

**ICANN Transcription
CCWG New gTLD Auction Proceeds
Wednesday 27 February 2019 at 1400 UTC**

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Operator: Recording has started.

Julie Bisland: Okay thank you. Well good morning, good afternoon and good evening everyone. And welcome to the CCWG New gTLD Auction Proceeds call on Wednesday, the 27th of February, 2019.

In the interest of time, there will be no roll call. Attendance will be taken via the Adobe Connect room. If you're only on the audio bridge would you please let yourself be known now? I do have Adetola noted. Anyone else? All right. And I want to remind everyone to please state your name before speaking for transcription purposes and please keep your phones and microphones on mute when not speaking to avoid background noise.

With this I will turn it over to Erika Mann. Please begin, Erika.

Erika Mann: Thank you so much, Julie. Hello to everybody and welcome to our call. We noted, and I just want to say this ahead of – before we come the agenda that we have a quite small group today and we do have many updates but we have to ensure, I don't know how we can do it, but please be so kind, do your best to reach out to colleagues as well who typically join so that we have a bigger group. We are coming to an end and it will be extremely important that we ensure that everybody is present or as much as possible present.

Okay, having said this, let me do a quick look at the agenda, so we did already the non-roll call and the number item. Second item will be the question whether anybody wants to make an update concerning the conflict of interest declaration, and then we will come to the review of the charter Question 1, which we have dealt with the last time but we want to get some confirmation from you that you agree with the results. And we have still one topic to discuss in related to charter Question 1.

And then hopefully we can talk about charter Question 2 and charter Question 3 as well today and then we need to keep a little bit of time at the end, and this is the agenda point 5, to look and to take decision about Kobe. We do have these two slots if you remember and we see quite a little attendance concerning one of the slots so we have to a decision there. And then the last item is just the confirmation concerning the next steps and the next meeting in Kobe.

Okay, having said this, let me raise a question now concerning conflict of interest, which is agenda topic 2. Anybody who wants to make a declaration or an update? Not seems to be not the case, then agenda item 3, which is finalize review of charter Question 1, input and confirmation concerning the topic we debated last time.

The leadership had a, as we discussed, had a call concerning this topic and we summarized so and we need your confirmation today from you to see that

you agree with these results the way we have summarized them. And then we have one more outstanding topic to discuss.

Marika, can you just guide us through the topics now on – with regard to charter Question 1?

Marika Konings: Sure, Erika. This is Marika. Do you want me to recap as well the agreement we noted down or just go to the item that...

((Crosstalk))

Erika Mann: Absolutely we have to – no, we have to discuss them. We have to present them and see that we get confirmation and there's no – not a missed understanding from our end concerning one of the topics.

Marika Konings: Okay. Sure. So this is Marika again.

Erika Mann: Thanks.

Marika Konings: So as Erika noted, staff together with the leadership team went through discussion from the last meeting and as well of course the comments that were provided and tried to kind of capture the conversation into – what we've labeled here as the CCWG agreement, a kind of conclusion following the review of the comments received.

And the idea behind that is that, you know, in this way we'll be able to track, you know, going through all the comments what we've agreed to do and a certain extent it will form then the work plan, you know, going forward, you know, after the group has reviewed the comments. And, you know, some of these items may already be possible to move forward with those in parallel. So hopefully this will serve as a way to make sure that, you know, the group tracks what it has decided or agreed to do in response to the comments received.

So what we did in the document that you see on the screen, and that was also circulated together with the agenda, is to highlight in yellow what we viewed as being the agreement or, you know, the proposed next step in being responsive to the comments as well as the result of the further CCWG deliberations. And just for the record of course, in certain cases there may not be an action or an agreement and, you know, that's of course perfectly fine as well; or in certain cases you may be able to refer to an agreement that was reached on a previous comment that is deemed related.

So in relation to the first one that referred or recommended doing a cost benefit analysis, I think there was some discussion on the last call about, you know, the pros and cons of that. And of course you know, the group did have – it wasn't necessarily cost benefit analysis but at least a kind of pro/con overview of the different mechanisms that Sarah Berg helped the group carry out.

But here the recommendation is that the moment to see whether ICANN Org would be willing and able to carry out a cost benefit analysis of the different mechanisms that would analyze the costs in relation to the estimated benefits and again that would then help – hopefully help inform the CCWG of making an assessment based on that analysis provided.

And I see that Marilyn has her hand up so, Erika, I'll pause here for a second as I'm assuming Marilyn wants to speak on this point.

Erika Mann: Yes. Yes, thank you so much, Marika. Marilyn, please. I assume this is concerning this topic?

Marilyn Cade: It is. Thank you. It's Marilyn Cade speaking. I'm going to preface my comment by saying lost cost sometimes low cost sometimes equals low quality particularly if it is a situation that has ongoing review, management oversight, recording, etcetera. But I am actually questioning the idea that

ICANN.org has the competency to do this. I personally do not think we should be spending more time on a cost benefit analysis. It would be easy to say spend only 1% on the oversight and then we would find ourselves at ICANN being investigated by the IRS, by the European Commission, etcetera, and then we would find that low cost actually was extremely low quality.

I'm not sure that a cost benefit analysis is really – I have not seen significant enough requests for this that I think we should spend more time on it. And I still question that ICANN.org brings the competency to do such an evaluation. If the decision is to go forward with a – such review I think it should present the full range of options across the three mechanisms. Suggesting that we get a lower cost just because ICANN is doing some services, ICANN Org is doing some services and charging back, I don't see that as a cost benefit analysis. And it was clearly...

((Crosstalk))

Erika Mann: Thank you.

Marilyn Cade: Sorry.

Erika Mann: Yes, go ahead, Marilyn.

Marilyn Cade: That's okay. It would clearly be a huge conflict of interest.

Erika Mann: Marilyn, it's Erika. Marilyn, thank you so much. Of course it would help to be done across the different mechanisms at least A, B and C. This is what we agreed. The topic is – although you are right it was raised if I believe only by – I would have to check but the topic was raised by one person but it reflects what was debated in our group many times in the past. So it's not like it's a topic which is not reflecting some of the discussions we have in the past.

But I see your point and to some degree I agree with it. The good side of doing maybe just – and we would have to debate this in our group – a light touch, a very light touch of cost benefit analysis would be to get an understanding how ICANN Org would approach these different topic and how they would reflect upon it from a light touch cost-borne benefit analysis.

Give me – just give you one example, for example, one of the question would be, how do you see the engagement of ICANN? And coming back to the question you raised, Marilyn. How do you see the engagement from currently employed ICANN people with regard to Mechanism A, B and C? And then one could modify this question.

