

**ICANN
Transcription
CCWG Auction Proceeds**

Thursday, 24 May 2018 at 14:00 UTC

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

https://drive.google.com/file/d/1Wkt2qoWKQMnFySBIGx7_ICd4rYgVnVM-/view

Attendance of the call is posted on agenda wiki page: <https://community.icann.org/x/iRAFBQ>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

Julie Bisland: All right thank you. Well good morning, good afternoon and good evening everyone, thank you so much for your patience. Welcome to the CCWG New gTLD Auction Proceeds call held on Thursday, the 24th of May, 2018.

In the interest of time, there will be no roll call. Attendance will be taken via the Adobe Connect room. If you're connected only to the audio bridge would you please let yourself be known now? Okay, I would like to remind all to please state your name before speaking and please keep your phones and microphones on mute when not speaking to avoid any background noise. And with this I'll turn it back over to you, Ching, thank you.

Ching Chiao: Thank you very much. Thanks again, so everybody, so in order to accelerate a little bit of time, let's move onto Item Number 2, any updates on the DOI, SOI, anybody please share your updates now. Also once again would like to check making sure that everybody is listening to the audio and also making sure that everybody is – having the Adobe functioning right. So hearing none, so let's move onto the next item, okay.

Let's – the next item is our response to the Board letter. So on this can I – so, Marika, could you maybe help to load – yes, thank you. So once again for this particular item, we also – so on the agenda we'll also be talking the preamble

that is (unintelligible). I just want to make sure that everybody hear me okay because I'm hearing a very loud echo of my own voice.

Julie Bisland: Right, Ching. There was somebody had a line open. I've muted it, there was some feedback. You can go ahead.

Ching Chiao: Okay, thank you. Yes, so we're – so looking at the document so I think the Board letter is actually – there is a couple items to be addressed but the most importantly it's actually the preamble that we're trying to, you know, respond to the Board seeing there is a way to, you know, to add or to increase the level of the, you know, how concrete the letter would be. So I think there has been a small group of volunteers doing this so maybe Marika could you perhaps help walk us through the updated version of this and see if anybody on the working group, the small working group, have any other you know, inputs or insight on this? So, Marika, could you please help?

Marika Konings: Yes, thank you very much, Ching. This is Marika. So what you see on the screen is the latest version of this document, in the agenda you'll also find the link to the Google Doc so you can see all the comments and some of the edits that have been made to this version.

You know, highlighted here you see on the screen in red are some edits that I made to ensure consistency as well as using some of the language that I believe we agreed on using when it comes to referring to ICANN's mission. And I believe we've adopted – are using the term of "in service of" so I've applied that for now here to the document but of course, you know, if people do not agree with that approach feel free to speak up.

Just to say as well I think as redlined in the agenda, of course, you know, this is a kind of a document where we probably can spend, you know, many more weeks changing words you know, making changes, updating but I think what we're trying to aim for is to get it into a state where people feel comfortable to at least put it out for public comment. That doesn't necessarily that you agree

with everything that is in there, but you believe it's in a sufficient state to put it into the initial report and get broader feedback on this preamble so that will allow then the group of course to come back to this again following the initial report and review comments and make any updates or further changes as needed.

So I think at least you know, the ask from the leadership stage – at this stage is, is there anything in there that you cannot live with, that you absolutely cannot support because as said, you know, we can probably spend a lot more time changing words here and there, but, you know, there are of course still a lot of other issues the group needs to deal with so it's important as well that the group focuses on what is most important now, again noting that this is a document that the group will come back to at a later point in time.

Ching Chiao: Yes, thank you Marika. I'm only – yes, I mean, so before I ask so I saw actually Hadia, you have your hand up. Let me just to reiterate a little bit and emphasize on this, we have been spending quite amount of time and also drafting, creating and waiting for further comments so I think what you have is simply that is the members even that we will still come back for this, you know, during – and, you know, with the goal of getting this initial report done.

I think we're in a critical moment now is to have the – this particular version with this wording that you see here on the screen that I would like to move it forward, so I think if you know, people would like to agree on that, I think that would be the goal this time. But having said that, yes, please actually let's hear if any members would like to comment on this particular version. Yes, so Hadia, please.

((Crosstalk))

Hadia Elminiawi: Yes, so I had a quick comment. I'm just, you know, clarifying something. I can live with putting the words "in service of" I just wanted to say that in service would mean that the funds are available for use by ICANN, however,

“aligned” would indicate that the project supports ICANN, the project – the fund supports ICANN the organization, its cause and do not violate its legal status, mission, the business, strategic plan and so forth. So that’s (unintelligible).

Ching Chiao: Hadia, we’re losing you. Your voice is a little bit fading.

Hadia Elminiawi: Okay, so we have two paragraphs here that we need to change one of, starting strong, that’s 1, 2, 3, 4, the fifth paragraph, the objective and outcomes of the project from this – under this mechanism so we say that for the cross community working group (unintelligible) we say the guidelines, this is one. And then the other which is therefore the cross community working group considers the following (unintelligible), it’s either this or that because they both say the same thing but the last paragraph – the last paragraph we don’t have the (unintelligible) to be in service of ICANN’s mission (unintelligible) this means (unintelligible).

