

**ICANN
Transcription
CCWG Auction Proceeds call
Thursday, 25 January 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://audio.icann.org/gnso/gnso-new-gtld-auction-proceeds-25jan18-en.mp3> Adobe Connect recording: <https://participate.icann.org/p3nibsbwnum/> Attendance of the call is posted on agenda wiki page: <https://community.icann.org/x/hQJyB>

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

Coordinator: Recordings have started. You may now begin.

Julie Bisland: Thank you so much. Thank you. Good morning, good afternoon and good evening everyone. Welcome to the CCWG New gTLD Auction Proceeds call held on Thursday, the 25th of January, 2018.

For today's meeting, attendance will be taken via the Adobe Connect room. If you're only on the audio bridge would you let yourself be known now? And I do have Kavouss and Marilyn noted as being on audio only. Anyone else? Okay, hearing no further names, I would like to remind all to please state your name before speaking for transcription purposes and please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this I'll turn it back over to Erika Mann. Please begin.

Erika Mann: Thank you so much and hello to everyone. I was just looking at the – our participant list and noted that we don't have so many like we would love to see today on the call. But I think we are a good team and we should move

ahead about the issues, there are two big issues which we have on our agenda today. But maybe you're so kind and you reach out to your ACs and SO in the case you see somebody is missing and just ensure that we have in the future everybody ideally participating.

Having said this, let's do a quick review. Do we have any updates for the conflict of interest check? No? That's not the case then let's move to Point 3 on the agenda which is just the review of the proposed outreach ledger which we would love to send to...

((Crosstalk))

Erika Mann: Somebody needs to mute.

Ching Chiao: Yes.

Erika Mann: Okay. So we want to – first item on the agenda we love to talk about the...

Ching Chiao: Yes, loud and clear.

Erika Mann: Ching, I think this is you. Would you be...

Ching Chiao: Great, thank you.

Erika Mann: Can you mute please? Okay, give me just a second, I just have to open the door to get my tea in the hotel room. It goes very quick. Yes, come in. I just have to go back to the call, so be so kind and put it somewhere.

((Crosstalk))

Erika Mann: Yes, just put it somewhere. Apologies for this. So what we want to do, and I saw already an exchange on the email with some comments from Marilyn and from Daniel that the letter needs to be at least the beginning of the letter

needs to be redrafted in a little bit different way. I understand this maybe we can solve this problem to have the letter a bit more polite and a bit more simple. Maybe we could do this in the attached email and keep the letter as much as possible as it is drafted in the moment because I think we want to get this out and don't have a long discussion about, you know, how to reframe the letter as long as the context is correct and you feel comfortable with this.

But let me go to the letter itself and, Tony, do you want to make a comment on this one? No? Okay. Marika, would you be so kind to introduce the letter quickly?

Marika Konings: Sure. Thank you very much, Erika. So on the screen you see the draft letter as it was circulated. I know that several of you have already sent some suggestions but I haven't had an opportunity yet to integrate those here. So we tried to find a balance in the letter between some information about the background of why we're reaching out and on whose behalf we're reaching out without spending the whole letter on that, recognizing that, you know, certain information may not be necessary or relevant for the respondents at this stage in the process or what we're asking them for.

But as you may know, at the end of the letter of course, we do provide links and references for those that want further information about ICANN as well as the working group.

We also tried to highlight which elements the respondent would need to take into account in order to make sure that it can properly place the questions in a certain context and know what kind of information the working group is looking for. And in addition, Sam very helpfully provided some information in relation to conflicts of interest. As you may recall, we discussed on the last meeting that there will be a need to flag that issue in the letter and request respondents to provide information in that regard. And Sam had suggested a number of questions that could be asked to create at least some awareness

around that topic and make sure that the person responding would be able to provide an indication of whether or not a potential conflict of interest would exist.

And then as well noting that there would be a paragraph that would differ depending on who we would be sending the letter to. As you know, there are a number of experts that would be invited for a call while others would be requested to respond to the questions that would be annexed to the letter. And again, there the idea would be that we would have one annex that would only contain the questions that were flagged as such to be of relevance to the expert we would be reaching out to. And a separate annex that would basically include all the questions that the working group came up with.

