that may be needed any other questions that are maybe linked or are closely related to each other.

Then the idea would be that from there and it would be possible to start from (unintelligible) a list possible mechanisms that could be considered. And again the idea here is that there's a limited number of options that are available. I think many of you have already spoken about (unintelligible) could be (unintelligible) ICANN trust, foundation. The assumption is that there's a limited number of options that may be available.

Having that list would then allow for a further deep dive on each of those and what are some of the characteristics, can we identify strengths and weaknesses and of course importantly as well, you know, review those from the perspective of legal fiduciary and other constraints that have already been discussed earlier on in the deliberations. And based on that conversation the hope is that there may be a sense of a preferred mechanism or process that can then be further explored to the different charter questions. Again if - the idea is that this is likely going to be an iterative process. There may be a number of mechanisms that are identified that have the potential or meets, you know, overall goals or objectives that the CCWG identified and then, you know, those can be compared and contrasted.

And so that is a bit what we put on the table. And this (unintelligible) into the work plans. Staff hasn't actually gone ahead yet and updated the work plan itself but we were hoping that by having the first, you know, run through of at least one charter question will at least get a better sense about how much time that will take in the working group to go through all the charter questions and then we're able to have a more – a better prediction of how the work plan overall will look. So the idea is that following this call assuming that we at least can start deliberations on charter question one and were able then to as well knock out a workplan based on this approach and then of course, you know, and it is running (unintelligible) work plan but we'll need to update it and modify as a group progresses along at the different steps in the process outlined here. So I think that's in a snapshot what is being proposed.

Again this is not intended to be a straightjacket. It's really trying to help the CCWG's structure, it's thinking in deliberations and the natural flow. But again it's an iterative process so it's very likely that especially starting deliberations with some of the questions there will be a jumping back and forth between certain topics but hopefully that will then set up the group for really starting to dive into that possible mechanisms that that can be further explored in detail. Was that hopeful Erika?

Erika Mann: Yes.

Marika Konings: Okay.

Erika Mann: Yes very helpful. Thank you so much Marika. It's an immense work put in – it looks so simple these kinds of graphs but to get this right and to get this done it takes always so much reflection, so much time really appreciate it. Can we - how about we don't have another discussion right now because I think this was so logical and we debated it already but how about going right now Marika to the chartering Question Number 1 because this you sent out already. It's the next topic. And then I think everything becomes more clearer and we can have a more ideally informed discussion here which helps you. I



give back to you then you can guide us again. Marika?

Marika Konings: So yes I'm here. So basically I said this is a template that staff developed to try and help structure the conversation but also to allow us to capture some of the main points that, you know, we believe will then feed into the next phase of work. So again this is intended to be an initial quick run through off the question to capture the initial responses or thoughts that people have on the charter question as well have a great discussion and, you know, the order or when it is tackled in the overall deliberations and identify are there any sub questions or is there any clarification that is needed with regards to the question so we make sure that everyone's on the same page. And again the question up there is - and n again the question is whether external expertise is required or needed.

So with this specific one, you know, charter Question 1 basically asks, you know, what framework, structural process and/or partnership should be designed and implemented to allow for a disbursement of new gTLD auction proceedings taking into account the legal and fiduciary blind above as well as the existing and (unintelligible) fiduciary principles. As many details as possible should be provided including any implementation guidance the CCWG may have in relation to the establishment of this framework as well as the criteria for the selection/ranking of potential funding requests.

So what you then see in the next box is a summary of some of the initial responses that were provided by a number of you quite early on in the CCWG deliberations. And that document is still open for anyone that wants to add to that or maybe people will actually provide some of your initial thoughts on the different charter questions. And just to know that this is, you know, I've tried to summarize it as some of you already as well went into some of the further details so this is really the kind of high-level response to this question. I would encourage everyone to look at the full responses to really get a better picture of what (Sharon) has in mind. And you can really see here that there are a number of different approaches that are being suggested.