I think it would be interesting to see how ICANN would respond to it because in all three categories or mechanisms there would be always some kind of engagement from ICANN either on the fiduciary side, the – on the transmission of payments, the financial side. So in each case there would be some kind of engagement needed because of the oversight and the fiduciary and legal obligations.

So personally I find this quite interesting to see but I'm totally neutral. If we believe we want to skip this point that's totally fine for we as well. Or we want to say it's a question the implementation team shall deal with once we have decided about Mechanism A, B and C and we make a final recommendation, then let's postpone this to the implementation team and they will have to deal with it. All variations are fine with me. But we need some guidance from the rest of the group now.

I see Becky there because it's not just a question for ICANN Org; it's a question for the Board as well. But I want to ask you all, what do you believe how we shall take this point forward? Yes, I agree, Marika, it has to be done completely neutral and that's – and absolutely, absolutely, so there would be no – the question can't be framed in a way that it would exclude or – one of

the mechanism or two of the mechanism, totally agree with you; it would have to be done objective and neutral.

So how – what do we do with this question? Can I get somebody else maybe to comment on it? Do you need more time to reflect upon it?

Marilyn Cade: Erika, it's Marilyn. I just want to be sure that you...

Erika Mann: Oh Marilyn, go ahead.

((Crosstalk))

Marilyn Cade: ...comment in the chat.

Erika Mann: Yes.

Marilyn Cade: I just wanted to be sure you said everyone's – sorry. I just wanted to be sure that everyone saw my comment in the chat saying, you're much more neutral approach to this, and the language that you just suggested.

Erika Mann: Yes, I agree with you. But I still don't get anybody else, nobody shows something – who is talking, please?

Ching Chiao: Erika, this is Ching. Sorry I didn't raise my hand.

Erika Mann: Ching, please go.

Ching Chiao: Jump in? Yes, thank you. This is Ching speaking. Yes, I fully – so I fully agree with what Erika pointed out. A lot of things now we're talking about, I mean, basically we're not trying to let's say pushing or, you know, our responsibility to the implementation phase. But what I wanted to point out, and also to emphasize is that those questions or answers, and obviously right now we are talking about using a cost benefit you know, cost benefit analysis as one

of a factor to decide which mechanism we wish to put for how we should put – how we should put, I mean, our recommendations.

I would like to emphasize here is that in taking a – I mean, taking some hypothesis here is that let's say we're making an example, we are making a recommendation for Mechanism B, and then the implementation for the ICANN I mean, the new foundation, the implementation would suggest that let's say we would disburse or distribute the money simply into several two, three projects. I'm just – once again I'm just making a, I mean, as assumption here.

If we're making a recommendation on C and then the implementation phase, the group then decided they're just going to use the money for two, three projects, it seems that in terms of the cost, if the decision was made this way, it seems that the management of the foundation, the cost to manage and to do all the fiduciary requirements seems to be much lower than let's say if we're recommending, I mean, the Mechanism A, but then the implementation saying that we're going to distribute the funds to 1000 different smaller projects, then the fiduciary requirement, and everything else, the cost goes up.

So once again, back to the point that Erika was making is that I think a lot of times that we're talking about is really an implementation problem that this can go to separate ways if the way of the money – how the money is distributing changes. So I would like to – just to make that point. Thanks.

Erika Mann: Thank you, Ching. Marilyn, is this a new hand? Okay. Then let me make a recommendation. Alan, I just see you. Please, Alan.

Alan Greenberg: Thank you. I just wanted to comment on Ching's last comment. You know, he suggested, if I heard him correctly, that one of the possibilities might mean we only – the whole project, the whole use of the funds, be devoted to a relatively small number of projects. And I would suggest that that would be

exceedingly poor judgment on the part of ICANN. We're talking about perhaps \$240 million. If we are putting that into two or three or even four projects the risk factor of having a project which might have a value of \$40 million, \$50, million, \$60 million and it fails is putting this whole thing at far too – at a far too high a risk level.

So I don't think that's one of the viable alternatives and I think we need to assess that quickly, because if we're designing this for something like that, I think that risk level has to be assessed and I would personally think it is far too high. Thank you.

Erika Mann: Erika. Alan, thank you. I see comments in the chat room and I will come back to it because I see some people are still typing. I haven't understood Ching like this where I believe it was but, Ching, maybe you want to comment on yourself? Anyhow it's not a question we can discuss here to this particular topic. Currently we're only discussing are we doing a light touch totally objective and neutral with regard to Mechanism A, B and C kind of cost benefit analysis? And I will try to summarize in a second the key points.

So we're not debating any other topic, not are we doing a basket approach with only few projects which shall be financed or a broad system. So we're not discussing this. But anyhow, because the topic came up and there seems to be kind of misunderstanding, Ching, do you want to comment on this? Are you able to say something?

Ching Chiao: Sure. Thank you, Erika, for the opportunity. So yes, I mean, I'm not in favor of what I just said, you know, in particular if we're going to set up a foundation and only supporting two or three, I'm just making an assumption that let's say in the unlikely chance that the implementation team and ICANN then decided that this is the best way to move forward, simply because of the cost analysis, then because we want to reduce costs and the potential best way to move forward is to – is to support a limited number of projects.

So then we, I mean, I mean, so definitely I'm just trying to bring up this and, you know, I mean, in particular to answering what we'd like to try to form a recommendation here is let's think about some of the scenarios and maybe this would help us to form a recommendation. Let's say, hey, we don't want to go that way but right now is just a structure, is a kind of a high level recommendation that we would like to put forward to the Board and that would somehow more reasonable – a more, I mean, it's easier for us to, yes, I mean, just a group to form some agreement here. Hope I made myself more...

((Crosstalk))

Erika Mann: Thank you, Ching and Alan. So let me look quickly at what we see in the comments. So Marilyn is supporting Alan. And Ching just made his point and in the comment as well just mention it was the kind of example. Robert is saying, and this goes back now to the key topic, what we need to discuss here about cost benefit. He's making the point a different cost benefit with regard to the different mechanism. In certain terms of setting up foundation, there is not only a startup cost and he's putting in brackets the certain topic, an ongoing cost and curve down cost. That's true, Marilyn, which – Robert he then point we would bring into the question environment.

So and then let me see if I can't find the others again, Becky – oh I lost them I believe. Robert, Becky is talking about the risk level clarity. It clearly needs to be assessed but the outcome can't be determined in theory, correct. Marilyn is supporting Robert. Alan is talking that his point is – that if a mechanism is optimal for a certain pattern of donation which is very high – okay so it's a similar point and you raised in your – in your comment.

