

**Geographic Regions Review Working Group
TRANSCRIPTION
Friday 05 November 2010 at 1200 UTC**

Note: The following is the output of transcribing from an audio recording of the Geographic Regions Review Working Group on Friday 05 November 2010 at 12:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, <http://audio.icann.org/gnso/gnso-geo-regions-20101105-en.mp3> on pages:

- https://st.icann.org/geo-review-wg/index.cgi?geographic_regions_review_working_group_wggr_wiki
- And
- <http://gnso.icann.org/calendar/#nov>

Present:

David Archbold
Cheryl Langdon-Orr
Fahd Batayneh
Olga Cavalli

Staff:

Rob Hoggarth
Gisella Gruber-White

Absent Apologies:

none

Operator: This call is now being recorded. Please go ahead.

Gisella Gruber-White: Thank you. Good morning, good afternoon, and good evening to everyone. On today's Geographic Regions call on Friday the 5th of November, we have David Archbold, Cheryl Langdon-Orr, Fahd Batayneh, Olga Cavalli. From staff we have Rob Hoggarth and myself, Gisella Gruber-White, and there are apologies noted today. If I could please just remind everyone to state their names when speaking for transcript purposes.

Thank you and over to you David.

David Archbold: Thank you very much. I hope everybody got a copy of the agenda sent out by Rob yesterday, and I think the first item really was to move straight on to the report. And in the emails that you sent out, you drew people's attention to particular areas in their Rob.

Rob Hoggarth: Yes sir, I did. I don't know how you would like to approach it. You have provided some feedback to me directly that I thought would be useful to discuss as a group. Cheryl just recently sent some feedback as well in terms of some comments she had.

Others may have things to contribute on this call, so I don't know if you want to go through sort of an order. If you'd like to jump around, I'm more than happy to start with the email questions and then we can sort of back up to some of the more specific edits that you were asking about if you'd like to take that approach.

David Archbold: Well I - yeah, I thought we'd start with the email and particularly with the responses that we did get back from Cheryl on that email.

Rob Hoggarth: Certainly.

David Archbold: She specifically added comments to your email, did she not? Sorry. I'm speaking as if you are not there, Cheryl.

Cheryl Langdon-Orr: I was going to say I did and that's fine. You can speak of me in any tense at all even past. That's not a problem.

Rob Hoggarth: Well in that case if I can take the liberty Cheryl of just going through your email and addressing the questions (inferred).

Cheryl Langdon-Orr: Go ahead.

Rob Hoggarth: The first comment I think you had was with respect to my noting that we still had a section on Page 28 that we didn't have some language, and I think actually your comment with respect to the text on Page 28 was to identify the specific cost for additional regions that we had referenced there.

Cheryl Langdon-Orr: Yes.

Rob Hoggarth: And I agree with you. What I need to do is do some quick follow up with Heidi or Mateus to see if I can come up with some general numbers there.

Cheryl Langdon-Orr: Yeah, well I would not be going to Mateus at all, because Heidi would have resources and listings, or it would be Kevin, because we basically don't understand how much it costs. It is a black box mystery and that is one of the problems. So I think the best guesstimate is that you probably should go to the CFO, but (unintelligible), because it's going to be a guesstimate (mate).

Rob Hoggarth: That's right. I'm looking at and I'm trying to find the specific reference on Page 28.

Cheryl Langdon-Orr: Top paragraph, second, third, fourth line from memory.

Rob Hoggarth: Paragraph 98 or 99.

Cheryl Langdon-Orr: I'm not there. I'm on Slide - on Page 18. I'll go wondering down to 28 and see what we have.

Rob Hoggarth: I don't know if that was just a typo, because I'm looking for...

Cheryl Langdon-Orr: Yeah, Line 1, Page 28, by (XXXXXX) annually for each new region. Institute implementation and such qualifications could be managed (on) a transition period to minimize the (unintelligible).

David Archbold: Yeah, but it's different pagination than the rest of us somehow.

Cheryl Langdon-Orr: Okay.

Rob Hoggarth: (What's the paragraph). What paragraph is that?

Cheryl Langdon-Orr: Above the heading that says Matter 15 Considerations For The African Region under the super heading of Allocations To Countries, so it's the paragraph immediately preceding that. Paragraph numbering is 106, which his on the previous page to me.

Rob Hoggarth: There we go. Okay, I've got that slide.

Cheryl Langdon-Orr: Okay, don't know why I have different pagination. Obviously, the antipathy runs differently.

David Archbold: Obviously. Oh yeah, on Page 30 for me.

Cheryl Langdon-Orr: What.

Rob Hoggarth: Page 29 for me, so that's why I numbered the paragraphs. It becomes much easier that way.

Cheryl Langdon-Orr: That's just bizarre. Okay.

Rob Hoggarth: Thank you very much for catching that. I appreciate that.