I think that this (unintelligible) as it stands by no means would be of help to the selection committee, this would be an open door for a debate and argument making their job more difficult. The statement does not mention anything concrete or tangible, it’s open for many, many interpretations and that’s why I think that this statement in my opinion, should not be there because rather than, you know, making it (unintelligible) in my opinion it complicates it. So those were my quick comments. Thank you.

Ching Chiao: Thank you so much. Can you hear me well? And on the other thing is that I think that I used to be very familiar with the Adobe tools but I wouldn’t be able to give – get back to the dialogue windows. So Marika, I’ll probably need your help for a little bit before I can try to get back to the Adobe chat windows. But so but what you have just mentioned, Hadia, I think the very last part you were saying on the sixth paragraph of the – of that particular section is – so personally I cannot hear you very well.

If all possible I understand that you have made the comment over the list – the mailing list but it would be really helpful if you can send that again so then the leadership team and also the, you know, the subgroup can try to incorporate into the I mean, in the text. Yes, so I'm seeing also from the private channel that the leadership – so the AC room is not actually working for Erika, and Joke, and also to myself, too I couldn't really get back to the Adobe – the chat window but I'm stuck with the large – a large dot on the Board response, so if anybody can actually help on this, otherwise actually for myself I'm also stuck here. I wouldn't be able to see the comments.

Just before I get stuck here with my windows I saw there is one comment if anyone from the subgroup can help summarize the changes other than Marika just shared? It seems that – yes, it seems that my windows gets still stuck in the Board response document. So I'll probably need to log off and see if I'm able to reconnect with the normal window. So...

Marika Konings: Ching, this is Marika. You may have gone to the full screen option, maybe by pushing escape or finding the arrows in the corner, I don't know if you can...

((Crosstalk))

Ching Chiao: Yes.

Marika Konings: ...reset it in that way.

Ching Chiao: Right. There you go, okay yes, okay thank you very much. So I'm back and once again, now we have – okay I see – so I see Marilyn's hand up so, Marilyn please.

Marilyn Cade: Ching. Thanks so much. I am a part of the small group. My suggestion would be because we've done so much work on this, if we could just have any final comments by email...

Ching Chiao: Marilyn?

Marilyn Cade: And I'm really sorry, I heard parts of what Hadia said but I couldn't hear everything..

((Crosstalk))

Marilyn Cade: If we could just hear by email...

Judith Hellerstein: Ching, we can hear you.

Marilyn Cade: I'm sorry, I think that's Judith speaking?

Marika Konings: Marilyn, please continue. I think Ching has disconnected from the Adobe Connect so I'm assuming he is reconnecting so maybe just want to continue with your suggestion and hopefully he'll be back in the meantime.

Marilyn Cade: Thanks. I just didn't want to interrupt Judith if she wanted to speak first. Judith, are you okay if I continue? Oh, but I don't want to interrupt you if you want to continue.

Marika Konings: Marilyn, please go ahead.

Marilyn Cade: Thanks. As a member of the small group I would just ask for any final comments via email so that we can take those into account and also deal with any duplications. And where we have questions because we will be coming up to our public session I think we could have a segment where we have these are the remaining questions, and we ask for community comments on those remaining questions.

But I really think we're pretty close on this. It's taken a lot of work and if people could just send in, yes, Hadia, thank you so much, any final comments to us by email, then the small group could work with Marika and

the ICANN staff and they we have anything that's still in question open for our public session. If that would work?

Marika Konings: Thanks, Marilyn. Just checking, this is Marika, just checking whether Ching is back on audio?

Ching Chiao: Hello, can you hear me now?

Marika Konings: Yes we can, Ching.

Ching Chiao: That's great. Sorry about just yes I also I wasn't hear the most part of the conversation but I'm seeing in the chat room that Maureen and Vanda agrees with Marilyn's suggestion. Are you saying that let's set a deadline saying next Wednesday to make sure that you have the – you have the ability or the extra days to send your comments by email, so then we can proceed to wrap this up for this particular work.

Yes, I can – I'm seeing Marilyn saying, "yes," for any further proposed edits or questions. We can – so we can move (unintelligible). And once again, I apologize to especially Hadia for everyone who's just joined or has not been able to switch swiftly from the previous bridge – telephone bridge so you might find this call is a little bit difficult to follow. Yes, so Maarten, you were in – I've noted that you expect to receive responses shortly and, yes, so that's making sure after this call we have several days and then we wrap this up so okay.

So in this case we're good with this so for – so this – for this particular item I'm seeing we check A, B and C, we have a concrete date for the deadline so that's good. So why don't we move on just simply to next one, the review of the straw poll survey, which we have – we have given...

((Crosstalk))

Marika Konings: Ching?

Ching Chiao: Yes.

Marika Konings: Apologies. This is Marika. But we actually have...

Ching Chiao: Please.