And (Sharon) is suggesting (unintelligible) saying, you know, minimizing time and cost to implement a funding agency let's first try to do it within ICANN. And the second bullet suggests the formation of a foundation or trust in a mutual country. And another suggestion that a mechanism that allows staff to do this as a project item and manage the funds based on the guidelines developed by this group. So again it's probably linked to the first one where it's suggested that it should be done within ICANN.

And another suggestion was that ICANN should partner with existing organizations that already have mechanisms in place and allow that as a way to - allow those partnerships then as a mechanism for this person. Another point was made and more again general (unintelligible) here that the framework should be simple as to design and to implement to avoid unnecessary waste of overhead and time. And the person is also suggesting that may then lead to a preference to actually make use of existing profit or charity or organization or to what the previous (unintelligible) suggested. So again the question here I think is now for all of you do people align with the views that have been shared? Are there responses that are missing here that we should at least capture now so we can keep that as kind of, you know, repository of the different strengths of thought that can be further explored and further down the line? And what are the importance, there's some questions that will need to be answered in relation to this question. You know, obviously a lot of the charter questions are linked to this specific question so there all - will come back as well here and then as well the question of which order should this question would be dealt with - and what I've put in here is basically what we just discussed before that that suggested approach would be that, you know, once the initial run has - we've done an initial overview or run-through of all the charter questions and we'll actually we'll be able to start running down into, you know, what are the different structure processes and/or partnerships that maybe possible and then start working those out in further detail taking into account some of these initial - the initial run-through or responses to that.

So I think this is what you see on the screen in relation to external expertise. You know, we already noted that, you know, legal and fiduciary the way it comes back in the charter question is an important element of this specific item and we've linked here as well to the repository that we've started building in relation to information on that topic. And as you know both Sam and (Xavier) are active participants in this group and are hopefully able to chime in as needed. So I think this is why we're currently on so Erika I'll turn it back to you because I guess the idea would be now for people to weigh in...

Erika Mann: Yes.

Marika Konings: ...and share some of their initial points on these specific items and, you know, staff will try to capture those in a template and to keep it as a repository on this as specific items.

Erika Mann: Yes I quite agree. Thank you Marika and thank you team, wonderful work. So there's two things I think we need to do Marika and everybody else. I think we need to have a debate about it but we should maybe have a debate as well if you this format if you think maybe we need to build a hierarchy during the discussion when you look at the initial response. We could for example if there's a kind of hierarchy this is the number one preferred choice and this is the second one without deciding about it right now but just getting an understanding, you know, what we as a group in the moment would prefer.

We don't have to do this now. We could do this in a kind of poll and ask you about it and another email but just to get a better understanding. So what is your comment about it? Let me have a look at chat. (John) is leaving us and the other discussions relate to the previous debate. Everybody happy with this approach? Marika the next step would be then to do this for all of the chartering person.

Marika Konings: Yes so this is Marika. So at least from a staff perspective the idea would be

or the hope was that there would already be some deliberation on this call. Of course if people are more than welcome as well to provide input on the mailing list but. And, you know, having some initial discussions here would help at least for staff to kind of add to the document as needed or people believe that, you know, this captures accurately what the different viewpoints are, you know, that of course that is perfectly fine as well and we'll just then kind of park this one and move on to the next charter question.

Erika Mann: Yes Ching you would love to say something?

Ching Chaio: Oh yes thank you Erika and also to Marika who put together this template. I think the approach as - so at least to me at this first glance I think it will work. It will help us to at least to think about the initial response and then start to kind of view the metrics on the legal and also to fiduciary constraints. And I think one of the thing that we probably should think about is about when can we let's say and from one to five in the approach how much time do we need to let's say to move on two to three and what would be something that, you know, the group feels comfortable to move to the next step? Would we be conducting a simple voting or would these be for example is a small, you know, number of participants to address let's say for example a particular charter question then this maybe for the smaller group to present some idea. And then we will have the larger group to say yes or say something that they probably see more discussion needed. So I'm just throwing a kind of a, you know, a kind of in examination question about how do we reach, you know, consensus on certain point or certain mechanism and when do we make sure that we can move to the next step.