Cheryl Langdon-Orr: Well would you like to tell me what paragraph...

Olga Cavalli: Sorry, this is Olga. I'm lost. I cannot find the paragraph.

Cheryl Langdon-Orr: Paragraph...

Rob Hoggarth: The paragraph number is 106.

Olga Cavalli: I'm on Page 28 and I don't see it.

David Archbold: Well forget - sorry, this is Dave. Forget the page number.

Olga Cavalli: Okay.

David Archbold: We are talking about Paragraph 106.

Olga Cavalli: Oh, it's on another page. For me it's 30.

Cheryl Langdon-Orr: See, we're all different.

Olga Cavalli: Thank you. Thank you so much.

David Archbold: And it - yeah and it's towards the end of Paragraph 106.

Olga Cavalli: Okay.

David Archbold: So the moral there is let's use paragraph numbers from now on.

Cheryl Langdon-Orr: Yeah, well it means - why when read Pages 16 - 90 in my document I went, "I don't know what Rob is talking about." He told me to pay particular attention to it and I had no idea why.

Rob Hoggarth: We will clear that up on this call certainly.

Cheryl Langdon-Orr: Thank you, Rob.

David Archbold: I have got - or I had and it's gone again. I had bad background noise. Did everybody else?

Cheryl Langdon-Orr: Oh, yeah.

David Archbold: Not just me. Yeah, okay.

Rob Hoggarth: Yeah, so thank you very much to James for cleaning that up very quickly for us. The next comment you had Cheryl reflected the issue under Matter 16 under Sovereignty where there were issues in Paragraphs 100 and 101.

Cheryl Langdon-Orr: Yeah.

Rob Hoggarth: The reason why I asked that question is that I - that was beyond my expertise or capability, and my note there was that I needed help from members of the working group to add text there if folks were able to do so. If not, obviously I don't want to leave them just blank like this. I just don't - I look to you Dave a little bit more because that came from the ccNSO Report to the board.

Cheryl Langdon-Orr: Yes.

Rob Hoggarth: I just did not understand that area.

David Archbold: Okay, I mean I can - it is the issue, which nobody wants to raise. It's that - let's be specific. France can't have it both ways.

One of the reasons that the dependent territories are put in with their mother country was that France claimed that it was all part of the same place. You know they were all obviously Department of France and therefore belong to France, and therefore it should be there. But as I said, you can't have it both ways. If it is fully integrated with France, (why does it have its) own ccTLD? You can't have it both ways. Either it has got its own ccTLD, in which case it is independent from France, or it is part of France, which means it doesn't have its own ccTLD. And that's one of the issues and the main one under sovereignty.

Rob Hoggarth: And so the discussion there acknowledges the fact certainly as the ccNSO is structured, there is - I'm literally thinking out loud trying to fashion something there. Is that if there are TLDs for - you know additional ccTLDs that is a reflection of a right of self-determination of states.

David Archbold: No, it should be that the individuals - the way I think ccTLD looks at it is the decision on whether you go with some other country or don't go with some other country is probably for the country itself to decide.

Cheryl Langdon-Orr: Okay Dave, but the thing is though that all that does is add additional potential members for the ccNSO. It doesn't actually affect geographic regionalized use in the ccNSO, does it?

David Archbold: No, but it's also the view of the GAC and something that they brought up that in any discussion of or decisions on regions, you should be giving - you should be recognizing the (end right) of states to determine their own future if you like and that was something that they were obviously quite strong on. I mean that's why it was - that wording is actually GAC wording that was then taken up and included by ccNSO.

Cheryl Langdon-Orr: Now you're referring to the wording back in the '80s aren't you. Paragraphs in the - help me, Robert. It's back in the GAC Principles section, which talks about we hadn't done the ten-year - we hadn't reviewed the linkages to the UN geographic localities for over ten years.

David Archbold: No, this was a quote from our - the ccNSO's consultation with the GAC at the time of preparing the ccNSO's report. It's a current quote.

Cheryl Langdon-Orr: Okay, I don't see a quote. I see it needs to be added. Paragraphs 100 and 101 talks about the sovereignty and the right for self-determination of states.

David Archbold: Yes, yes, yes, sorry. I'm talking about the two lines up above.

Cheryl Langdon-Orr: Yeah, okay fine.

David Archbold: I thought you were saying that came from ten years ago. You were saying...

Cheryl Langdon-Orr: No, no, when you were talking about why the GAC thought it was important.

David Archbold: Right.

Cheryl Langdon-Orr: I thought you were linking it back to the principles, which included the need for another review if we are going to use a benchmarking such as the UN one.

David Archbold: And I was saying no, it wasn't to do with that. It was a current comment from them during the ccNSO's discussions with them about the ccNSO Report. I'm happy to think on it a bit further, and try and make some more sense out of it, and try and get something back to you by Monday.