Marika Konings: ...we have another document under this item that I'm just pulling up, the project example.

Ching Chiao: Oh I'm sorry, yes, so I'm actually reviewing it – yes, 3D, so yes, please – yes, I apologize, please – I understand also we have some edits on this so please share with us the updates, Marika.

Marika Konings: Yes, this is Marika. I think as you may recall we did discuss this document as well on the last meeting and I think then staff had the action item to go in and kind of address the comments and try to come up with a, you know, a clean version which was then again posted for review by the CCWG. I believe only a few minor further edits were made and so what you see on the screen is the clean version, you know, for your review.

As noted, you know, if you go the link that is included in the agenda, you can see the proposed changes and comments that were made. So again, I think here the comment is the same as on the previous document, you know, we're trying to get this into a state that it's ready for inclusion in the initial report so that the broader community has the ability to weigh in on this and of course that allows this group then as well to do further review and consider these items.

Again, you know, it's important to review the changes that were made in light of the input that the Board provided, so I think the group may also need to consider as you review this whether indeed those comments have been

sufficiently addressed and that this indeed now is in the state that it could be included in the initial report.

Ching Chiao: Okay. Thank you, Marika. So I think the wording wise with the preamble with the edits received and I'm seeing also at the very end of the document we have a new example which I think the group is a very short one so I think members would on this call could have a quick look on the text and, you know, you can probably decide whether this is good addition or do you have any further comments.

Please see if you have any questions on this text. I think right now for this particular version also we've been working on this for a while and just for, you know, for myself, I'm seeing this particular version it gets stabilized much more than earlier ones. So can I maybe just do – take the liberty in saying that we're also – having the deadline as like the one for the preamble? If you have any further comments or edits please have them in in the next couple days and once again, we will wrap it up and incorporate them in the response and eventually in the initial report.

Okay, I see two hands up so firstly Tony please.

Tony Harris: Yes, I apologize, I was struggling to get my connection right; I only joined about three minutes ago. What was the deadline that was agreed upon for the preamble? And I understand that you're suggesting we use the same deadline for the examples list. Is that correct? And what was the deadline please?

Ching Chiao: Right, the deadline would be next Wednesday, the 30th of May and the – that's the deadline set for the preamble so you're right.

Tony Harris: Okay thank you.

Ching Chiao: Thank you, Tony. So Marilyn, please.

Marilyn Cade: Thank you, Ching. While I – because I’m part of the small group, I can commit to the deadline of May the 30th for the preamble but I have to ask for a few more days for the examples because that requires consultation back with communities and I’m not trying to impose US dates on anyone but this next week is a major family recognition of people who have passed, and many of us will – if we’re in the US we will be away. But the bigger issue that means I can’t actually commit to consultation. I need at least a few more days and maybe for that section if we could have until the following Wednesday if that would be possible?

Ching Chiao: Yes, I mean, I do agree that because of the holidays and I think it probably makes sense, but I think from now we have approximately five to six working days so if we can have, you know, you know, not trying to bargain here but then – and also but, I mean, even, you know, and thank you for letting me know about the holidays and I will probably also, I mean, recommend maybe let’s do for this particular one how about we set a deadline on next Friday – would that work for you, Marilyn, or for – I mean, for others?

And also deal with Marika, actually would you like to share I think at this point we’re not, you know, in the position of adding more example or letting people to vote yes or no on any one, but we’d like to making sure that, you know, if there’s really major concern on any of the examples this is the time to raise it but other than that any like minor wording or you know, or yes, in terms of the work (unintelligible). It is – will probably fold that part in – yes I’m seeing in the chat room is that Tony, let me see what you are supporting. Tony, are you supporting the extension of the deadline? Is that the case?

Tony Harris: Yes, I’m sorry, I wasn’t clear and my comment was taken somewhere else, I apologize. I was supporting Marilyn’s suggestion. I think that the list as Marilyn said, it requires some consultation with community and we do need a few days for that.

Ching Chiao: Okay. Yes I think that we have the support on this so yes, Jon, please feel free to add the comments on the list. So I think is everybody can – and everybody, I mean, agreed on this. I think let's do Monday for this Monday. Let me see what is the exact date for Monday, that would mean – the 4th of June, is that – is that okay? So, Marika, could you making sure that we have this particular one deadline set on the 4th of June for – and so everybody can have adequate time editing and also going back to their SO and AC to make sure that we have enough input.

Okay, so Marilyn, is that a new hand or...

((Crosstalk))

Ching Chiao: Okay thank you, Marika. Okay, with that I think it's good that we – so and also it seems to me that in the chat room in the last couple minutes it seems that there is not much – not much of the objection or the comments on edits on the context of the examples but we all agree that let's take some more time and have some more extra days on this.

I'm seeing Maarten losing his connection to audio, let's see if we can dial out to – dial out for him.

With that, so for this particular item, I think the next steps are clear for the preamble and also with the examples. I think they're good. So let's move on to – if there's no other comments on this one let's move onto the straw poll survey. And let me start by thanking the members, I think that we have a – with one more week on, you know, having members to weigh in on their thoughts. I understand that we also getting members to verify with some, you know, verify their input so let's – okay thank you, Marika, for pulling this up – for the document here.