So that's it in a nutshell the letter. As said, I saw that a number of people have sent already some edits in so I think Erika is suggesting that we'll have a look at those and maybe people need as well a little bit more time at this as it may also be worth briefly discussing how much more time you want or whether you feel comfortable based on the feedback that has been provided on the list and on the call today that staff together with the leadership team takes a stab at addressing those comments and producing an updated version for your review. Erika, are you still there? Erika, you may be...

((Crosstalk))

Erika Mann: Can you hear me now? No, I'm not on mute. Can you hear me?

Marika Konings: Yes, now we can.

Erika Mann: Very strange. I wasn't on mute. Anyway I was just saying – this is Erika. So we – Marika did the – and did the first draft and the leadership team we reviewed it and it's true all the comments which I have seen so far in the chat room as well are very much concerned about the inflection of the letter. And I

think we all agree with you; it's very difficult, you know, how to introduce a letter.

So let me go to Tony and then to Vanda. Tony, please.

Tony Harris: Yes, can you hear me?

Erika Mann: Yes, loud and clear. Yes.

Tony Harris: Sorry, I'm just checking. The first paragraph, to my mind, is a bit of a jumble because it's talking about several things and are actually presuming that the – whoever reads the letter knows what ICANN is. My suggestion would be that the first paragraph make a presentation of what ICANN stands for and where it's headquartered; a second paragraph should talk about the auction – how the auction is developed and what happened with the auction; and a third paragraph should start talking about why we are writing the letter to people. That would be my basic suggestion. Thank you.

Erika Mann: Thank you, Tony. Vanda, please. Vanda?

Marilyn Cade: And, Erika, it's Marilyn. I'd like to get in the queue.

Erika Mann: Vanda? Yes, Marilyn, I have you. Vanda. Okay, it looks like we can't hear Vanda. She's muted? Marilyn, why don't you go ahead?

Marilyn Cade: Thanks. Thanks, Tony. Marilyn Cade speaking. I think Tony's suggestions are consistent with my ideas as well. I did do a complete redraft but I did not send it because I wanted us to have this call first. I think if we kind of follow the suggestion that Tony made for Paragraph 1, 2, 3 also there's some assumptions made in the language where we say, "the working group," I think we need to always say the "Cross Community Working Group on Auction Proceeds," have footnotes that explain things or a FAQ as an attachment. If

we can get the letter down to one page or 1.5 pages that would be better if we expect senior executives to read it.

The second comment I'm going to make is we seem to be – I don't know if Sam – I'm on the phone so I don't know if Sam is on the phone. We're so bent over ourselves on warning people that they may have a conflict of interest, while also asking them to share their intellectual knowledge with us, I would say similar to some of us who filled out our own declarations of interest, they may not know if they would, in the future, apply, but they're not going to be – they are not going to be determining the instrument, we are making the recommendation about the instruments.

So perhaps we could be a little bit kinder and more optimistic in how we describe how they might declare any present interest or future conflicts of interest.

And then finally, my comment is just going to make – can we describe the amount of time in the letter? For instance, we're asking you to review these questions and to commit to a 90-minute call or whatever we're asking them to do so that they can figure out whether we're worth their time.

Erika Mann: Yes, thank you so much, Marilyn. This is Erika. I think the two of you, Tony and Marilyn, I think you have great support in the chat room as far as I can see. Vanda is having difficulties, she can't apparently – her Adobe – she's not n mute she's saying but we still can't hear her. So Vanda, if you want to come back in, please let me know so I can take you. So there she is. Vanda, please, try again.

Vanda Scartezini: Okay, try again. Vanda is speaking. Are you listening?

Erika Mann: We are listening and we are hearing you as well. Please.

Vanda Scartezini: Okay, thank you. My point is I agree with Tony and my point is just a simple one that we need to say clearly in the first paragraph after explain what ICANN is in the short sentence, for what we're going to have this fund? What is the use, religious, political? You know, people from other regions have no idea what we're going to do with this fund. So this must be clear if they want to volunteer to helping name, you know, by their name is but they are working for governments or foundations. They need to know for what those funds will be used. Is just that. Thank you.

Kavouss Arasteh: Erika? Kavouss.

Erika Mann: Yes. Thank you so much, Vanda. Kavouss, please.

Kavouss Arasteh: Yes, do you hear me, please?