Rob Hoggarth: Let me suggest this. Maybe I will take a crack at what you were just suggesting and send it to you. Monday is pretty much the last date if the working group still wants to move toward having the document published on the 15th.

Cheryl Langdon-Orr: Yes.

Rob Hoggarth: But I think I can work cooperatively with our internal folks to stretch things that long. So yeah, that's - if that's a good timeframe for you David, I can - I will certainly accommodate that. Maybe I can take a crack at it too as well and share the thoughts with to react to. It's always easier to edit than it is to create.

My sense is that where this little section tends to be going is the recognition that if you've got a separate TLD and you want to be recognized as being an entity in a different region than the mother country, that has implications for

geographic in terms of distribution and where folks find themselves. Is that accurate?

David Archbold: Yeah. Yeah.

Rob Hoggarth: Okay.

Cheryl Langdon-Orr: In which case we could leverage the GAC statement that's quoted in the ccNSO Report as justification for taking those outliers and moving them to other existing regions, and that's the...

David Archbold: Up to a point, but I think they are also saying that you've got recognize the government's role in this. And if France for example does not want its outlying territories to be moved, which government are you then going to recognize and that's the problem. Are you just going to recognize the French government or are you going to recognize the local government, and then you start getting involved in - between territories and their mother countries and that's not a place you want to go.

Cheryl Langdon-Orr: True, but isn't that what the GAC statement you have quoted said. That it should recognize the sovereignty and rights of self-determination.

David Archbold: Of states.

Cheryl Langdon-Orr: Yeah.

David Archbold: Well France would claim that their dependent territories are not states. They are they only state involved.

Cheryl Langdon-Orr: And so therefore the - those annexed to France would not probably have a successful petition to ICANN to move to a geographic regions which was more convenient and intelligent for them to be in.

David Archbold: Correct, but the dependent territories of the UK where there is a different relationship would be perfectly (unintelligible).

Cheryl Langdon-Orr: Yes and the other folks - I'm happy with that if we get that elucidated out in the discussion and options in particular.

David Archbold: Yeah, fine.

Cheryl Langdon-Orr: Because there's a point when you could say, "This is politics and it's beyond our (unintelligible)."

David Archbold: Yeah, because - well the politics is the next step. The argument that comes up is if France is holding these close to her chest and saying they are all a part of France, why are they a ccTLD at all? You know what's the difference between.

Cheryl Langdon-Orr: Well that I think - one of the counterarguments would be is because there is a list of country names associated with...

David Archbold: Yeah, but that's...

Cheryl Langdon-Orr: Well you wanted the argument, so I'm giving it to you Dave.

David Archbold: That isn't (something that's a) particular argument.

Cheryl Langdon-Orr: I'm not giving this validity or finishing the debate, I'm just saying that is the point the debate would be making.

David Archbold: Yes, fine.

Cheryl Langdon-Orr: Thank you.

David Archbold: Shall we move on to Number 17?

Rob Hoggarth: Yeah, sure. The takeaway from that will be that I will craft something for you to then completely hack and slash at and provide some feedback by Monday.

David Archbold: Okay and we are not - and I think we stay away as much as we can from the politics of the issue. That's for somebody else to pick up on.

Rob Hoggarth: Well and I will trust you to do that since I don't fully appreciate that issue.

David Archbold: Okay.

Rob Hoggarth: I'd rather have - I think the group would prefer to have nothing rather than something that's incorrect, but I'm very confident that with your hand on the (chiller) Dave, we will have some language that will walk that line.

David Archbold: Okay, fine.

Rob Hoggarth: Okay, the next - and this is again going through Cheryl's email is a question about, "Rob, what question are you talking about on Page 29"?

Cheryl Langdon-Orr: Well the thing is my 29 is different to yours. You better give me a paragraph number.

Rob Hoggarth: And the paragraph is 103.

Cheryl Langdon-Orr: Okay.

Rob Hoggarth: The comment or question I had for you Dave was whether the matter that we discuss in this paragraph was actually resolved by the board bylaw amendments in March 2009 that talked about citizenship of individuals. Because if - you may recall referencing back to Paragraph 32 that recounted the experience back in March 2009 where the board amended Article 6 of the bylaws with respect to citizenship of countries in one particular region. And I

believe (the change) seems to reflect residency and not citizenship for the purposes of the (unintelligible).

((Crosstalk))

David Archbold: Yeah, NonCom did, but for example ccNSO hasn't.

Rob Hoggarth: Okay, so the answer then to the question is no and that's fine. I just wanted to clarify with you.

David Archbold: Yeah, I do not believe so, but I hadn't even thought of it in the way that you are talking, so I will undertake just to check that and confirm back with you.

Rob Hoggarth: Okay. All right, let's...

Cheryl Langdon-Orr: Rob, you might want to have a quick look at any recommendations that are currently in draft form from the ATRT (at will).

Rob Hoggarth: Okay.