Seeing in the chat room Maarten is trying to reload, But with this – so Marika, could you walk us through the survey results – the survey, Marika?

Marika Konings: Yes, thank you, Ching. This is Marika. And I see people asking to make this larger. You can do that by clicking on the plus symbol at the bottom of the pod. You can zoom in yourself because it's unsynced and this document was also attached to the agenda so you can also open it and to review it more closely.

So in addition to this (match) summary you also have the link to the full survey results that was also included in the agenda so you can scroll through that by looking at each of the questions individually but (unintelligible) to do here is to try to (unintelligible) level summary and sorry I'm getting some background noise. Okay...

((Crosstalk))

Ching Chiao: And also...

((Crosstalk))

Ching Chiao: Sorry to interrupt you, Marika, the document that's being shown here in the Adobe room it seems that we have the – I mean, the scores, the total scores but without the – what the, you know, the – I mean, without it corresponds to which options or the mechanism, so are you able or maybe we should get the members to open the link in the PDF file in the other window because for this doc in the Adobe room it doesn't say the scores belong to which options.

Marika Konings: Yes, Ching, I just noted that as well. I'm not sure, and I'm just trying to see if there's another way – let me see, I think I've managed now on my own screen to convert it. Let me just quickly convert it and load that up. I see indeed for some reason it has cut off the top part. Let me see if I can just fix that. But hopefully people can see indeed that it follows the 1, 2, 3, 4 and model follows the numbering as well of the mechanisms that we've reviewed. Let me see if this works better.

In the meantime I can say I'm happy to report that we did get a larger turnout by leaving the poll open for a bit longer for the response rate I've included in the survey or a bit higher than our previous turnout numbers, although we still have quite a significant number of members as well as participants that have not provided input to the survey.

I know that Judith just shared the link but please note that those are the summary results that is not what you're seeing here on the screen. What you see here on the screen was attached to the agenda as it was circulated on Tuesday.

So now you actually should be on the top, the four mechanisms and the ranking for each. So the first table in blue represents the ranking of all respondents received so from all members and participants that participated in the survey. So again we had 57% of members responding and 30% of participants. So you see that I think it has slightly changed from the original results where we had less people participating. But you see here then the difference between the ranking of the criteria for Mechanisms 1, 2 and 4 are fairly close. The one that is lagging more behind is the ranking for Mechanism Number 3, new structure would be created, example given an ICANN foundation. Within this...

((Crosstalk))

Ching Chiao: Hello?

Marika Konings: ...for Mechanisms 4 an established entity, entities, would be a – yes, Ching, can you hear me? Do you still hear me?

Julie Bisland: We can hear you.

Marika Konings: Okay. Okay, great. So again, and I think as I explained at the time as well, at the moment all criteria are ranked equally. We did ask the question whether certain criteria should be weighted differently or more heavily to reflect greater importance, and that is a conversation that we haven't really finished, but at this stage basically all the criteria are ranked equally and that is what the scoring shows again based on all respondents.

If you then move over to the table on the right, which is the orange table, that one reflects the members only responses, and again you can see that the rating is slightly different. Here you see that there is - seems to be a clear preference again based on the ranking for Mechanisms 1 and 4, while 2 and 3 are more lagging behind here and there's a bigger discrepancy between those two options.

Of course there were some other questions in the survey as well, but I guess – I think we get back to those at a later stage looking at some of the other preliminary recommendations, that one made, but I think here today we're trying to see that whether based on the results to the survey whether the CCWG is of the view that it's possible to narrow down the number of mechanisms to be further considered.

And as I may take the opportunity to remind you that basically the next phase of work would be to take, you know, whatever mechanisms you deem need to move on to the next phase as they are deemed suitable and meeting the criteria the group has established so basically respond to each of the charter questions from the perspective of that mechanism.

So the question I think at this stage is, does the group want to move forward to the next stage with all the mechanisms or do you believe that you're in a position to say well, one of the mechanisms or two of the mechanisms actually, you know, may appear less promising than we thought and it may make sense to first focus on, you know, this one or these two or these three or as said, you know, on all four moving into the next phase.

Having said that, I think we've always made clear that, you know, it is an iterative process so by discarding one mechanism in this stage of the work that doesn't mean that it's, you know, gone forever, it just means that, you know, it doesn't go to the next phase but if the next phase shows that, you know, the mechanisms that you've further looked into are not viable or not meeting the expectations that, you know, originally thought it would, then you also have a possibility to go back to the mechanisms that you discarded at this stage of the work.

So I think that is, as I understand, I think that is the conversation we are hoping to have now with you. Are we in a position to move forward with one, two, three, or maybe four mechanisms to the next phase of work?