Erika Mann: Yes.

Kavouss Arasteh: Okay. Thank you very much. Sorry that I am not able to put in the connection. So in summary I agree with what Tony said, I agree with what Vanda said, I partly agree with what Marilyn said but I don't think that we have been unkind, we have been sufficiently kind and we don't need to be more kind than that. That is (unintelligible). The question that I have – there are two. One is there is a limit for the courtesy. We have been writing the letter such I think that we are begging. So we saying that please assist us, please help us.

I think it's a little bit more (unintelligible) okay we request that you hear your knowledge or your (unintelligible) nothing but we need your help, we need your assistance, we need your something so this is this one. The second issue, I don't know whether we should talk about amount of money available or put it more general way a few hundred million dollars and so on, so forth. This is something that we have to mention not so.

And about at the end of the paragraph is saying that this auction may not be continued. I don't think that at this stage we could be in a position to be so strict I think that we not continue. To say that there is a less probability continued with the same (unintelligible) but not totally. So these are the more general things, these are not on the network so just in the audio bridge I want to raise it quite simple. And I leave it to the distinguished colleagues who have drafted this for which we really appreciate what they have done. Thank you very much for those who involved in the initial drafting. Thank you.

Erika Mann: Thank you so much, Kavouss. This is Erika, giving now to Ching please. Ching?

Ching Chiao: Yes, Erika, sorry I put myself on mute. This is Ching Chiao. So firstly I would like to echo what Marilyn and also what Kavouss just mentioned. I fully agree in the sense of, you know, trying to make the letter shorter and also, you know, I've, I mean, written briefly and sorry for my language but it really reads a little bit to me like somebody, you know, it just feels like some of the scam mail that we receive from, you know, those princes and the kings that there's a sum of money and we need help to move the money to some – to somewhere else.

So it just feels like, you know, in the beginning we need a little bit kind of rephrase or restructure to make sure, I think number one is that we kind of – we still need to make sure that people knows that here's a lump sum of money, it's generated from the extraordinary, I mean, activity from, I mean, it's different from the ICANN, the regular, I mean, so I mean, the regular revenue. So that's point Number 1, we would need to let the, you know, the readers know that there's a large sum of money.

And secondly, I think we should introduce immediately about the conflict of interest and letting them know, Number 1 is that ICANN is a nonprofit and secondly, we need another nonprofit, an expert, to help us planning and also to offer their advice on using – how to best use or structure the money. So I

think we should probably introduce the conflict of interest right in the beginning. And if they say they think that they could be one of the applicant and we should let the readers know if they consider to be one of the applicants.

There's a total different story, they probably should probably, you know, not to continue to read it, maybe to join us as one of the member or the participants. And if they're considering okay, this is good, we're really, you know, delighted to get the letter, we'll be happy to help you and then we're probably more comfortable of going down to the path of asking more questions and getting them to have the survey back. So that's just a kind of a thought to share here. Thanks for hearing me now.

Erika Mann: Thank you, Ching. Alan is next. Alan, please.

Alan Greenberg: Thank you very much. I also agree with a lot of what's been said. I think we have to look at it from the point of view, of if you were someone working for one of these organizations, you have no real knowledge of what ICANN is and what we do, or even perhaps ever heard the name, you receive a letter like this which makes all sorts of assumptions. The third paragraph starts off with the working group, what's a working group? You go down to the bottom, it's signed by people whose names you can barely find on the ICANN Website, if you can figure out what the ICANN Website is, because we don't give it.

Would you respond to this letter? You know, halfway through we're asking them to declare interest and make all sorts of claims on behalf of them and their organization. I wouldn't respond to this letter; I would toss it away. And I think we really need to think of if you were one of these people, what would it take to make you be receptive? So I think we need to make sure that we are not assuming knowledge. And I suspect what you would want is, you know, an offer to have someone call you and talk to you about this for 10 minutes as

opposed to trying to be able to convey all of the sufficient information in this letter enough to make you respond probably in writing.

So I think we have to look at it from a completely different perspective, not try to cover all bases in this letter, and identify some way to lure these people in, because otherwise I think we're going to be ignored by a very large number of people, between those who just don't know what we're asking, those who look at the \$233 million and say, "Oh, it's another scam," and the kinds of things people have said, I just don't think we're going to get the responses we want from the level of people we're targeting this at. Thank you.