Cheryl Langdon-Orr: From memory, I don't know whether it made the final cut or not because it's a blur now. We certainly were challenged by some of the aspects from the NonCom where domicile versus citizenship is considered. Or sorry, it's not considered. There might have been a draft recommendation out on that. Not that it would have changed (their item) into a debate, but we probably just need to be aware of it.

Rob Hoggarth: Yeah and it might prompt a footnote for this section and I will definitely take a look for that. Thanks.

Cheryl Langdon-Orr: Yeah.

David Archbold: What was the concern Cheryl? Say you say it in a few words?

Cheryl Langdon-Orr: In a few words, we found the fact that the nominating committee can appoint people for example to the board or anywhere else that happen to hold citizenship in shall we say Europe, but have lived in Japan for the last ten years bizarre.

David Archbold: Okay.

Cheryl Langdon-Orr: And so the issue of citizenship was looked at fairly closely, and that does lead to the question of how it fits the purpose - these arbitrary lines in what region one belongs in and how representative you are to the culture and interests of a region is. And being located in a space is perhaps more important than being somehow (administratively) (tick box registered).

David Archbold: Yeah. Yeah.

Cheryl Langdon-Orr: And that could be useful in a number of paragraphs, but it just struck me when you were talking then that we might make a footnote of that somewhere as Rob said.

David Archbold: Yeah, I don't disagree with you at all. Okay Rob, can we move on down the page then?

Rob Hoggarth: Yes, sir. The last section Cheryl you commented on was my question with respect to the 30 January date regarding comment period.

Cheryl Langdon-Orr: Yeah.

Rob Hoggarth: You seem to think that January 30 was fine. I don't know if others have comments or observations about that prospective date.

David Archbold: As usual, I agree with Cheryl.

Cheryl Langdon-Orr: Well it's before a lot of the Asian New Year and cultural and family requirements start and various other things begin, and it's after a series of Christian following countries have had their celebration, so it seems perfectly reasonable to me. Equally unfair I think is how I would have put it.

Rob Hoggarth: Now I don't know if Olga, Fahd, or Dave if you have any observations about that timeframe.

Olga Cavalli: No, that's okay for me. This is Olga.

Fahd Batayneh: Yeah, this is Fahd. I think it's good because the next few months they are going to be off from vacations and holidays, so yeah I think it's good.

Cheryl Langdon-Orr: Exactly.

Fahd Batayneh: Ours is going to be in two week's time, so yeah.

Rob Hoggarth: All right, thank you.

David Archbold: Okay, well that was the end of the email, so can I perhaps now take you back through some of my comments and observations being that we now understand by paragraph number rather than page number? Some are I'm sure just typos and are minor, others we would need to talk about a bit more. Can we start please at Paragraph 38f. It's my Page 16, but goodness knows what it is for you.

Cheryl Langdon-Orr: I'm there.

David Archbold: And there we have got - or I have got on my copy a highlight on doomed to failure. I haven't got a note to go along with it for some reason. I suspect people didn't like the wording.

Rob Hoggarth: That was me. I simply flagged it to say are you guys still okay with that language. It seems - it is reading through rather strong, but your other general observation Dave was that the document was rather conservative, so I'm not quite sure your view of (unintelligible).

((Crosstalk))

David Archbold: Well I'm happy to leave it, but equally if people feel strongly about it, I'm happy to change it. Over to you committee.

Cheryl Langdon-Orr: I'm ambivalent.

David Archbold: Yeah, that's sort of what I am as well, so in the absence of any strong feeling, we will leave it. You can blame it on me.

Immediately below that, Paragraph 39, my version says on the second line, "Reduce geographic diversity (l) some scenarios." Is that meant to be in?

Rob Hoggarth: I believe that is correct. I will fix that.

David Archbold: Okay, I then leap ahead to Paragraph 58. And on mine, with the actual page numbering, mine has come out at the bottom of the paragraph rather than at the top, so I think there's a formatting issue.

Cheryl Langdon-Orr: Same here.

David Archbold: Then in the last sentence, a couple of either typos or clarifications. "It is arguable that in some cases particularly," - and it says, "To allocation." It should be, "The allocation of territories." To becomes the - "To the region of the parent country, they detract from rather than enhance cultural diversity."

Cheryl Langdon-Orr: Good catch on that. Rob, it's really important if we're going to go to press with those paragraph numbers that that formatting is fixed. Because in my

copy for example, Paragraph 58 reads as blank. The reason being it's at the top of the following page.

David Archbold: Yeah.

Rob Hoggarth: Okay, I will take a look at that. I'm using a MAC. It doesn't show up that way, but then I notice that there is a deletion at the bottom of the paragraph - deleted a paragraph. So I will take a look at that. Thank you all very much for observing that. I don't know what the problem is, but I will figure it out.

David Archbold: All right. Okay, my next point is a bit more substantive than that, and if you would go to Paragraphs 65, 66, 67 where we're looking into Matter 1.