Ching Chiao: Great. Thank you so much, Marika. This is Ching again. So before I move to members' questions, so I would like to also reiterate what has been discussed, you know, a couple days ago when the leadership team had the call. So as – actually for Marika, as you correctly pointed out, is that this is a firstly once again is a straw man poll and this is – should be the – is a iterative processes, but also the results shows the initial (processes) you know, only from the members or the members and the participants.

I think as also from – as also Marika's – from her explanation is about that we didn't really put like weighted methods on individual questions but also we understand – we realize that there's couple other factors for example, the size of fund, right now as of now has not been really firmed yet which we really – realized on a couple factors that we learn from the past including the resolution, the final resolution of the (unintelligible) the option that particular final also is some of the fund needs to be, you know, shifted to the ICANN or the IANA transition costs, so that – that part has not been decided yet, so but once again, this is what it is now, the results are out but there are still some moving pieces.

So I think we should be careful of, you know, sending the, you know, I mean, the recommendations out whether it's all four or to resend – are comfortable let's say in the initial report saying that here are the two we're very comfortable with that and this also once again needs to be checked against all the chartering questions. So, yes, I'm seeing in the chat room someone – so Nadira, you were saying that someone suggest Mechanism 3 and so Marilyn also suggest – you are suggesting not to eliminate Number 3. So why don't we just go to Tony first. Tony, please.

Tony Harris: Yes, I've been asked to make a statement by the Commercial Stakeholder Group, the CSG, concerning the experience we just went through with the straw poll. And basically while we were able to provide a top level indicative indication although not one with unanimous support, until additional details on any form of implementation are defined and understood to a much greater degree, then this initial response from the CSG in the straw poll cannot be taken to assume that any of the options offered have our full support.

It would also be appropriate to add that far more detail is required before that question could be answered with any degree of commitment or support from our membership. I'll be sending this the list later, I send it – but I just wanted to present this comment from our group. Thank you.

Ching Chiao: Yes, thank you so much, Tony, that's very valuable. Before I move to the next one, I would also personally also like to add is that fully understand the statement and the position that you're coming from.

But also – you probably, yes, I think others were also – might disagree with me that some of the mechanism you have to really to try it before you see it's really working or not. So there could be, you know, one scenario is that – and once again this is just my own personal point of view, not this is something my stakeholder group which is the ccNSO, is that you probably need to, let's say, you try, you know, firstly you try Number 1 and then try Number 4 and see you know, Number 1 for a number of years and Number 4 for the, you

know, the later couple of years, and then you see what would really work for the overall community expectations.

And then once again this is really based on how much, you know, the – just the, I mean, the size of funds that for the – for, you know, for this working group and eventually for everybody to see what would be the size of funds to be utilized.

Okay, so Marika, are you going to respond to Tony or can I move to Marilyn first?

Marika Konings: Yes.

Ching Chiao: Okay so.

Marika Konings: Yes.

Ching Chiao: Marika please.

Marika Konings: Yes, this is Marika. This kind of moves into, you know, the agenda item that was linked to this because that was also indeed a question that came up during the last meeting, you know, should additional expertise be sought to further flesh out each mechanism? And I just wanted to share there you know, as you know, there is a consultant that has also provided, you know, expertise to the groups that (unintelligible) that is contracted by ICANN to advise the Board. And she may have time and availability to work with the group on that.

Again, you know, making very clear that this would be general descriptions, this wouldn't be any kind of advocacy or implementation guidance on any of these models but looking more for kind of general descriptions, describe what each mechanism would look like and entail so that would also help then, you

know, for the initial report for the broader community to understand what each of these mechanisms would actually look like and what they mean.

Because of course now we have indeed we have a one line description and I think in many cases probably many of us have an idea of what we think it means but it's probably important as well that we have a more detailed description that can be reviewed and understood and as Tony noted, that may then help as well in a subsequent phase of work for people to make a well informed decision on which of the mechanisms that meets the criteria to move forward.

So that is an option that the group has available and may assist in moving forward in that regard.

Ching Chiao: Thank you, Marika.

Tony Harris: Can I respond?

Ching Chiao: Yes, Tony, you may. Please.

Tony Harris: Can I respond?

Ching Chiao: Please.

Tony Harris: Yes, very briefly actually. Thank you, Marika, that was very helpful. And my next concern would be is it the intention to include these four options as they are described today in the initial report because if that happens I mean, how will the community have, as Marika pointed out, sufficient substance on which to make the adequate comments? Thank you.

Ching Chiao: Thank you, Tony, for the input, that's – I think that's you know, you nailed down a couple good points, and also for Marika's points, I think yes, we're – it always helpful to have more descriptive text to making sure that, you know,

not only the members but the SO and AC that (unintelligible) will have enough information about where this is coming from and how the – this working group is going to interpret it or then to implement this. So I think that's viable – the option and also the resources, but let's hold that thought and let me go to Marilyn. Marilyn, please.

Marilyn Cade: Thanks, Ching. Marilyn Cade speaking. So I'm going to lay out a couple of issues that I see and I'm not going to tell you that I'm expert myself, but I have hired and fired a lot of experts in the past and I learned a lot from them. So here's what I'm going to say, there is actually no statistical difference given the fact that only 16 of the members out of 28 responded. I know people look at that and go oh, wow, wow, that's 57%. That's not an accountable number of members who are appointed to this group.