Erika Mann: And I think there is some principle question as well. Maybe we'll have to take a decision. I mean for example, you know, we build a foundation or we handle this internally within the existing ICANN structure. It's is a totally different model and so we will need clarification on this. Asha you would want to - you like to say something?

Asha Hemrajani: Yes thank you Erika. So I wanted to just ask in terms of the charter questions was there one covering the overall goals and objectives because it could be one...

((Crosstalk))

Erika Mann: (Unintelligible) one would be...

Asha Hemrajani: ...yes to add a question on that. I was thinking originally if I can't remember correctly if it was between one and two might be a good place to add it or between two and three. But this is something the CCWG can discuss because going back to what we've been saying all along it's, you know, putting the importance of having a DOI is just is really critical. And the importance of figuring out what our goals and objectives are for this money is also going to be very - is also very critical. So that could be in order to focus the CCWG's attention on this that could take the - take form of a charter question. Thank you.

Erika Mann: Yes correct. Samantha please?

Sam Eisner: Thank you. This is Sam Eisner from ICANN. Can you hear me?

Erika Mann: Yes.

Man: Yes Sam.

Erika Mann: We can hear you.

Sam Eisner: Okay.

((Crosstalk))

Erika Mann: At least I can hear you.

Sam Eisner: So I think one of the other things to consider as the group is prioritizing the charter questions and the order in which you'll take it I think Asha's suggestion about the goals and objectives at times I think you could envision where defining the goals and objectives of how the funds are - will be used might actually help us narrow or focus the discussion about mechanisms because then it – then we have the ability to ask questions of are there specific organizations that already do this and then look specifically into the ability to partner with them or would it be feasible for ICANN to build out a mechanism around this, et cetera, instead of doing a full survey of available mechanisms and then trying to fit the goals and objectives into there you could turn it around. That might be another place where the group would want to think about the ordering of the tackling of the charter questions once all the suggestions keep coming in from the group.

Erika Mann: This is something we can of course review if you want to change the order of the chartering question because a different strategy or logic suddenly emerges we can always do so. Marika you want to make a recommendation with regard to a potential chartering question Number 2? Why don't you read what you'd like to recommend.

Marika Konings: Yes. This is Marika. And (unintelligible) as well just wanted to I think to Sam's suggestion and as you may recall we did group the questions in two different buckets. So there's a legal structure related question and then this bucket of the scope related questions. And the scope related questions there indeed the first question there is the Question Number 2 which I think, you know, both Becky and I suggestion in the chat I want to say great minds think alike, but anyway that one basically talks about limitations of fund allocation. But of course the - you know, the obvious extension of that is talking about (unintelligible) so what is the overall objective? And so as we indeed run through these questions and again if the group believes that it's first helpful for this initial run through to do Question 2 or we just continue first on this, you know, legal structure related question which, you know, next question

would be Question 3 then if part of this overall exercise is to identify indeed is there something that we'll need to dive further into before we can start with that next step and, you know, mapping out some of the potential structures of framework.

So again I think some of the feedback here is that one of those questions that may need to be addressed before going down that path would be Question 2, you know, potentially in an expanded format and again is something that, you know, the initial run through will really help indeed determining, you know, that question are there any other questions that will need to be answered in a certain, you know, way or form before we can actually go into that framework and discussion. So and again so the feedback here could be either people for the next run through (unintelligible) Question 2 we can mark that or again we'll just know that, that is probably one of the gating questions that will need to be dealt with in further detail before we go into of framework and discussion.

Erika Mann: Thank you Marika. My recommendation would be to note it and take it as a key gating question but I wouldn't really worry too much about the order right now. So we can be perfectly fine. I would think we continue (unintelligible) 3 and then we can always change the order later and have the discussion and the gating question related to the goals emerge as Number 2 or maybe even as Number 1. I wouldn't worry too much about the order right now as long as we understand what the gating questions are going to be so that you can continue to work and we can review the way you based on the survey we did and on the discussions we had you can set up a similar template with regard to all of the gating questions or the potential gating questions. Ching is this an old hand or is it a new one?

Ching Chaio: Hi Erika. It is on new one. Can I maybe just add something here? Erika?