Cheryl Langdon-Orr: That's what I was referring to before.

David Archbold: Now here we are talking about the expansion - this is in Paragraph 66.
"Expansions of the geographic regions concept to more communities and structures has been a (boon) to participation in ICANN and the recognition of the organization is literally (the organization). Unfortunately, this expansion appears to have been largely on the community by community basis and has not been driven by consistent application of the geographic regions framework."

I'm just concerned here that we are making assertions within the discussion part here without - where is the evidence of this. What are we referring to when we make these comments?

Cheryl Langdon-Orr: I could second-guess, which is some ACs and SOs are very highly and very accurately regionalized along the way ICANN has currently defined its five regions and others are not.

David Archbold: Yeah, but I think if that's what we're saying, I think we need to say that.

Cheryl Langdon-Orr: But okay.

David Archbold: I mean basically I feel we've leapt into here with a conclusion and it is not clear upon which (report) it is based. Am I being too complicated here?

Cheryl Langdon-Orr: Well okay, if what I said is what's meant to be said, then that's fine, we could just say that. But for example, I mean ILAC has said any number of times that it is possibly the only genuinely balanced regional representative model apart of ICANN that has done it you know absolutely equitably and effectively. Because we have an at large advisory committee structure, which under bylaw is mandated to be specific and equitable from each of the regions.

Unfortunately, reading the bylaws as I did in preparation of this call, the bylaws are written to not just say, "Each of the regions," but to specify the number of regions. So that's sort of a duh moment, because if as a result of this review process we are doing now we change the number of regions in any way, all sorts of things are going to have to be changed.

So it was just dumb the way they wrote that in the first place, but we are mandated to be two from the geographic regions from the at large structures and one from the NonCom. It doesn't get more equitable than that.

David Archbold: Yeah, fine.

Cheryl Langdon-Orr: And that's not in any other groups. You don't see that in other ACs, you certainly don't see it in the other SOs.

David Archbold: Right. Correct.

((Crosstalk))

Cheryl Langdon-Orr: (Unintelligible) discussion. The fact is that it's not - there's no predictability.

David Archbold: Yeah, well they might argue there was more flexibility. All I'm saying is this is more of - almost a document structure for me that we're into a discussion and that discussion should be based upon evidence previously presented, and we haven't said anything I don't think that leads to that conclusion. I'm looking for the support for the statement, "This expansion appears to be largely on a community by community basis and has not been driven by the consistent application of geographic regions." Okay, where did that come from is what I'm sort of saying.

Rob Hoggarth: Yeah and as the author of this section, I can shed some light on what my thinking was in initially putting that language together and it was my sense in reading Section 1. And what I was trying to convey here was that the evolution of the geographic regions framework throughout the different SOs and ACs has largely been on a case-by-case basis. It hasn't been a strategic decision or move by the board, the staff, or the community in a collective way, but it's literally happened as you outline in Section 1. Literally almost a bylaw-by-bylaw basis.

Cheryl Langdon-Orr: Yes.

Rob Hoggarth: You know at large comes into being, "Oh, well we'll go this way."

Cheryl Langdon-Orr: Yes.

Rob Hoggarth: ccNSO (leaves) the DNSO, "We'll now do this." And so that was sort of - that was the germ of the concept. If I didn't execute it right or the language is not correct or even if the concept is wrong, please feel free to change. That's just sort of where my mind was in trying to throw flesh onto the bones.

David Archbold: Okay. Okay.

Rob Hoggarth: You know, "Boon to participation," is probably a good - certainly based on your comments an overstatement, but I don't know. I don't know if that's really what you are looking at, but I could back looking at this several months later and quibble with some of the language as well and legitimately make...

David Archbold: Yeah.

Cheryl Langdon-Orr: If you (culled) it to say, "The expansion." Sorry, not the expansion, the insert whatever word works for you. "It appears to have been largely on a community by community basis and has not been driven by consistent application of the geographic regions framework," then that's absolutely accurate.

David Archbold: Yeah. Yeah, I - yes, as you explained it, I have sort of no problem with it. I didn't actually - I think I got more from that statement than you intended me to get, and I suppose that's a little bit of concern. I got the impression here that this was an ongoing sort of creeping process if you like rather than at the time of creation of each of the additional bodies my one-off interpretation was made and applied.

Cheryl Langdon-Orr: Would a way to move forward on that to make sure that doesn't happen Dave is to have some footnotes from that sentence to the highly variable bylaws for the different applications.

David Archbold: Yes. Yes.

Cheryl Langdon-Orr: Of the geographic...

David Archbold: Yes. That's a good idea.