Secondly, 14 participants out of 46 responded, that's not an accountable number of participants. So then I look at the – the summaries and I'm not being critical, staff, but please, I'm looking at this and I'm noting you know, look at – I'm not suggesting we agreed on weighting but I'm going to point out a weighting issue. On Mechanism 1, Mechanism 1 is rated relatively under 2.0 on (unintelligible) to operate and execute globally distributed products, projects and on best balance of control between ICANN the independence of funds. Yes, the total came up to 34.31%.

You go over to Mechanism 2 and it has a lower rating than Mechanism 1, I'm going to question that later. On Mechanism 3, we see that on cost efficiency, if 1.9% but I looked at some of the information that was provided and the information isn't even factual. It alleged that there's a 30% to 40% overhead to doing a separate mechanism, i.e. a ICANN foundation. That's not even a factual statement. But look again at best equipped to operate and execute globally, it has a very high rating, also on best balance of control, it has a high rating.

You look over then at Mechanism 4, everybody seems to be jumping up and down saying oh, we'll go with an established entity. I posted this twice but I'm going to arise it again, established entities have boards, missions and criteria. We can't just impose – and I don't think that's even been thought about effectively, and I really want to challenge this, you can't just come into an existing mechanism and say, oh boys and girls, take on our new projects and by the way, you have to change your bylaws and your Board directors to do that. I really feel like we've taken a opinion poll as opposed to fact-based poll.

And I feel that very strongly. I also do not find the – I do not find the statistical variants sufficient to eliminate any of the options. I propose we examine the options more clearly. And secondly, I'm just going to say, I appreciate the fact that ICANN has a consultant. But we invited that consultant to advise us, I want there to be a very clear firewall that ICANN's consultant is advising us and will not be proposing to do anything other than advise us such as proposing herself or an entity she's affiliated with in whatever the mechanisms is, including whether it's Option 1 or 2.

Ching Chiao: Thank you, Marilyn. Can everybody hear me?

Marika Konings: Yes we can, Ching.

Ching Chiao: Hello? Oh okay, thank you. Yes, I think definitely this needs to go beyond just that the statistical numbers. I think we should really look into each, you know, what you know, the numbers – actually representing you know, for each particular you know, elements or questions. But – and let me also, as the group I think a straw man, I mean, a straw man poll as we all agree is, you know, a very – is very effective way of you know, getting initial consensus built and then I think we probably all know that this is a way of, you know, at least we know that, you know, how the members in general are thinking at this point of time.

Also, I do not see – and I fully agree with Marilyn is that at this point of time to eliminate any of the options here I mean, given the reason that you just shared and also I also concerning that whether some of the mechanism maybe it's working to give you a try at some point of time, that could work out for the community. So but once again, I think there's some, you know, some degree of understanding of where it is sending now. We are – actually we are sending now but we need more descriptive works.

Perhaps the group can start with some but I think for the – for the time and also the schedule of this working group I think once again we might need some outside help but fully agree with Marilyn, you absolutely right on pointing out the firewall for the consultant whether he or she, I mean, she might have the influence or a strong or positive or a negative impact on the outcome of the group.

Marika, you have some comments?

Marika Konings: Yes, thank you, Ching. I wanted to respond to Marilyn's comment about the firewall and (unintelligible) I just wanted to make clear that, you know, at least at this stage the suggestion is to ask (Sara) to help with the description of these mechanisms, not any kind of advice or advocacy or anything like that. And of course anything that you know, is provided by her is, you know, will be shared with the group for review, comments, edits, feedback.

So, you know, of course, if at some point you do want to ask for advice or more specific questions that, you know, it may be a separate conversation but we're definitely not talking at this point in time about (Sara) providing any kind of advice on any of these mechanisms, more to assist us with writing a factual description of, you know, what each mechanism would look like and what it would basically entail so indeed there's some more information available that that can be used by the CCWG as part of its initial report but also then to maybe understand or then further dive into some of the questions

or issues that you may need further information on or may need to consider further as you, you know, look at these different mechanisms.

From what I gather from comments and feedback, it does seem that the group is not ready yet to, you know, discard any of these four so I think then indeed the question is, you know, how – what to do next or how to move to the next phase? And Ching, I don't know if you want to cover that or if I'm – if we can make some suggestions maybe here, let me know because I don't want to overstep my role here.

Ching Chiao: Yes, I mean, the – whether we would like to – yes, thanks for putting it out and thanks for actually to – actually to remind me. And, you know, at this point I don't know if we should make the call for next step now because as you just pointed out and also Tony pointed out is that yes, personally the more information for each individual question or criteria needs to be deliberated more in order for any stakeholder group to come back with more adequate response.

So that's for sure, that actually we know so but we also need to address once again is the help is from the outside, from ICANN contracted partner, I mean, I think we should make that very clear. So I do not know that if we're – if the group is going to say yes for this meeting that we're going to actually to engage with her. But so once again, what do you have in mind, so please share with us, please Marika, if you have any good suggestions of how to move things forward please let us know.