Okay I believe let's go back now. Let's put this – the other question which Ching raised and you are commenting on primarily, let's put this aside and let's come back to the question because we have to take decisions today, so let's come back to this question. Shall we do – shall we send to ICANN Org a

kind of questionnaire concerning a cost benefit analysis or don't we want to do this at all?

If we do it, I believe we have an understanding, the question shall include Mechanism A, B and C. They shall be completely neutral and objective so nothing which would preclude one of the Mechanism A, B and C. They shall be light touch and high level so not going into the nitty-gritty of what one can do if one talks about a complete cost benefit analysis but more in shaping our decision making process in taking a decision concerning A, B and C so that we can take a really appropriate decision concerning the mechanism.

Do we have an understanding here, if we do have, I believe, Marika, we should do maybe in the leadership team a first concept about these question and we will send this in by email to this group and then everybody can start working on it or we can do it in a Google Doc and everybody can participate at the same time. I'd just like to get this topic from the – from our agenda today.

So first of all, do I have agreement? Okay, let's assume we have agreement. I see that Robert is typing and Ching is typing. So let's assume, I don't see any hands raised, nothing else, we have – so let's do it in a Google Doc format. I hope most of you can participate and if this is not possible we will find a different format just to set this up. There's agreement from you then.

Okay, Marika back to you and please summarize this point so we have a complete agreement and then let's take the next gating topic, please.

Marika Konings: Yes thanks, Erika. This is Marika. So if I understood you correctly, and I think this is what Joke also noted down in the action item it would be for leadership to prepare a first draft, and if I understand correctly, a first draft of the request that would go to ICANN Org that would kind of outline what the expectations are of a potential cost benefit analysis so that people can comment on that

and agree on what the focus or objective of that would be. Did I understand that correctly?

Erika Mann: Correct, Marika. And then the only outstanding question was do we do a first draft and send it around and wait for comments and additions? Or are we just putting this up on a Google Doc and everybody – the whole group can participate from the beginning? Just the most easy way on doing it.

Marika Konings: Yes thanks, Erika.

Erika Mann: Marika?

Marika Konings: Yes, and that's really up for the group to decide. You know, staff is happy to work with leadership to at least put maybe some initial thoughts on paper and it may be easier for people to react to that then putting a blank sheet of paper in front of everyone, so maybe that's the approach we can take on this one.

Erika Mann: Yes, let's go. Let's do it. And let's move forward. Thank you so much.

Marika Konings: Okay. Thanks, Erika. So then moving on in the document, as you may recall there was a extensive conversation on the last call in relation to the role of the ICANN community in relation to review and evaluation of proposals and several comments also you know, went to that topic. So what we've noted down as a proposed agreement is that the CCWG would further explore and define what role, if any, the ICANN community should play in the review and evaluation of proposals and in doing so, take note of any other comments that will help inform this exploration. So again, this is just making a note that this is an item that requires further conversation.

I took away as well from the conversation yesterday that this may be an element that's kind of independent of, you know, whatever mechanism is chosen, you know, maybe there are some features that would be different depending on the mechanism but it's not necessarily dependent on

Mechanism A, B or C to, you know, for the group to define its expectations around the role of the ICANN community in that regard.

Erika Mann: Marilyn, please. Yes, I saw – it's Erika – I saw it. Thank you so much. Marilyn, please.

Marilyn Cade: Yes, and thank you Marika, for this. I just wanted – I think this is excellent. I just want to make a quick question under the recommendation. Should it read, "Further explore and define what role, if any, the ICANN community," and maybe it says "what roles, if any, the ICANN communities," plural, "and the ICANN Board should play in the review and evaluation of proposals?"

I just say that because I do think that there is a need, we all understand that there's ultimately a need regardless of the mechanism that the Board has to accept ultimate accountability but also the advisory role might vary for Mechanism A, B and C whether it's providing input on criteria or actually even being asked to review what an independent mechanism might propose.

But I think it – this is generally really going in the right direction, I just wonder if we want to add in the role of the Board in each of these that would mean we have a single recommendation that we can then focus on. Thanks.

Erika Mann: This is Erika. Marilyn, my instinct is not to do this just because of the simple reason I think you completely right, the role of the Board is extremely important and we have received different advice from the Board and we will have to take this of course into consideration. But my point is we are responding here to comments we received from the community and these comments all related to the role of the community. So my sense is, and my feeling is maybe we should distinguish these two points.

I believe you're right, we have to include somewhere a more precise way the role of the Board as well, but maybe we should not do it in the – with regard to the same question here. Would you agree to this so that we have an

understanding, yes, we have to (judge) on the role of the Board, but we don't do it in the same round of questions. Yes, and I see you are supporting this. Thank you so much.

Marika, we then just need to note that we have – when we do – going through all of the comments and our – and our different setup for the evaluation of A, B and C, that we have this point captured and so it's clear that we have a kind of evaluation point where we talk about the role of the Board. Do you want to say something, Becky, with regard to this or are you fine with it the way we are discussing this right now?

Becky Burr: Well I just want...

Erika Mann: Yes.

Becky Burr: ...I just want to be clear, because I think that the Board has been clear. As a matter of California law, the Board has critical fiduciary obligations. That said, the Board has been quite clear as well that it does see itself as being involved in substantive evaluation of the merits of individual applications. So there may be an obligation to ensure that, you know, all of the package of grants that have been approved through the evaluation process, in fact are comply – are within ICANN's mission. But individual – evaluation of individual applications is not what the – the Board does not see itself involved in that.

Erika Mann: Thank you, Becky, for clarifying this. This is Erika. But following up on the discussion we had before, I believe Marilyn's point – I think we need to take it serious because there might be – let's assume A or B or C is selected and then comes the implementation phase and suddenly all of the evaluators decide just to finance two or three big projects and nothing else. This might be a point where then not just the community wants to step in but maybe the Board as well because it's the role of the Board then because it's such an important decision.

So I think it's – it would be good for us to evaluate all the answers we have received from the Board concerning the role of the Board and just to put it in a nice overview just to see that we haven't missed something or that the Board hasn't missed anything they might want to add for future purposes, just to prevent something problematic happening.

So I think we have an understanding here and Marilyn is making another point, no, the Board never, Marilyn, wanted to engage in individual evaluation and I don't actually believe this would be the role of the Board. But you're still right, the oversight needs to be precisely expressed so we need to do an evaluation, yes, Ching is saying he wanted to make the same point.

Okay I believe we have an understanding, so we stick here now to the role of the community or communities, Marika, we need to evaluate the correct language here. And then we have an understanding that we will review the – all the answers received from the Board.