Erika Mann: Sure go ahead.

Ching Chaio: Erika?

Erika Mann: Yes.

Ching Chaio: Thank you so yes probably I think that, you know, I also agree what Erika I mean so I mean that (unintelligible) suggested here. We should not worry about the order and probably should still go ahead to give, you know, each I mean the mechanism I mean a try. Just for example we'll talk about this, you know, in the first few meetings regarding if let's say we focus primarily on the mission and also the - primarily on the legal and fiduciary on objective and we talked about and also reading through the letter from Xavier to the drafting team about the due diligence check. So if we're only the primary goal for us for the group is to minimize the cause and the process spending on the due diligence whether the project and the fund is meeting that particular purpose and the due diligence may cause a loss.

So in order to minimize that probably the only way or we should say probably at this point a more proper way to make this fund primarily under on ICANN's current structure so we probably not at this point of time to kind of limit the options here but to give multiple options may be to evaluate the pros and cons. So I'd like to echo what is just been said. Thanks.

Erika Mann: I totally agree as well. I don't see anybody else, no comments in the chat room. Okay so I will think we have an understanding how we want to proceed. And with this we have sufficient time if you agree we take the next gating question which will be Number 3 and we do the same process to just get an initial understanding about the way staff and Marika in particular set up the framing of the topic and then we can have if we think we want to have a quick exchange. Marika back to you.

Marika Konings: Erika I just know that Alan put up his hand.

Alan Greenberg: Yes thank you. Just a quick comment.



Erika Mann: Go ahead Alan.

Alan Greenberg: Just a quick comment.

Erika Mann: Yes Alan.

Alan Greenberg: Marika earlier asked should staff go ahead and do this for all of the questions or wait until I think the question was should we - should they go ahead and create similar templates for all of the questions or wait until we've reviewed some in some more detail. My if we had a meeting next week I would say definitely wait until we've had time to read these over and discuss them. I'm not quite sure if waiting two weeks pushes it out too far or not but I think there's some merit in going over one or two of these in some detail before we commit to using that - this exact format for all of them. So just something to consider. Thank you.

Erika Mann: Yes I mean we have two weeks and Marika is - actually Marika I'd like to thank you because she's actually can't be already on holiday and she agreed to join us for this call. And it may be true for other staff members as well so let me thank you all that you're doing this.

Yes Alan I would say we move ahead because I wouldn't assume that within the next two weeks all of the chartering questions or the gating question, not the chartering but the gating questions that's what we are concerned about. So let's have a look at this one. And then I would say we can pick up the one which was discussed about the goals today and then we have our meeting in two weeks' time and then we can come back to your point and can review if the format is working for all of the questions and we can get an understanding about what we reviewed together as a gating question. And if you have comments in between just send them by email which would be extremely helpful and some time to review all of these documents and when you have new ideas or you have new approaches you would recommend. Is this

working? Okay Marika why don't you move ahead.

Marika Konings: Thanks Erika. And per your note we'll resend the two templates that we've already developed including as well the link to the Google Doc in which we (unintelligible) members and participants have started writing down some of their thoughts to charter questions which we're using as a basis for this document. So that will give everyone an opportunity as well to just start adding to that. And of course any comments or suggestions or questions you may have, you know, feel free to. We're happy to update the template as needed.

So the next one then is charter Question 3. And again as I explained before so we currently have two buckets of questions one (unintelligible) legal structure related issues and the other one more related to the scope. And I just started with the legal structure one is that a question one but of course it's not determining in which order you may want to tackle this as you grow further down into your process. But in that regard, you know, charter Question 3 is then the next in that list. And that question asks what safeguards are to be put in place to ensure that the creation of the framework as well as its execution in operation respect the legal and fiduciary constraints that have been online in the memo that has been produced previously?

So again some of the initial responses that were provided and, you know, suggested, you know, maybe we should start (sending) those safeguards in the context of the granting agency being implemented with ICANN. And again it relates to the previous question. Some are suggesting that a minimum independent audit will need to be foreseen. And as someone pointed out that, you know, safeguards depend on the legal mechanism chosen for the establishment of the partnership that was proposed to be explored. And again I think here already it becomes obvious that this question is very dependent on charter Question 1 and says that the framework process or procedure and will determine, you know, what safeguards need to be (unintelligible).