Marika Konings: Yes thank you, Ching. And so indeed so basically the next phase of work is to look at all the charter questions and start answering those for each of the mechanisms. That may also then help to kind of dig deeper in some of the details or some of the expectations with regards to each of the mechanisms so a possible approach could be – and not too difficult to do to basically create a kind of template where you show all the charter questions on the one hand side and the different mechanisms at the top so people start working on

kind of starting to draft responses to each of the charter questions from the perspective of each mechanism. And that may then help, you know, facilitate as well the common understanding because indeed everyone agreed that, you know, that is indeed how that charter question would look like from the perspective of that mechanism, or whether indeed discrepancies or different perspectives on how certain things would work from the perspective of each mechanism.

Again, it may allow then for, you know, picking out some of the items that you may need further consideration or where further expertise is needed but it may provide for a starting point to go into, you know, more of a deep dive on some of these issues and questions.

I note, and Marilyn's comment, and I think that is definitely foreseen, I mean, Xavier and Samantha have been active participants in this group. I know this meeting there's a finance webinar going on in parallel and I'm assuming that especially Xavier is presenting there. So I don't think by involving (Sara) that doesn't mean that we no longer have participation or input from Xavier and Samantha and obviously especially on the Mechanisms 1 and 2, they're obviously the experts in that regard and they have already provided quite some information on those two mechanisms and the implications.

But again, maybe by going into the deep dive on the charter questions we'll uncover, you know, further questions or further information that is needed and then of course the group can decide indeed, you know, who would be best placed to provide that information. And it may also be that, you know, some of the other external experts that have provided input may be in a position to provide feedback or input on some of these more detailed questions.

So that may be a possible way forward. I guess the question is partly what is the best way of moving forward in that work? Is that something that if the group believes indeed we can start with a kind of template. Is that something

where you know, we look for volunteers to start working on this? Would the group prefer that staff work with (unintelligible) to kind of take a first stab? What do you believe is the best path forward?

And, you know, one thing I wanted to note, and I think I did point it out in the chat, of course, you know, moving to the next phase, you know, with four mechanisms of course means more work than doing it one or two so at some point the group will need to review the work plan and see the impact it has on that with regards to being able to deliver on the different milestones and make sure to just factor that in as you plan your work going ahead.

Ching Chiao: Thank you, Marika. Tony. Tony, you have your hand up.

Tony Harris: Yes...

Ching Chiao: Oh thank you.

Tony Harris: Yes, yes, can you hear me?

Ching Chiao: Yes, loud and clear.

Tony Harris: Hello?

Ching Chiao: Yes, we can hear you, Tony.

Tony Harris: Okay. Thanks, Marika, that was very helpful. And from our perspective there is work to be done here. Now my first reflection is Panama is only, what is it, three weeks until we get there?

Ching Chiao: Right.

Tony Harris: This is going to take a sizeable amount of work and consultation with experts as Marilyn has suggested. And how are we going to get – I mean, how are

we going to get results from this work and something to show and then refer that back to our communities and get input from them for a final, let's say a final draft? How are we going to do that in three weeks? I don't think that's feasible. Thank you.

Ching Chiao: Thank you, Tony. I also share the same concern and also, you know, the other thing is that as a cochair I mean, I think we all – we all agree that, you know, for this particular point and on this particular issue I think it would be just very important and necessary to make sure that, you know, actually Erika is also on the – on this call so at this point I must confess to you, I'm a little bit reluctant to make calls, you know, any of the items here but I think we note that – and people actually agreed on at this point of time not to drop any of the mechanisms.

I think that's a much clearer signal for the – getting additional expertise either from the inside of the ICANN staff or from the outside which I think in this group – at this point of time as Tony pointed out the tremendous amount of work being able to elaborate things and also the items to be, you know, to be shared among the community is also very important.

But it seems that it is not 100% you know, at this particular point of time that we can say hey, let's go, you know, Option A or B or C, so shall we just limit to the – and also by the way, Xavier and Sam is not here with us so I think we just made the note of the discussion today and from now until the next week I think let's leave the discussion on the mailing list which we can get actually all the people including those who on the call and also with Erika and others from ICANN to join and weigh in, let's make a decision on this next –in the next meeting how we go from here. Is that okay with everybody?

Marika Konings: Ching, this is Marika. If I could just ask...

((Crosstalk))

Marika Konings: ...for my notes and action items, so you're proposing to discuss on the mailing list the next steps with regards to moving forward with the four mechanisms, is that what you're suggesting? Or did I miss it?

Ching Chiao: Yes, you're absolutely right. So let's make it – having further discussion over the mailing list and you know, to further decide our next steps in the next call.

Marika Konings: Great, this is Marika. I made a note of that. Is it helpful if staff as part of that action item shared the kind of template that the group could use to – moving forward on the charter questions?

Ching Chiao: Hello, Marika, I'm...