We will put them in a kind of template, an overview, so that we see all the individual answers and we answer with regard to a particular topic and then we will do an evaluation more to the end of – before we make a decision concerning A, B and C, and we get an understanding if we believe the Board missed something or we believe we forgot to answer a question to the Board, which then still needs to be done. Okay, this was a complicated point but I believe this was super helpful.

Marika, back to you. Can you summarize these two topics and then we can move forward.

Marika Konings: Yes thanks, Erika. So I think one aspect here was to update that ICANN community or ICANN communities, I think we can use a slash maybe to distinguish between that and role and roles I think was the other point. And I think the other point that was noted or the action item, and Joke has put it down as well, is that it will be helpful to probably prepare a template overview

regarding the input received from the Board in relation to the envisioned role in this process and so that would allow for doing a cross check towards the end of the process to make sure that everyone's on the same page.

Erika Mann: So, this is Erika. Thank you so much, Marika. I believe it's all done. So next item please.

Marika Konings: Yes, and thanks, Erika. This is Marika. So then moving on there are a couple of other comments that we also refer back to this agreement 2 as the basic action item. Then I think there was another agreement, and I think you already referred to that, that, you know, in relation to the kind of overall review of the recommendation it seems that the CCWG will keep open all three options for now, so A, B and C, and reevaluate at the end of the review of all public comments and the further input requested, you know, whether any of the mechanisms should be eliminated from consideration. That was listed as agreement 3.

Erika Mann: Yes, and just let's give a second just to see if somebody wants to raise a question. I believe we have an understanding here – agreed already last time, I just want to give everybody the chance to intervene or to say something. Okay, I think we can move forward. I will watch the chat room in case something comes up concerning this topic, otherwise please move forward, Marika.

Marika Konings: Okay thanks, Erika. This is Marika. So then there was another agreement in response to Item Number 5, the group to formulate questions to ICANN Org or Board to ask further clarifications based on leadership recommendations. And I think that went to the point of accountability and transparency but obviously – and conflict of interest – but obviously going through the comments there may be further questions that the group may want to put forward. And that is actually the last...

((Crosstalk))

Erika Mann: Marika, to be clear – it's Erika. Yes, go. Wait a second, Marilyn has a point concerning this topic. Marilyn, please.

Marilyn Cade: I just need to understand this, Marika. I thought the question – it's Marilyn speaking – I thought the question was about the external organization, but the agreement says, "Send more questions to ICANN Org or the Board asking further clarification." But I thought the request from the ALAC, and I think come from the ALAC to this at least, and others that are on, I thought the request was in the external organization would need to address their conflict of interest policies etcetera, etcetera, etcetera.

So I'm wondering if the recommendation would – should instead say, "Any external organization should provide adequate responses on conflict of interest," etcetera, rather than asking the Board or ICANN Org about this. I'm just trying to understand is this (unintelligible) for the external mechanism or actually a question for the Board and ICANN Org?

Erika Mann: This is Erika. Maybe let me respond to it to make it a bit easier because Marika wasn't able to join our last call. So what we did – what we did here was that we made a recommendation based on what ALAC recommended. So ALAC sent in the comments there shall be for the – if there would be a third party who would cooperate with ICANN in a mechanism, then the conflict of interest for this third party shall be evaluated. And then the leadership made the recommendation, check whether conflict of interest for potential third party operators need to be strengthened beyond the current recommendation.

Now the current recommendations were set up by this group and then supported or added by ICANN Legal and by the Board. And now the recommendation is go and check with ICANN Org and the Board whether beyond what we have done already more needs to be done in the case of a cooperation with a third party operator.

So that's the – this was the logic of this a little bit shortened but this was the logic of the recommendation to you now. Does it make sense or do you want to strengthen it further? Because we can put it forward to a different entity; we can only put it forward to ourselves because we don't know if what kind of mechanism and we will recommend and who the party will be.

Marilyn Cade: The only thing I'm going to suggest, Erika, it's Marilyn, is that we make sure that the recommendation and the discussion is merged. I think that clarified it for me, thank you so much.

Erika Mann: Good. We will do this. Thank you so much, Marilyn. Marika, please. Just checking, yes, I think we can move forward. Thank you so much. Marika, please.

Marika Konings: Yes thanks, Erika. This is Marika. That actually are the agreements that we took away from the conversation. As said, you know, for some of the others we have noted, you know, through notes the discussion that took place and also refer to any other agreements that were related to it. And I think that leaves you with Item Number 10 which I think is the one you didn't manage to discuss during the last meeting. And that's on Page 5 – 6.

Erika Mann: That's correct, Marika. So please, go and read it and we – the leadership recommendation as well. I can't unfortunately see it, I can only see my screen today is a bit bizarre so I can only see bits and pieces of it but not the coherent overview, please be so kind to take this question forward. Yes, are you with us? Marika, have we lost you?

Marika Konings: No, Erika, I'm here. I'm sorry, was there a question for me?

Erika Mann: Yes please, would you be so kind to read the comment and the leadership recommendation so we can have an informed discussion about it? I can't see

it, I can't see – and it's too difficult to move between the two screens at the moment, so if you would be so kind please to do it? Thank you.

Marika Konings: Of course. No problem. This is Marika. And for those of you that want to review the full comment it's further down in the table. This was a, sorry, a comment from the Registry Stakeholder Group and they basically – the suggestion that the commenter appeared to make is that the CCWG should give further consideration to which mechanism best reflects the goal of promoting transparency and accountability.

Furthermore, the CCWG should consider whether distribution of funds should be limited to charitable organizations or whether there are also other types of organizations such as for example an unincorporated committee which could perform this function. And I think that refers to how, you know, some of the mechanisms are currently described or refer to a charitable organization.

So the leadership recommendation here was to check how the goal of promoting transparency and accountability criteria can be enhanced beyond the language captured in the current set of recommendations. Another check, is there support to enhance the current set of recommendations to allow non-charitable organizations to join forces with ICANN Org and also to check could an unincorporated committee might be formed from stakeholders become a partner to ICANN Org in the context of Mechanism B and notice made that this might require a legal check.

And that's it, Erika. And Marilyn has her hand up.

Erika Mann: This is Erika. Yes, Marilyn, yes, I see Marilyn. Marilyn, please.

Marilyn Cade: I just wanted to support the majority of these discussions with one exception or, sorry, one additional idea, not an exception but an idea. The example in the agreement, the discussion agreement referenced the European Commission. Maybe we would want Marika to try to come up with a couple of

other examples but understand that we can't rely on governmental examples, we need to also look at examples from the private sector that (unintelligible) NGOs because they have criteria as well.