Erika Mann: Thank you so much, Alan. This is Erika. Okay, I looked at the chat room at the same time and I'd just like to repeat quickly the key points which were mentioned, and then we need to find an understanding how we want to take this forward.

So the first one – I think where we all agree, the deduction needs to be redrafted, it needs to capture more what ICANN is, it has to be more general and it needs to raise more the interest of experts to attract them actually to respond to.

There was a comment – many said that the objective is not clear; the objective needs to be redrafted or needs to be practically closer to the front. I think we have it, it's mentioned somewhere but it's not clear enough and it's not up front where it probably should be.

Ching was saying that we should have the conflict of interest and more up front as well so that it's clear for those who want to participate maybe in the future in receiving some funds, they would be warned from the very beginning.

The tone – so some said it needs to be more polite. Some others in particular Kavouss said we – it does not need that it has to be more polite. I will say it's

more polite for those probably professional and then many were saying it needs to be – it needs to be shortened.

So we need to – oh, Caroline, I'm seeing you now, sorry, apologies. Caroline, why don't you go first before I make a recommendation. Caroline, please.

Carolina Caeiro: Thank you, Erika. Can you hear me?

Erika Mann: Caroline. Yes.

Carolina Caeiro: Yes...

((Crosstalk))

Carolina Caeiro: ...what Alan said and make a suggestion. I'm not so concerned about the letter actually reaching out to I guess important people within the organization. So what I wanted to suggest is that several members of the group have expressed that they have contacts within many of these organizations. So I think that maybe an introductory email like hey, you know, I hope this finds you well. I'm in this working group for this organization, we're doing, you know, this exercise to allocate this funding would your organization be interested? Can you point me to the right people? In CC you'll find Marika from ICANN, she can give you more details.

You know, an email like that and the introduction can go a long way to identify the right person within an organization that we need to be talking to and also great (unintelligible) if it's Sam or not, and also, you know, even sort of by making introductions I feel you're putting other persons kind of in a position where they, you know, they need to respond at least to say no, we're not interested.

So I think one strategy could be that. And then put (unintelligible) we don't have any contact for, you know, agree with that language, you know, people

– staff over at ICANN should, you know, reach out on the phone and do sort of the same exercise explaining, you know, what, you know, what we need to do and, you know, getting to the right person within that organization. If we just send out emails we're not – I really don't think we're going to get again, the response that we're expecting.

Erika Mann: Thank you so much, Caroline. This is Erika. Okay, I made a summary. I think I captured most of the points. Caroline is making a different point and I think this is true and we discussed this in the small – in the sub of this working group, we discussed that those who made a recommendation would either send an email or would call the expert there they recommended to give some more background information about ICANN and about the purpose of this exercise. So I think we can certainly agree in doing this.

It might be difficult for some because, you know, but we will figure this out once we start this whole exercise. So the question is now – and then Alan is raising a different point, who's going to sign the letter? I'm doubtful it should be the CEO, so Alan is recommending the CEO or the Chair of the Board. I think this is a separation.

We can certainly talk about who is signing the letter, but I'm very doubtful it should be the CEO or it should be the Chair of the Board. That's a different – the working group which is part of the CCWG, so I think we have to distinguish. And we are tasked with a very particular task so I think we have to distinguish from the organization or from the Chair of the Board. But we may find a way how we can do this, Alan. And I see you raising your hand. Would you love to talk about this?

Alan Greenberg: Yes, briefly. If the – if the letter and – we may also want to consider real paper letter as opposed to email which, you know, can get lost rather easily. If this is going to come from someone that they don't already know then it really should be someone who they can verify who they are, you know, on the Web or, you know, doing a quick search. So I would strongly suggest that –

I'm not worried about the separation, that we – that we ask the CEO or the Chair of the Board to send this on our behalf.

And that gives it credibility, it gives it a level of belief that this is a real thing and not some sort of scam or not something that you're just asking people to waste their time on yet another survey to complete or participation in yet another study or something like that. I mean, I'm not at the level we're talking about here and I get this request all the time. And virtually all of them get discarded. So I think we really need to think of what do we need to catch someone's attention and convince them they should put some of their valuable time into it at least to follow up on it. Thank you.