((Crosstalk))

Marika Konings: Oh, sorry, Ching. So this is Marika. My question is would it be helpful if staff shared a kind of template that could potentially be used in moving forward the discussions on the four mechanisms with the related charter questions?

Ching Chiao: That sounds like, you know, you can, you know, if this can be done by the next meeting I think that would be, I mean, that would be helpful. But having made the I mean, for this call we haven't decided, you know, at this point of time how to move from here to expand our work, so but if you can bring up and so this is how the staff look forward to getting things to extend to, you know, and also to check against the charter question I think that would be helpful.

But once again as I said, I don't think we're at this particular call we're making any decisions, so let's hold it for a while. Okay.

((Crosstalk))

Marika Konings: Ching?

Ching Chiao: Yes, Marilyn, you have, yes, please, Marilyn.

Marilyn Cade: Actually – it's Marilyn, I was thinking that we did make some decisions and I'll just go back to what I posted in the chat. I think we agreed to finalize the mission statement with a deadline for any further mission, do I have that right? Mission? But anyway, with the deadline of a few days. We agreed to finalize the examples. We agreed to keep all four options and try to understand the four options more clearly so that we could prepare for the public session. Those were – preamble, thank you. Thank you, Marika.

Ching Chiao: Yes, Marilyn, you're right actually on the first two. So I was saying that...

Marilyn Cade: Yes.

Ching Chiao: ...for number four I think that for Number 4 I think – I pointed out also you know, fully agree with you, we're not dropping any, I mean, not dropping any options, any mechanisms. What I was just sharing with you is about how to get things, you know, on this particular point how to get these done in the next step so there is nothing different with what you said.

Okay.

Marika Konings: This is Marika.

Ching Chiao: Yes, Marika.

Marika Konings: Yes, so I had my hand up in relation to another point in relation to planning for Panama because I think indeed as I noted in the chat, you know, one of the things, and maybe that's something we can consider during next week's meeting is indeed to consider, you know, is there enough substance to present and share with the community to warrant a high interest topic session? You know, we know it's a very tight meeting, it's a very short

schedule, there are a lot of things going on, and, you know, although, you know, we may come to agreement on the preamble and the project examples list, those are two documents that I think we've already shared previously with the broader community. And as such, you know, do not present that much news in that regard.

And especially if we're still in the process of kind of fleshing out the four mechanisms we've already shared as well in open sessions, you know, the four mechanisms that the group is looking at and considering, so again the group may want to consider during next week's meeting if there is sufficient substance to take to Panama to warrant public sessions as we do of course not want to create a situation where people show up for a meeting and say, oh, I've already heard this all before, what is the news?

So again I think that's something we probably should be on the – put on the agenda for next week's meeting.

Ching Chiao: That's a very good suggestion. Thank you for – and also I think for the Panama meeting is only few weeks away and a lot of, you know, items in our (unintelligible) not only for other issues so once again and we're dealing with the situation of the, you know, the size of fund and other issues not being absolutely decided so I think there's just only couple, you know, key things we should do.

So I think let's making sure that we really deliver something, I mean, that's – I mean, the group itself is comfortable with rather than rushing things, but – I fully understand that we should have done things, you know, maybe in the Puerto Rico in San Juan meeting but we sort of pushing things back a little bit. But, hey, this is ICANN, you know, there is, you know, a lot of, you know, incidents that could take place that only for this group that could be another distraction.

But, yes, once again it is what it is. Let's stay focused on the you know, how to make sure that we incorporate the, you know, the members inputs and deliver the – a more quality results of this – of the initial report. Tony, is that a new – is that a new hand?

Tony Harris: Yes, it's a new hand.

Ching Chiao: Yes please, Tony.

Tony Harris: Yes, can I speak?

Ching Chiao: Yes, please.

Tony Harris: Okay. I just wanted to stress that I think it's extremely important when we talk about fleshing out the mechanisms, or let's say providing detail, that we get this right. (Sara Berg), the consultant that Marilyn mentioned, impressed me quite a lot actually and particularly one thing she mentioned which was reputational risk, the risk of reputation. That's not something ICANN can afford now, it has achieved, let' say, independence from oversight. A lot of scrutiny is placed on what ICANN does. And this is the something – the mechanism or let's say the way the program will be executed and delivered is extremely important to get that right. I just wanted to stress that point, thank you.

Ching Chiao: That's a very important point, thank you very much, Tony, point well made. Okay, so I think we're at the – that this meeting the 90 minutes time so I think we're good to confirm the next meeting on – just one week from now, the 30th of May. Any other business? I can see from the chat window, Nadira is saying thank you for Tony making the great point. Yes, Marika, you have some further comments here? Marika.

Okay, so in this case, I think we're...

Marika Konings: Sorry, old hand.

Ching Chiao: Okay. No problem. So we're good with this one. So once again thanks to everybody and sorry for the trouble in the beginning, glad we made this work. So see you next time. Thanks again. Bye.

Tony Harris: Thank you.

Ching Chiao: Thanks.

Woman: Thank you all. Bye.

Ching Chiao: Bye.

END