I'm not a big fan – I see Robert has posted, you know, blah, blah, blah, the government, blah, blah, blah, the government, you know, and I don't mean to be critical here but I don't think we want to have the burden of complying with USAID or European Commission, or Norway governmental funding. We're trying to establish something that's more independent, that looks more like a trust that is influenced and controlled and directed by the core mission of ICANN.

So rather than looking so much at government ideas, I'd like us to look at NGOs and IGs, our international organizations, as our examples. So maybe we could just expand, not just having European Commission but add in the example of PIR, ISOC, a couple of other examples so it's clear that we're not just relying on governments as the example that we're referencing. Thanks.

Erika Mann: Thank you, Marilyn. I'm just checking because Marika is sending me – it's Erika – some notes and Marika it just saying that she believes you – commenting on the previous point. And we have taken this into (unintelligible).

So concerning this item, that's a very particular topic. Let me see, somebody is moving again my screen. Just really sorry. So the point here was very narrow one. So if further consideration should be given with regard to the mechanism and the way of – so the first one was promoting transparency and accountability and the leadership recommendation here is very straightforward, let's check if we have something forgotten because we talk about it but maybe we have overlooked something.

So this is just a quick and dirty check, nothing – no extreme work here, just a quick and dirty check. And then the second one is – the second question is, is

to consider whether distribution of funds should be limited to charitable organizations or whether there are also other types of organizations such as, for example, unincorporated committee, made out of the community for example, which could perform this function. And here the leadership recommendation is let's check this with ICANN Org with the Legal Department, the limitation on the possibilities and the options.

So Alan, please.

Alan Greenberg: Thank you very much. In terms of transparency and accountability, I think any operation can be transparent and accountable should we choose to make information available. I don't think in any of those cases we want transparency and accountability to be at the level of we publish all applications and let everyone, you know, make their own decisions on them or do it in parallel, I think there's a certain level of confidentiality we probably will need in this process.

But, you know, it really – a particular organization does not necessarily limit the accountability of how you manage it, so I don't think any mechanism will be not accountable unless we choose to make it so. In terms of charitable organizations, I don't recall ever limiting this to charitable organizations and I think if we did that we would be severely restricting ourselves because the concept of a charitable organization varies from place to place, the difficulty of getting that status varies and is often very expensive and time consuming. So I would think there should be no requirement that it be technically a charitable organization. Thank you.

Erika Mann: It's Erika. I agree with you, Alan, both cases. So with regard to the first topic, just do a really quick and dirty check and take note, Marika and Joke, to check whether we have included somewhere in the – in our language a reference to the likelihood that confidentiality is going to be needed, doesn't have to be explained, it just needs to mention somewhere. And then concerning the second point, I agree, we never mention it.

I checked this and as much as I could we never did, but there's a topic here whether a particular committee could be built to become a kind of stakeholder in the ICANN process. And that's maybe something we need to check quickly with ICANN Org.

Ching, please.

Ching Chiao: I have made my point in the chat room. I'm echoing Alan's point and adding to that is that there's social and mission-drive, you know, social enterprises this day's making impact, so basically we shouldn't limit ourselves to only to charitable ones. Thanks.

Erika Mann: Yes, and just a quick point, some noted – it's Erika – noted in the chat room that a broader discussion on the legal fiduciary – why can't it stay – memo on the types of due diligence that can be done of an entity make sure they are qualified to receive funds. I think the charitable entity might be some form of shorthand here to reflect that need. Okay, so we will pull out the memo again just to be sure that – because some people joined recently so you may not have seen the – this memo.

It was talking about – so we will pull out the memo and Marika and Joke will review it and will ensure if there's all questions answered already and if not then we will highlight these particular questions from the leadership team we believe are not answered yet and can discuss them at this group at our next meeting. Marilyn, please.

Marilyn Cade: Thank you. I'm just going to – thank you, Sam. I just think we should ask for Sam to refresh our understanding of what possible – not going into great detail but there was an ICANN meeting where an organization offered funding and they were on the terrorist list. So you know, I think we need to – the government of course – the host government of course rejected them.

But I think we need to be careful here that we're not just saying oh, X person applies, there's no due diligence, we don't understand the obligations, if Sam can reply again that work's already been done, I think Sam, what are the limitations on the kinds of entities that ICANN can give funds to, it is a legal entity issue I believe because you can't hold individuals legally accountable if they don't comply very easily in the contracts that they've agreed to. But if we could just refer that back to Sam then we then review and understand the recommendations from the Legal team.

Erika Mann: Thank you, Marilyn. It's Erika. Marilyn, I believe we have two question to Legal and I will ask Sam in a second. So one is the question you just raised and the second one is can a – what kind of entity could actually cooperate with ICANN with regard to overseeing and then distributing the funds in case this mechanism – this type of mechanism would be selected.

So Sam, I don't want to put you on the spot right now if you don't have – if you have difficulties to answering all these questions right now and you rather prefer we postpone it to our next meeting. But in case you can do it right now, please, you have the floor. I'm not even sure if you can talk.

Samantha Eisner: This is Sam. Are you able to hear me?

Erika Mann: Absolutely. Thank you.

Samantha Eisner: Thank you, everyone. So I think that a lot of these questions are actually answered within the legal and fiduciary memo that was produced at the beginning of the work. So there we lay out some of the legal limitations on the types of entities that ICANN is able to legally give funds to based on its 501(c)(3) status because that imposes some limitations.

And so there we have discussions of – that broader sense of entities that are charitable in nature even if they have, you know, more social or other types of drivers to the work that they do. But we also have a long discussion in there

about how important it is that we recognize that we not just tie into a 501(c)(3) limitation because that would be very American-centric and would really close off a lot of potential applicants and so we have discussion in there about the types of work that the grant entity could do in order to make sure that this is something that could have a global reach.

So I think that many of the questions that have been raised today are within that memo, so if, Marika, someone on your team could pull that back out and recirculate it to the CCWG that would be great. Then if you look through it and then have further questions we'd be happy to discuss it but I don't think we need to go into detail now since that might be – hopefully it's self-explanatory to many of the questions that have been raised here today.

Erika Mann: It's Erika. Thank you. Thank you, Sam. We will do this. We will do this overview, we will pull out the reply we received from you concerning this topic, the (unintelligible) one and we will put this all in a nice template so it's all of the variations of answers are easy to see and then we will – in case we believe something is missing, we will come back to you.

There's one item, and we don't repeat the original discussion we had but there's one question here, and you may be able to answer it right now, or we put this then on this template. The question if an unincorporated entity would be able to apply for the funding. I don't recall that you answered this in the legal memo, you may have done and I have forgotten. Would you be able to reply right now or shall we come back to you in a written question?