And someone also suggested that metrics need to be included to follow as the results are proposed by each project. And another point of input was that the easiest safeguard will be to make use of existing non-profit charity organizations preferably tax exempt that already have a proven track record with respect to legal and fiduciary behavior. And again that links again with the previous suggestion of using existing organizations or and mechanisms in that potential framework.

It also suggests that if the (unintelligible) selected organization is significant and well spread around the world it results in legal or non-fiduciary behavior would probably balance out. Again here is one of the questions as noted it's clearly linked to the discussion on the framework so those are clearly in group together and you first need an agreement or at least a proposed approach forward on or which framework you want to follow before you can start answering is probably the safeguards that need to be in place.

We're then identifying (staff) questions or all clarification at this stage and similar to the previous question that the expertise required relates to legal and fiduciary constraints that we've discussed before and where we have a portion of experts participating in this effort. That's all we captured for this one. I don't know if anyone has any input at this stage or any feedback you want to share?

Erika Mann: I'm not seeing comments here raised hands. (Stephanie) is thinking you as well and Asha for joining the call today and I'm pretty sure everybody else is appreciating this very much as well. I think for me this is very clear. This is even more clear than the first one. So I think it's pretty straightforward. But I think it would be good for all of you to review it and if you think there is further topics you want to raise or comments you would love to see included in this template I think it would be good if you would send this to staff and so that we can have in our next review could review your point as well.

Okay I think Marika it is so well done. Oh there's one (Olga) this is you or (Olga) or are you writing (Olga)? Okay I think this was so clear. Let's come back to it in two weeks' time and if you find a way of working on the other gating questions ahead of our next call I think this would be appreciated.

Monday is Happy Easter everybody. Yes we need Eastern Time. So why don't we spend a few minutes or just a minute about the upcoming meeting in Johannesburg. Did we – we discussed last time that we would love to have if possible a two-hour session for the questions would just be a priority for some of the SOs and ACs. Do we have heard something about this Marika?

Marika Konings: Yes thank you Erika. This is Marika. Just to know that we also sent out a Doodle poll asking people to indicate whether they would be planning to participate in person or remotely or not be able to participate. And the good news is that we had 36 people responding and everyone in that group indicated that either they would participate in person or remotely if that meeting would be scheduled. So it looks at least that there will be sufficient attendance if the meeting goes ahead. And we have to forward the request to the NGSO Council leadership or indicated that this group would like to have a two hour meeting if possible. I know the different groups have started planning their different meetings. So as I think you're all aware as well it is a four-day meeting which does mean that all of the groups will have to prioritize the meetings that they will give a meeting time too.

And with the focus being on policy it means I think from the GNSO side of it is very clear that as a priority there is on policy development process working groups that are in place. But hopefully there will still be a time to give to this effort. From staff I will follow that closely and of course come back to you as soon as possible once we have feedback on whether it looks likely or not whether a meeting is going ahead. And on the duration I do suspect that it will be in 90 minutes because I think the block schedule as it currently looks has blocks for 19 minutes and I think we're asked to respect those. So if a meeting goes ahead it will most likely be a 90 minute meeting but we'll follow

it closely and keep you up to date as we learn more.

Erika Mann: Thank you Marika. Thank for this update as well. So let's do the following, I mean the next there is not much to discuss about Johannesburg. And I don't see anybody raising hands writing something in the chat room. The next thing our next call is on the 27th and it's again at 14 UTC. We know this is some difficulty for some of you and we appreciate if you accept this timetable because it seems to work for so many. So thank you so much for doing this.

This is Happy Easter time, enjoy. Marika go back to your holiday and we talk to each other again in two weeks' time. But let me just a second anybody else want to raise a different topic? No so Happy Easter and enjoy life. Bye-bye.

Man: Thank you, bye.

Woman: Thanks Erika. (Unintelligible).

END