Erika Mann: Let us think about it, maybe we can – this is Erika – maybe we can find a compromise. I think this is a letter really from the working group and not from the Board and the CEO. And there are certain obligations related to what the Chair of the Board or the CEO can sign on behalf this working group. But we can investigate this, Alan, and so let's have a look about it. We should take this as neutral as possible, otherwise we can make an – we can do an explanation who these two persons are.

And, by the way, I think it will be no difficulty if they do a search on Google they would find me and Ching, so I'm – I don't think so, this would be an argument. But I agree with you, Alan, we take this neutral.

So can we just see how we take this forward? What would be the time you would need to reply to this letter so that we then in the leadership team can send you a second draft? How many days do you think you would need? Would be the middle of next week, would this be something you can – you could live with? Let me have a look at the calendar, or Marika, can you have a look at the calendar please?

Kavouss Arasteh: Erika?

Erika Mann: Yes, Kavouss, please.

Kavouss Arasteh: Yes, sorry. And (unintelligible) too early so look at the other if you could look – we can and so on so forth, so we should not rush, we should wait a little bit to get more reply, more reaction, so perhaps to extend the time and so the minimum – minimum would be 10 working days or up to two weeks. Thank you.

Marilyn Cade: Erika, it's Marilyn. Can I get in the queue?

Erika Mann: Yes, Marilyn, please go ahead.

Marilyn Cade: Thanks. Thanks to Kavouss. I was actually going to suggest that we submit our comments by Monday so that the staff can do a 24-hour turnaround on a redraft. I think if we're going to provide direct comments then we ought to prioritize for ourselves to get those into the staff who can do the redraft. I can't do it today or tomorrow but I can meet a deadline of Monday for any comments that I provide that are consistent with the input of everyone else.

I'm not on the – I'm not on the Adobe Connect so I'll need to read the chat to fully inform myself. But I think we're going in the right direction and we've got a lot of good comments. I just want to make a quick comment to Alan's point, Alan, I really hear you on the concerns you raised. I do think those who nominated names should own the responsibility of doing an introductory email. Dear, blah, blah, blah, I've nominated you to receive an invitation. You'll be getting a – and I do think you're right, we need to send a letter – a formal letter – we can send an email but we need to send a written document by next day delivery or something like that because those very often get treated differently and don't go into the spam filter.

Erika Mann: Alan, please. Alan.

Alan Greenberg: I just put a tick mark up supporting what Marilyn just said.

Erika Mann: Sorry. Thank you so much, I can't see these tick marks. Thank you so much. Strangely they don't show in the wide view on my – thank you so much. And I saw in the discussion there still in the chat room some discussion about how – who should sign. Mary made a recommendation, Mary we will look into this and that's certainly a good idea that it could be forwarded but there might be already then some kind of obligation related to it if the letter would be forwarded, you know, by the CEO or by the Board. Let's look into this point and we will make a recommendation.

We have agreement with Marilyn so we need just to discuss now the – until when we would love to have your comments back. Marika said that she's tied up in meetings anyhow next week. And staff is tied up. So how do we – that's another comment which just came in from Marika. So sorry for this. So what I will say we want until the end of next week which gives us all sufficient time, but this then will include comments related to the question as well the next topic we are going to talk about.

So for both things, for the letter and for the comments we have time until the next of next week to send them back to us then Marika and Joke can review it, can give it back to the leadership team. We will do a quick review before we will send you the next draft. And hopefully we then can keep it (unintelligible). I see confirmation that's fine from Vanda. I don't see anybody objecting to my recommendation. Okay so let's do it like this and then let's move to the next point on the agenda, which are the questions we want to send forward to the experts.

Marika, could you or somebody pull them up and would you do a quick introduction please? Marika, did you hear me?

((Crosstalk))

Erika Mann: Oh there you are. Wonderful.

Marika Konings: This is Marika. So I sent you yesterday an updated version of this document. And my apologies for this coming so relatively close to the meeting but as some of you may know, Policy is currently meeting in Los Angeles for its strategic planning session which means there are a lot of other things going on at the same time.

But what you see in the document are updates that have been made first of all updating names that we have received for the different organization as a point of contact. I do note, however, that there's still quite a few for which we do not have a point of contact. So we'd really like to encourage especially those that suggested organizations to be added to the list to provide us with a name and email details so we're in a position to reach out to them.