Samantha Eisner: I think that that would actually be a pretty – it would be a fact-specific issue as to whether or not any particular grouping of people could qualify as an applicant. So, you know, for example, we know that here in the States there's this thing called an unincorporated association so that would be an unincorporated group of people that actually have the ability to qualify for recognition as a legal entity even though they don't have any formal papers, so that could be an example of a type of grouping that might be appropriate

to apply but it also depends on the legal limitations of where they're from, etcetera.

So I don't think that it's something that we could really do – it's not a question we could really target a good answer to right now without more details or facts. I think the answer is, it's a fact-specific question taking into account the different types of issues that are raised within that legal and fiduciary memo.

Erika Mann: Yes. It's Erika. Thank you, Sam. I think this is very helpful and we will – when we do this review of the memo which you sent to us we may want to put this as a topic, we may want to include this but with the answer you just have given and then of course it would depend the answer and would depend once a decision will be taken or the evaluation team in the future would want to finance a certain project from such kind of unincorporated entity and then depending on the individual judgment the decision then may be able to be taken forward. But for this particular group we request it and I will put this topic forward, it's probably an important point. So thank you so much.

Marika, I don't see anything else which we have to discuss here. Marika, are you able to summarize the takeaways?

Marika Konings: Yes. Thanks, Erika. So we'll basically record and Joke has been doing a great job in the notes pod, the discussion here as well as the agreements or action items coming out of this and we'll circulate that back to the full group so you'll all have a chance to review and comment on it.

Erika Mann: Thank you so much, Marika. And thank you, Joke, for doing all this extremely helpful work as well, both of you. And yes, and we will – you already distributed the memo but we will put the memo as well in the next – in (write) which we send as a reminder to review and the leadership team will do a quick overview about the – concerning the topic raised in the memo and just see –do a kind of template overview so that we have a common

understanding about all of the topics mentioned in the memo for future purposes.

And see how the last topic about unincorporated entity needs to be further included in an extension of the memo or can be mentioned in some other ways or the discussion we had today is already sufficient. But this needs to be understood by this group how we want to take this item forward. So I think we have an understanding here and we can move forward to the next topic. Marika, again, I can't see anything unfortunately.

Marika Konings: Yes, thanks Erika. This is Marika. So I'm pulling up the template for the next batch of comments that were received that relate to charter Question 2 and preliminary Recommendation 2 and 3 as well as the guidance for implementation that was provided.

So as a reminder, Recommendation 2 related to the specific objectives of new gTLD auction proceeds fund allocation as well as safeguards that would need to be in place and as well some additional guidance that was provided in relation to proposal review and selection.

So again, like for the previous template, you know, the overarching question here is, you know, what if anything needs to be changed to these recommendations and guidance as a result of the input that has been provided. And, you know, it may not be possible yet to indicate that but that of course is, you know, where the group eventually will need to go after you've had an opportunity to go through the different questions and make a determination, you know, whether or not changes are needed as a result of the input provided.

So should I just go to the first comments, Erika?

Erika Mann: Yes please, Marika, just go forward. And I check the chat room if something comes up or somebody wants to raise a question or make a comment. Please.

Marika Konings: Okay thanks. Thanks, Erika. This is Marika again. So the first comment comes from Anne Aikman-Scalese, and again, you know, the full comment is – can be found below and hopefully everyone has had a chance to review all the comments in their details, what is provided here is a kind of a short recap to help focus the conversation, you know, the suggestion from the commenter seems to be that it's asking the CCWG to consider whether the objectives are overly broad in light of ICANN's mission. Erika, are you still there?

Erika Mann: Yes, I'm here, I'm just back. I was disconnected, apologies. So anybody who wants to make a comment concerning this item? Seems not to be the case. So – oh, Marilyn, please.

Marilyn Cade: I'm trying to understand the question which is in the – which is whether the objectives are overly broad. And then I go back to if this is referring to Recommendation 2, it's benefit the development, distribution, evolution, structures, projects that support the unique identifier system, capacity-building, underserved populations, open and interoperable Internet. And then I think there may be a – maybe that was supposed to be a fourth bullet? Right now it reads, "24 new gTLD proceeds are expected to be allocated in the manner," but I think that may be – that may just be a formatting issue.

And then the Recommendation 3, "Include safeguards described in response to charter Question 2." If that's the objective, and maybe I could ask that you contact Anne and clarify with her, I think it's important to understand what she's asking a question about. If it's about the auction proceeds, and their three bullets or their four bullets, it would be important understand what she's concerned about.

Right now if I read it, "Development, distribution, evolution, structure and projects that support the unique identifier system, capacity-building and underserved population and benefit the open interoperable Internet," I'm not sure she would – I can't speak for her but I'm not sure that she would object to that. So it would be helpful, if you don't mind, reaching out to her and clarifying what she was raising as the concern.

Erika Mann: Yes, thank you so much, Marilyn. It's Erika. I did the first review and prepared the list of recommendations from the leadership team so I believe you might be right that the first point would be a further clarification from her and I would have to read the complete comment and not just the summary of the comment. And unfortunately I can't open right now my second computer and I can't go back to the original document neither.

So Alan, do you have – you want to make a comment with regard to the same point?

Alan Greenberg: Yes I do but I see Marika has her hand up so we should let her go first.

Erika Mann: Good. Thank you so much, I haven't seen this neither. Marika, please.

Marika Konings: Yes thanks, Alan and thanks, Erika. This is Marika. Yes, I just want to note that as said, you know, the full detail of the comment is in the document further below so it is really important that everyone reviews those of course in detail. As said, you know, to facilitate the conversation we're just providing the shorthand version but I can read her full comment here.

So it's specific, you know, she states, in relation to Recommendation Number 2, "The specific objectives of fund allocation are laudable, but may be overly broad in light of ICANN's Mission. Care should be taken to revise the objectives to be defined in a manner which is restricted by ICANN's Mission and these guidelines should be communicated to an independent third party selected in a bidding process to be conducted by ICANN staff to select a

supremely qualified and experienced third party provider pursuant to Mechanism B.”

So that’s her full comment and that’s where we derived from this notion of, you know, making sure that the objectives are not overly broad in light of ICANN's mission. But as said, you know, previously the group needs to consider the comment and, you know, you can of course decide to agree with it but you also have the option to disagree with it and state the rationale for, you know, why you disagree with a certain comment.

Erika Mann: Thank you, Marika. Alan, please.

Alan Greenberg: Yes thank you. First an editorial comment, I believe the intent was – where it says, “24” I think that was a separate sentence which was a constraining factor saying it should meet these criteria but we are always constrained by the mission and bylaws. So my question on the editorial part though is, when it says between the second and third bullet “and” my recollection was our intent was that one of these criteria had to be satisfied constrained by the mission and bylaws, in which case perhaps “or” would be a better word to put there instead of “and” because with “and” it almost reads as if you have to satisfy all of the criteria to be an eligible project.