Rob Hoggarth: Let me make a suggestion then. Changing the expansion to evolution, deleting the text from has been a boon to unfortunately this expansion, and

then adding a footnote. So what Paragraph 66 would then say is the evolution of the geographic region concepts, more communities and structures over the past decade appears to have been largely on a community by community basis, has not been driven by a consistent application of the geographic regions framework. And the footnote would then say see Section 1 above or something like that. Does that get us closer?

David Archbold: Yes. Yes. That would be – I would be much more comfortable with that (now).

Rob Hoggarth: Okay. (And) take out the fact that, you know, it's been a boon to expansion participation...

David Archbold: Yes.

Rob Hoggarth: ...that which – you make a very good point. I can't point to and didn't have in my head even at that time numbers showing, wow, look at numbers (showing) volunteers community has increased and even have to be able to point to what we could attribute that to. Okay, I'll make that change.

David Archbold: Yes. Okay then (Meeping) had – I've got notes at Paragraph 72. I didn't understand the first sentence. I think there is a typo but I can't even begin to think what it is. It is clear that each geographic region is likely to have it's own unique characteristics challenges or needs depending on the DNS issue. Where did DNS come from?

Rob Hoggarth: An excellent question. I don't know that the sentence fragment that was from another paragraph or whatever. If we take that out, just as – depending on the community that is impacted by a particular issue, does that...

David Archbold: That – I can be happy with that.

Rob Hoggarth: I'll let others (comment) as well.

Cheryl Langdon-Orr: Yes.

Cheryl Langdon-Orr: I'm comfortable with that change.

Rob Hoggarth: My next one is Paragraph 78. This is back always to the same issue that we spent some time on before and it's the actual wording somewhat (ajarred) with me – so long as mechanisms exist to review or otherwise provide some form of oversight of structure operations by the board, the best option may be to formalize the flexibility that has informally been applied by individual ICANN communities over the past decade.

My comments are several here. First of all, a suggestion of formalizing and sort of saying that flexibility is – implying that flexibility is not good runs absolutely counter to the wishes of many people who say that what we should be looking for is flexibility.

So I don't think that's what you mean but that's the way it comes over and I think there would be reaction to that. I'm also not really clear of what you're getting at. And I've said can you give an example of what you're meaning here, these mechanisms exist – make an...

Rob Hoggarth: Yes, (Najan) is the one who first put this down many months ago. As I recall, where I was looking to go with this based on some of the discussions you all had had was there's a recognition – and we did talk about it I guess as you noted in the other paragraph – that this has happened – this evolution has happened relatively informally in that it's happened on a community by community basis.

And so one option going forward would be to formally have the board acknowledge or recognize that this community by community approach is the

appropriate strategic way to go moving forward and to recognize yes, oh, we acknowledge as the board that that's what's happened over time.

Although that wasn't the original plan, it seems to have worked out quite well. And so let's allow the individual communities to continue to have the flexibility to interpret and apply the geographic diversity principle in their own way because they understand their communities best and they're in the best position to actually, you know, implement that concept.

And so long as that there's some form of oversight or, you know, operations by the board so that there is a, you know, a check and balance there, that doesn't permit the ccNSO to say, oh we're going to create 50 regions and base it on, you know, somebody's eye color, then presumably that would be something acceptable to the board.

And so long as the mechanism exists, then that would be one option to take. And I think, you know, this is under the option of impacts so those current language, in addition to being somewhat verbose, he probably needs to highlight that this really an option and not necessarily a specific recommendation by the working group at this stage.

David Archbold: Okay. The words that you have spoken to me are fine. I still getting...

Rob Hoggarth: What's...

((Crosstalk))

David Archbold: ...and uncomfortable with what's on the paper.

Rob Hoggarth: Would it help for me to, in view of what I just tried to articulate, maybe an edit to Paragraph 78?

Man: Yes, re...

Cheryl Langdon-Orr: Yes it would.

David Archbold: Yes.

Man: Okay.

David Archbold: It would definitely.

Rob Hoggarth: Thank you. I'll take that as a to-do as well.

David Archbold: I'm quickly paging through my document for my notes. We've already talked about I think matters 16 and 17, sovereignty and application assists and criteria so I don't think we need to touch them again. But below that (paragraph) 105, the addition of even one region to the framework would likely require every ICANN community to adjust or expand its management or administer structures in some way.

To me that is a little bit too strong. I would be happy to say one region of the framework would likely require many ICANN communities to adjust or expand their management.

Cheryl Langdon-Orr: Or may require ICANN communities to...

David Archbold: Yes. Yes. I would like it to be a little bit more conditional, a little bit softer than that, that's all. It's not a huge issues but that one jarred a bit with me.

Rob Hoggarth: So the edited sentence would now say the addition of even one region to the framework may require many ICANN communities to adjust or expand their management or administrative structures in some way.

David Archbold: In some way, yes. I'd be quite happy with that. Moving on, Paragraph 109, this actually leads on to another item on the agenda which is the fact that the

chairman I think of the Arab League has written to ICANN formally requesting an Arab region.