So then furthermore updates that have been made were in response to the input that was provided by Sam and Xavier. They made a number of comments in relation to the questions both as well with regards to ensuring that questions are clear and provide enough information for a respondents to provide an answer as well with a couple of suggestions of questions that might need to be added. And as well a number of questions that are probably of a more general nature and as such should be added to the first category that we had identified as a set of general questions.

So I think the ask of the working group and I think especially of Sam and Xavier is to review whether the proposed edits address the comments that were made whether indeed the changes have resulted in more clarity and hopefully facilitate the ability of respondents to provide input.

So that is what you see on the screen. I did highlight in yellow and the yellow is highlighted actually in the comments a couple of questions that I wasn't able to address or where your input may be needed. So that is maybe something you want to have a look at. I think one of the questions, and that's up front, is with regards to the dates of course where we're pushing things a

bit further out so there's definitely a need to revise the dates with regards to the time given to respondents as well as when we would try and plan for the calls with the identified experts.

But again, I don't think it's something we need to decide now as people may need some further time to review this document and I think Erika has already indicated that she would like everyone to provide their feedback and input by the end of next week. And maybe on the basis of that staff would, in working with the leadership team, could maybe suggest updated dates in that regard. So that's where this document stands. I don't know if anyone had a chance to review it and have some immediate input or whether this is something you need a little bit more time to focus on and review.

((Crosstalk))

Erika Mann: Thank you, Marika. This is Erika. Kavouss, is it you?

Kavouss Arasteh: Yes...

((Crosstalk))

Erika Mann: I wanted to make a recommendation but please go ahead.

Kavouss Arasteh: Yes, I'm sorry.

Erika Mann: Go ahead, Kavouss.

Kavouss Arasteh: Yes, so I'm sorry, I was a little bit late with respect to who signs the letter.

Erika, we have been working as a group, the CCWG on that since long time. And we are not the secretary of the president of the ICANN, if you want to sign as (unintelligible) of the secretary yes, but the leader of this group should also sign on behalf of the group. So this is the effort of the group, this is out of discussion of the group and we don't want that we just prepare a letter and

give it to the chairman of the group or to say or to sign. They can sign one of them as one signature, the other signature would be the leader or chairman of this group on behalf of the group.

We have done that in the ICG, several times, and we have done it elsewhere. So there should be a sign of the group n activity of the group and reflection of the authority of the group therefore there should be two signatures if you want to involve the chairman of the group or CEO. Otherwise only the chairman of this CCWG. But we want to involve we have no problem. There should be two signatures. I'm sorry I was late because of the lack of connection to the Internet. Thank you.

Erika Mann: Thank you so much, Kavouss. Thank you for coming back to this point. And we took note of your comment and when we do the review and we do the final recommendation then we will talk about this topic again.

So questions, what I would like to do because it's always so difficult to review all the questions when one is sitting alone in one's room, so sometime it's easier just to do it together. Marika, we have enough time, how about we – not – I wouldn't recommend we look at the question one by one, this is really not needed, but that we take those questions where you've just raised we may have some concern or we may need further input and further discussions, we just do this quickly as quickly as possible and see if we can get some feedback which then might help us and might help everybody who is reviewing these questions alone at home.

So just keep in mind the way we decided about this just to remind you, this was the very small working group who was working many of them or most of them actually are on the call today who were reviewing these – the original questions which we all together put forward to staff. We then came to a much smaller set of questions. These were, again, reviewed by the – what we call the leadership team plus we did some review of language so that the questions are really understood, some were too much insider question and

very difficult to be understood by outside experts. And this is what you have now in front.

So I would not want us to go through all of the questions now one by one, because you have enough time to do this home and then send us back your comments, but I would love us to do it quick about these questions where we still are not totally certain ourselves if they should be put forward in this way. Marika, can you do this one by one?

Marika Konings: Sure. This is Marika. I think everyone will maybe be happy to note that there are actually just a few questions which I highlighted the comments as I needed a bit more input. So the first question is – the popular – the Number 1 question – I think it's Question 3 and 4, Xavier made a comment here that the type of auditor referred to here should be specified. And I'm actually not an expert in audit so I'm not really sure what type of audit should be specified here, so it would be helpful if someone could provide input on this could be clarified.