In terms of the substance of the question, I believe our thought processes, when we went into this, was to try to make the criteria as broad as possible but constrained by the mission and bylaws. And I don't think – you know, I don't think I would want us to revise that right now. We are always constrained by the mission and bylaws but within that these are three areas that we think are worthy of – any of which are worthy of projects. Thank you.

Erika Mann: Thank you so much, Alan. I believe you – it’s Erika – you're right. And we had a common understanding in this group and there was in my memory nobody who was rejecting this. We would be gated by the mission. So maybe we just need to review as you said, the language and see if the language is correct

and then maybe we can put this comment from her aside because we believe it's covered by our common understanding and reviewed by the language which we believe we can gather behind.

Jonathan, please.

Jonathan Frost: This is Jonathan Frost for the transcript. I have a kind of a two-part question. So since we're reviewing recommendation of the example projects being used subsequently to determine whether a project is a valid project, I mean, we of course want those example projects to be within the remit of the ICANN Bylaws. The first question would be, what mechanism or basically who is deciding or is there someone of – actually like look at what's ICANN funded before to determine whether those projects are actually within the remit of the Bylaws?

And the second question is, how do we – like what's the process for actually deciding what those examples are actually going to be? Because it looks like the – I mean, there were a lot of comments in the initial comment period about, you know, types of examples, types of projects people would like to see and is there a mechanism for incorporating those projects into this actual list of examples, assuming that they don't actually violate ICANN's bylaws?

Erika Mann: Thank you so much, Jonathan. Just – it's Erika. Maybe just to remind us, so the first one, the list of examples were set up to guide us and to help us to understand what falls within the mission and what we believe is without the mission. So the list of guide – of examples are not there to provide a template for groups later to apply for exactly this particular project. And yes, we will come to the examples given by others and we will have to discuss and debate shall they be added to the list of examples or not, that's something we will have to discuss later.

Concerning your first point, we have a broad understanding between us how we believe the mission statement and the bylaws will gate projects which are

applicable or not. And then the rest of the work, the more detailed work, will have to be done by the implementation team which follows our team, and by the future evaluators, which will have to do a check are the projects they received, do they fall within the mission or do they not fall within the mission.

So that's not really our role in our work, but it's good that you highlight this point and you see how important they are and that somebody needs to look into them. Is this okay for you, Jonathan?

Jonathan Frost: That's very clarifying and I appreciate it. Just kind of a point of clarification, whose work is it to determine that the examples that this group is putting out as what we view as being (unintelligible) bylaws, who's determining whether those are actually within the remit of the bylaws? Is this just kind of like a group consensus decision?

Erika Mann: Yes, that's the way we have done it, how we have handled it in the past. But again, this is just a list to – an example list for our own guidance to help us to shape the space and the understanding, the intellectual (case) and the understanding what falls within the mission and what not and within the bylaw or what not. Again it's not a template for people to say okay, we want to take a project and, you know, put this forward as a project. Now they can do it of course, nobody will prohibit them to do it, but that's not the purpose of this example, the way we have set them up. So it was our group.

Jonathan Frost: All right, that helps a lot. Thank you so much.

Erika Mann: Okay, I hope that's okay, Jonathan. So Marika, back to you.

Marika Konings: Thanks, Erika. This is Marika. So I think we'll make note here of...

Erika Mann: Marika?

Marika Konings: Yes, can you hear me?

Julie Bisland: We can hear you.

Marika Konings: Okay great. Thanks.

Erika Mann: I do, absolutely. Thank you.

Marika Konings: Okay thanks. This is Marika. So I think we'll make note here of a working group agreement to review this language to make sure it's not overly broad but at the same time make note of the fact that, you know, the language is already – or the objectives are already constrained by ICANN's mission and as such, you know, there is a restraining factor already in there and I think we'll also make note of the suggestion from Alan to consider changing and to – or to make clear that one of those objectives would need to be met and not necessarily all three. So hopefully that sums up accurately what was discussed.

And I'll just also make note of the comment I put in the chat, there were a number of comments that were made as well in relation to you know, the examples that are provided in an annex. And in hindsight maybe they should have been included in this particular question but I think they're currently part of a separate section so the group will eventually get to that as well and have an opportunity to review in further detail, you know, whether that list is accurate and/or whether, you know, additional examples should be added or not.

So I think – I know we're running towards the end of the meeting, so should we take one more Erika?

Erika Mann: My recommendation, let's take one more, at least the next one is easy, let's take this one and then let's come to the question how we deal with the two time slots in Kobe. Let's take one more, Marika.

Marika Konings: Okay thanks. Thanks, Erika. This is Marika. And I think the next comment indeed already goes to kind of the scope and as well some of the examples provided. So it's a comment from the Registry Stakeholder Group, and again, you know, we've summarized it as what we believe is the main suggestion here, which is, "The CCWG to consider whether work around universal acceptance falls within and supports ICANN's mission."

The leadership recommendation as a result of that is to check whether universal acceptance efforts fall within ICANN's mission and can therefore be supported. And the question, "Does an ICANN-sponsored project using ICANN operational budget, is that also eligible for applying funds with the same objective?"

Erika Mann: Thank you, Marika. It's Erika. Marilyn, please.

Marilyn Cade: Thank you. Marilyn speaking. Marika, I think there was more than one similar question and I'm just going to express a point of view that I hope we would then consider further. Earlier, and I'm very pleased that I think Becky's still on the phone with us I'm hoping, I think earlier we received guidance from the Board that we should take into account.

But we also need to take into account that other guidance we've received from ICANN Legal and from the CFO's office is that the auction funds are not to compete with or replace the ICANN budget. And while I would say universal acceptance is one example, engagement and participation is another example, awareness about ICANN in developing countries and support for initiatives is a third example, all of those are really important. I think we have to be careful that we are not supplementing or replacing the ICANN budget.

We all understand that there was significant discussion and concern even about use of the auction funds for replenishment of the reserve fund, which my constituency and the two constituencies that make up the CSG that I

represent here, supported but that was controversial. It did receive support and moved forward.

But I would have to question not whether universal acceptance or participation and awareness or attendance at ICANN meetings are worthwhile initiatives, but I would have to question the division between the ICANN budget and enabling grants that allow the community to carry forward with their own activities through the grant process.

If we mush up these activities with ICANN Org initiatives, I think we are going to find ourselves creating challenges in the tax reporting and even the IRS concerns about the relationship of these funds to the ICANN budget. So I would say having a parallel set of activities could be good but smushing them together could create both legal and other implications.