Now, Rob, I think last time we spoke you were going to try and see if there had been any reply to that letter. Did you manage to establish anything?

Rob Hoggarth: Yes, I was able to confirm that there was a reply and I'll supply you all with the link and a PDF copy of that reply. It seems like it came out in mid October and (Rod) seemed to interpret the question as being much more focused on the draft applicant guidebook and so the response as I recall seems to focus much more on a recognition that for, you know, new gTLDs there'd be in Arab regions.

Woman: What?

Rob Hoggarth: I – the response does not address the geographic regions framework. But I – I'll...

Cheryl Langdon-Orr: Can I just say, well, that's standard – operational procedural standards for the (CEO) even (if the response) doesn't address the issue. I'm happy. I know this is recorded. I'm – I'll stand out on stage and say that. Yes, well, there you go, situation (unintelligible) (again).

Rob Hoggarth: Well yes and I'll – so I'll just (step back) into your guys hands. But I think to your point, at least for the document here, Dave, is that I should expand the footnote to say see also a letter from League of Arab States, ICANN CEO, Rod Beckstrom, and I'll drop in a hyperlink there.

Woman: Yes. Yes.

Rob Hoggarth: Because we all certainly interpreted that letter as being a request for a recognition of an Arab region more generally but that would be appropriate to bolster this paragraph.

Woman: Yes.

David Archbold: Yes, I would say exclusively not more generally.

Cheryl Langdon-Orr: Yes, and (erase) Paragraph 109 exists.

David Archbold: Yes. That was indeed my point Rob so fine.

Rob Hoggarth: Okay. (Very good).

David Archbold: And I think I'm getting near the end of my comments. Oh no. No, no, no, no. Paragraph 120, my Page 34. Additional of (volunteer) geographic regions would present a significant departure from the existing framework, blah, blah, blah, blah, blah. My point here is that it appears – we appear to be saying here that it is one or the other.

You know, it's either geographic regions or non-geographic regions. And it – we're back to what are regions used for. What I'm trying to get at here is that there is potential for people to get together. Let's not use the term regions as such but to put together special interest groups such as a special interest group of small island nations.

Woman: Yes.

David Archbold: Or a special interest group even of Arab countries that would allow them to promote the concepts and ideas that they are interested in plus not making them formal regions, per se, but acknowledging the ability of people to create these somehow within the bylaws so that they're not necessarily given the same status as regions or anything else but they are given some recognition somehow.

And that would allow, for example, the Arab countries to continue to be in the geographic region of Africa or Asia, depending on where they are located but at the same time, to be able also to be a member of an Arab special interest group.

Cheryl Langdon-Orr: That's interesting just because that – what you just said is how I read (120).

David Archbold: Oh okay.

Cheryl Langdon-Orr: Which means if two people can interpret it differently it needs to be looked at from a wordsmithing point of view.

David Archbold: Yes.

Cheryl Langdon-Orr: I guess as soon as I saw, you know, similar process to the board adoptions or petitions the new GNSO constituencies, what you said is exactly what I was thinking.

David Archbold: Okay good. Well, all right. So we have two people getting...

Cheryl Langdon-Orr: Yes.

David Archbold: ...different things out of the same words so.

Cheryl Langdon-Orr: Out of the same words, yes.

David Archbold: Yes.

Cheryl Langdon-Orr: I mean the petitions for new GNSO constituencies fit absolutely with the special interest group model that you just (unintelligible).

David Archbold: Yes. Which I think is something that may help solve some of our problems.

Cheryl Langdon-Orr: Oh yes.

Man: Comment from Rob?

Rob Hoggarth: I'm desperately trying to come up with language on the fly here. One-twenty, if it's changed to say – and please pardon me. I'm – some of this is thinking out loud – the addition – would say, the addition of non-geographic regions might present the need for additional mechanisms, processes and/or options to shift operations for certain organizations, (lectures) – I mean, what I want to do is address the – I think that first sentence which talks in absolutes and try to get it to lead into more just recognition that there are other – one of the implications or impacts of this shift would be a creation of additional mechanisms and processes that would allow specific – what you call special interest groups to participate in various community structures or something along those lines. Am I in the right direction?

David Archbold: Yes, I think what I'm trying to get at here is I'm sort of trying to read through all of 24 – matters 24 and 25. And I – it would be nice if we can clearly get over to the uninitiated, the concept of the possibility of special interest groups in addition to along side...

Cheryl Langdon-Orr: Yes.

David Archbold: ...regions.

Cheryl Langdon-Orr: Along those lines, and Dave, could I – can I suggest, Rob, what you consider is deleting the word regions.

Rob Hoggarth: Yes.

Cheryl Langdon-Orr: And inserting a word that is going to be then exemplified or given a parenthetical of such as special interest groups.

Man: Yes.

Cheryl Langdon-Orr: No, that could be addition of non-geographic definables is the way I'm thinking. But there's – got to be a better word than that – get (at is) the source.