Erika Mann: This is Erika. I agree with Xavier. Keep in mind that the way the audit functions at ICANN is very different to many other organizations. I was the audit chair so it's relatively easy for me to understand why Xavier is concerned if the language too general. So we really audit only the – we practically only audit and declare the financial – the books are in order. And we don't do audit in a much broader sense like this is often done in other organizations. So I agree with him. Maybe we can do this in a footnote or we can keep it very, very short, Xavier, maybe you can send us a recommendation for this particular part.

And if there's nothing else...

((Crosstalk))

Erika Mann: If there's nobody else who wants to comment on the audit part, just an explanation how our audit function. Okay, then let's move to the next highlighting question, Marika.

Marika Konings: Sure.

Erika Mann: Marika, can you hear me?

Marika Konings: Yes, sorry takes me a second to get off mute. The second question is in possible mechanisms to question or comment from Sam in relation to the description of the mechanism. The current description reads, "New ICANN certification department created as part of ICANN organization which would work in collaboration with an existing charitable organization." And her question or comment, "Does this mean a philanthropic or grant-making organization or a charitable organization more generally."

Erika Mann: This is Erika. Here we really need your guidance. The charitable question, if I am an organization, a remark I think came in because it was recommended in a very early phase by one of our members, and we haven't changed the language. We could do some and I see you are on the call what we could do we could just broaden it and include other type of organizations as well in this question and just instead of focusing only on charitable organizations, would this be of help?

But I would love to get comments from others please as well. Sam, please.

Sam Eisner: Hi, thanks. This is Sam Eisner from ICANN. So Erika, the focus of my question wasn't to say – wasn't to suggest that it should be broadened actually, it was really to focus it, you know, because the charitable organization can mean a lot of different things. Are we just picking a partner or are we picking a partner for a specific purpose?

So as I understood it, one of the things that we were trying to do through this model was to have both ICANN and another entity that would help run the grant-making process for it. That's a lot different than saying, we want to partner with a charitable organization, because here we're not talking about doing work with them, we're talking about asking them to help us run a grant-making program. And so that's what the focus of my question was.

Erika Mann: Thank you, Sam. This is Erika. I would agree with you. It would be much clearer. Can I get some comments on this point from somebody else? Are you – is the difference clear between what Sam just said and the question is raised currently? Okay, I take your silence as a point that you would love to reflect upon this. Then I would recommend please highlight it as a particular important topic which you want to review and then comment on it please in your written remarks.

And in the meantime I would love to ask Sam to send us a recommendation of redrafting this and then we can send the – you would see the recommendation from Sam as well in the comment part which we receive from different colleagues. I hope this is helpful. Yes, Alan, please be so kind, put your – I see in the chat room some discussion, would you want to make your comment here or just in – when you send us your comment? Oh there you are, please, Alan.

Alan Greenberg: Sure, sure, I'll – it's Alan Greenberg. I was just commenting in the chat that from my perspective if we are contracting with some other perhaps charitable organization to operate or partially operate this process for us, that's not partnering. Partnering is, you know, when two people combine to do something, you know, something common to both of them or something. I think we're talking about, if I understood the previous discussions, potentially going to someone saying, "you do a lot of this, you know how to do it, can you do it for us presumably for a price?" So I'm not sure the word partnering really is the appropriate one. Thank you.

Erika Mann: Thank you, Alan. That's correct. This was our understanding. Sam, take this please into consideration. So the idea here was that we do partner with regard to this particular front with another organization, then the question still remains, shall the word "charitable organization" show up or shall it be much more general? So please be so kind to comment on this one as well so that we have an understanding how we want to frame this question.

Okay, Marika, let's move on.

Marika Konings: Thanks, Erika. The next and last issue I had highlighted in possible mechanism Number 4, Section – Question Number 5, it currently reads, "Based on your experience and response to the previous questions, do you have recommendations for which entity or entities could be considered for this scenario?" And Sam flagged that the way the question is currently phrased could possibly raise conflict of interest concerns. So I think the question is how should or could this be rewritten to avoid that?

Erika Mann: Thank you so much. Sam, would you love to elaborate on this point? Why are you concerned about it from a conflict of interest point? Sam, did you hear me?