Erika Mann: Thank you, Marilyn. I see many who want to comment. We only have four minutes left so do – are you fine with it that we postpone the discussion to our next meeting in Kobe and we can open the topic as an email exchange if you would like so we can continue the debate. Personally I believe it was relatively simple, but I see there's many more points coming up. So are you okay with it that we postpone the discussion and we can open the topic as well just by email immediately if you would like, and then we continue the discussion in Kobe. Can we agree on this?

Marilyn Cade: Yes.

Erika Mann: Or is somebody who wants to make a comment right away? Okay, I see "sure" and agreement. Alan, is this okay for you too? Jonathan? Daniel said, "Sure."

Alan Greenberg: Yes, it's okay.

Erika Mann: Thank you so much, Alan. Thank you, Daniel and Jonathan. Marilyn, so we postpone the discussion, it takes more time, Marika, and so we will have it ideally by email in the meantime and we can continue to discuss the topic in Kobe. Marika, we now have to discuss – we come to the next item and maybe you can explain again the difficulties we are having. So the first one concerning the two time slots in Kobe, we do have two.

Please remind us about the two time slots and then we see we are not getting sufficient support for one of the time slots so the question shall we keep it or shall we just have one meeting in Kobe? And then the second topic is we don't get sufficient support for either or one of the time slots, there are not enough people replying. So Marika, please.

Marika Konings: Yes thanks, Erika. This is Marika. So what you see on the screen is the responses we received to the Doodle poll. As you know we currently have two slots reserved for the CCWG, one on Monday from 1:30 to 3:00 and another one on Wednesday from 5:00 to 6:30 local time. You know, for the Monday slot it looks like we'll have at least 10 people attending in person but I know that for the Wednesday slot there is significantly less attendance; we currently only have six people indicating that they can participate.

I know that it's running in parallel to a number of meetings that will prevent participation, you know, Marilyn indicated that there are some I think CSG-related meetings. I know the ccNSO I think is also having their Council meeting at the same time so it's providing some challenges there.

So as Erika noted I think the question for the group is you know, does the group want to keep the two slots noting that we'll likely have significantly less attendance for the second slot and it may also mean that any conversations held will need to be redone as not everyone will have had a chance to weigh in, and, you know, just stick with the slot on Monday? Or, you know, does the group believe that it's still worth having the two slots and just try to make as much progress as we can? So I think that's the question here.

Erika Mann: Thank you, Marika. It's Erika. I believe we should keep the two slots, if you want to have my personal opinion because we really need to make progress, but we then need to have an understanding that if there's a small group in the second meeting that we would be still – we would of course review the recommendations they would make but we would have in principle an understanding that the work can be carried forward by a smaller group as well. So comments please, two or just one?

Jonathan is saying, "Agree with both slots." Marilyn is raising the point Marika raised, we don't have enough support for the second slot. We don't know, people still might change and more people might show up, we never know. That's the difficulty. Marika – Marilyn, you want to make – speak up?

Marilyn Cade: I do. It's Marilyn. Look, we can't just have six people and not have broad representation. If we can't have – just because we have six people if they're only if the participant or observer status, Erika, then we can't make decisions. What I prefer to see is if there's any possibility of extending the Monday slot by 15 or 30 minutes and slug through a lot more of this work. But if we only have four or five, six people for Wednesday, we can't really say that's representative of our work program.

Erika Mann: It's Erika. I agree. If this would be only participant – I don't mean "only" in the sense of only but not members, it would cause difficulties. I haven't evaluated this actually in the reply. Marika, would it be possible to prolong this slot for a little bit longer or do we have a absolute limitation of time?

Marika Konings: Yes, this is Marika. I believe we do have an absolute limitation of time. I think there is already a shortage of rooms and meetings so I don't think it will be possible for us to extend beyond maybe a five minute crossover. And I also note that, you know, right after our meeting is the cross community session on next steps in ICANN's response to the GDPR, which I know interests many people and I think there was also agreement that there couldn't be any

meetings that would, you know, run directly in parallel of that. So I think we are (unintelligible) by the time we have.

Erika Mann: Okay. It's Erika. How about we do the following, we keep for the moment the two time slots because things might still change and people may make up their minds and with supporting the second time slot as well so then it's worthwhile keeping it. And if not, if we see that don't have sufficient support then we will either decide we just take it as a working slot, Marika, for the leadership team and we continue working or we cancel it in the last minute. Would this be an option or would this cause difficulty for ICANN Org?

((Crosstalk))

Erika Mann: Not ICANN Org but for the ICANN organization.

Marika Konings: Yes, this is Marika. I know that I think there are other groups that currently do not have a room and if there's any cancellations they would make use of that, so in that sense canceling last minute would disadvantage those groups as I know we're kind of running out of space.

So I think ideally and also for I think the planning of the members of this group I think it would be good to take a decision to either, you know, cancel the slot and that, you know, frees up people's time to attend other meetings or commit to having the meeting, you know, recognizing that not everyone may be able to make it but at least those that have indicated, you know, they're available they would be able to hopefully attend.

Erika Mann: Okay. Thanks, Marika. It's Erika. Alan, please.

Alan Greenberg: Yes I think you can assume there are plenty of people who will be there and will attend even though they haven't signed up on the Doodle. I'm certainly one of those. You know, barring some major conflict, you know, I think we're

going to have pretty good attendance. I would keep both of them at this point. We really have a lot of work to do and we need to move forward on it.

Erika Mann: Okay, thank you Alan. Just checking the chat room quickly. Yes, let's keep it, Marika. Let's keep it. Let's keep and to the group let's keep the two slots. I have the same feeling. I understand Marilyn and I have complete sympathy for the point of view but I believe we need to really move forward. And looking back we also had this discussion and then in the end we always have more – many people actually attending, despite the similar debate and discussion we had, so people often just don't reply anymore to these kind of polls. So let's keep it and let's see that we can move the topic forward.

Last item on the agenda is just the confirmation for the next step and the next meeting in Kobe. I think we have done this. Any other topic which we need to discuss? Marika, is there something else with regard to Kobe which we need to keep in mind?

Marika Konings: Erika, this is Marika. No, I think just to note that, you know, our first meeting will be Monday and it will be really helpful of course if everyone, you know, reviews the templates. We can prepare a couple more to make sure that we have sufficient materials if we make good progress so just to make sure that, you know, you review all the comments in detail and, you know, come prepared with your suggestions on how to address the comments and have them received.

Erika Mann: Okay, thank you so much. Thank you, everybody. And have a great day or evening or morning depending where you. And we see you all in Kobe. Thank you so much. Take good care. Bye-bye, everyone.

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