Sam Eisner: Yes, I'm going back in. I think that this – this also goes to some of the more general questions that we were posing. You know, it gets between the general and the purpose for having the experts come in versus what we're asking them to do. You know, we need to make sure that the people who are – that we understand the motivations of the people who would be providing us with suggestions as to how these things should be organized.

It's one thing to say okay, best practices, here's how things work versus saying okay, so now with ICANN tell us how you would do it. And when we get to the "tell us how you would do it" that's when we really need to know if the people have any interest in actually doing it because as a working group and for ICANN in general we want to know if that recommendation was being

made for the hope that we would actually take that on to favor them as a possible partner or applicant, you know, however.

So that's really where that line is, it's just about understanding the motivations of the group and also it's – I think it's also a good test as you're looking back through the questions, are we asking for general input and – or are we asking for specific guidance? And we're not really clear between the two and that's a really different conversation with people and creates a different level of preparation from the experts as well.

Erika Mann: Thank you, Sam. This is Erika. Yes, I agree with you, we might have to be a bit more clearer here about the motivation. But keep in mind as well, they are not experts in the sense that they will take any decision. We are asking them and then the decision will be taken inside of the CCWG. But I understand, you're worried that even a remote – a particular motivation might drive future decisions in a particular direction. I get your point and I get your word. We'll have to look into this.

Please be also kind to look at this particular question again and see if you have a recommendation how we can reframe it in such a way that either the motivation is made clear, which would reflect back to the conflict of interest part, or it would be – it would show up in a different way in case there is a motivation behind the way the answer is given.

Anybody else who wants to comment on this particular question? No. Okay. I take your silence as that you need more time to look into this. Somebody else want to say something? No? Okay, Marika, do we have another question which we want to talk about?

Marika Konings: This is Marika. No, those were all the ones that I highlighted I think or I hope I managed to address all the other comments through the edits provided, but of course if I didn't, I'm happy to hear so.

Erika Mann: Thank you so much. So I think we can conclude today much earlier. Marika, maybe we can have a quick update about the next ICANN meeting, any changes or do we have confirmation in the meantime about ICANN 61 about our – the two sessions which we have on our schedule? This is not on the agenda so please be aware I'm raising a question which was not on the original agenda. I just saw that we forgot to include it. Marika.

Marika Konings: Yes, thanks, Erika. This is Marika. No, no further updates. (Unintelligible) are due by the end of this week so staff will go ahead and request the meetings as previously discussed so one meeting at the end of Sunday for working group dedicated time, and then a second meeting on Thursday – Thursday morning, which would be used to update the community or if there are specific questions we want to ask the community.

I'm fairly confident that those slots will remain as-is, but once all the meeting requests are in, there will be an opportunity for the SO/AC planning committee, who's responsible for the schedule, to review the overall schedule and indicate if there are any concerns or any conflicts that need to be avoided which could potentially resolve in changes but I do note, you know, none of these sessions are – that are being proposed are proposed to be unconflicted meetings and at least from a – from a staff's perspective we're not aware of any conflicts that might change at this stage.

But as said, the ultimate call is in the hands of the SO/AC chairs planning committee so we'll have to wait a little bit longer on final confirmation, but if everyone can already pencil in those dates and times that would be helpful.

Erika Mann: Thank you so much, Marika. This is Erika. Marika, can we quickly summarize our action points?

Marika Konings: Sure. Adding the last action item point to our notes. So everyone is expected to provide their inputs, comments, recommendations both on the letter as well as the questions by the end of next week, so by Friday the 2nd of February.

Following that, staff will work on incorporating those suggestions and edits and hopefully they will turn around a revised and hopefully close to final version of both the letter as well as the questions.

Erika Mann: Thank you so much. This is Erika. So the last point on the agenda is to confirm our next meeting which is on February 8, again, at 14 UTC. Okay, we gained half – thank you so much, everybody. If anybody wants to make an additional comment? Anything missing? No? Okay, then thank you, everybody, and have a wonderful day or conclude your day well wherever you are. Thanks so much. Back to you, Julie.

Julie Bisland: Thank you, Erika. Today's meeting is adjourned. Everyone, have a good rest of your day. You can disconnect your lines. (Emilio), can you please stop the recording?

END