Man: (Unintelligible).

Cheryl Langdon-Orr: And have it that you've got the parenthetical after that which includes special interest groups along, you know, helpful language or other unifying factors, close parenthesis. Non-geographic boundaries, non-geographic delineations, there's got to be, you know, some where in this (historic) world a word that'll work there.

((Crosstalk))

Cheryl Langdon-Orr: But don't use regions.

David Archbold: Yes.

Cheryl Langdon-Orr: Does that do it for you Dave?

David Archbold: That helps considerably.

Rob Hoggarth: Okay I'll play around with that. I don't want to hold you guys up doing it on the fly. I've got the germ there.

((Crosstalk))

Cheryl Langdon-Orr: We're just giving you the juice doll. We're just giving you the juice.

Man: Yes.

Rob Hoggarth: Thank you very much.

David Archbold: And I think I'm done on all my comments.

Rob Hoggarth: Just to sum up then just briefly in terms of working at this, Dave, you're going to look – in terms of specific further to-dos, we've gone through and captured all the edits but there are a couple of areas where there's potentially some different drafting efforts that need to take place.

The first is Dave looking at paragraphs 101 and 102 to determine if there's any way to flesh out the sovereignty matter, matter number 16.

David Archbold: Yes.

Rob Hoggarth: And you'll be doing that over the weekend with me providing you with some initial framework or – that I hope is close to what you're thinking but if not, you can just blow up and redo.

The next area of Paragraph 103, in which, Cheryl, you recommended that I look at the ATRT recommendations.

Cheryl Langdon-Orr: Yes. (Say it)...

Man: Particularly as they impact the (non comm).

Cheryl Langdon-Orr: Yes, just see if there's something footnotable from there that brings in that concept of, you know, where you live as opposed to what your passport says might be important. And if that's the case, then we, or language or geographic group is at variance that might equally be along the same lines.

Rob Hoggarth: Okay. Paragraph 78, I'm going to work to recast and Paragraph 120 I'm going to also work to recast. I will share those attempts in the next version of

the document. Actually I may, if I can come up with something over the next hour and a half or so I'll just circulate that to the group. And if I get your guys assent, we'll include that in the DA6RHV8 version of the document which would be the next document version.

Something that – your question about Paragr- or recommendation regarding Paragraph 103, Cheryl, causes me to just – raises a flag not necessarily for the interim report given the – that the stage where it is right now, but perhaps during the discussions in Cartagena and then for the final report and that would be your view as to whether this working group should consider or whether there's, in fact, items in the ATRT recommendations that could be woven into the geographic region's review effort. Is there – you know, are there any hooks there that this group needs to be aware of?

Cheryl Langdon-Orr: Well, certainly the matters of – from the board review perspective we were concerned about skill sets and diversity. So I guess there's the pinch of what's fair hanging around the diversity cluster. Beyond that, for this review, no.

Rob Hoggarth: Okay.

((Crosstalk))

Rob Hoggarth: As I go through and as, you know, you're (having me) look to pick out anything with regard to non-comm, if I flag anything else, I'll just bring up (slide) for you guys.

Cheryl Langdon-Orr: Sure. Oh yes. Yes.

Rob Hoggarth: Because that would be a great opportunity to know too if there is any, you know, (tangential) or direct overlap. Why waste the opportunity particularly with the benefit of the brainpower that produced that report.

Cheryl Langdon-Orr: Well, I guess the thing that has perhaps not been recognized by what I just said, but may as well be mentioned is that of course the affirmation of commitments itself does call for the accountability and transparency framework that ICANN operates under to be one that is highly globally representative and can approve it.

And so, yes, you do have to be able to have some form of metric or measurable which proves that the way ICANN's policy development processes and activities are conducted takes into account and offers (unintelligible) for consideration of the views of why don't just registrants and those involved with the main name industry, but as far as general Internet end users.

Man: Yes.

Cheryl Langdon-Orr: And to do that, you've got to have a mechanism and perhaps regionalization in and then multi stake all the model is one that needs to be looked at as a tool effective or otherwise, but at all.

Rob Hoggarth: Could I add with this group's permission to the end of Section B a question that asks and how does the affirmation of commitments, you know, if you're asking for community points it would be obviously but also the flag for the future final report that there's also going to be a consideration of, you know, the affirmation of commitment on the geographic regions framework. Would that be appropriate?

Cheryl Langdon-Orr: Yes.

David Archbold: Yes.

Rob Hoggarth: (Like) that paragraph (unintelligible). Okay. I'll reflect that as well. Just, you know, again just as a question, that then gives you the flexibility to raise it in Cartagena and (size) it for the community that it be a part of the final report.

Cheryl Langdon-Orr: Good.

Rob Hoggarth: Okay great. Thanks for mentioning that Cheryl.

Cheryl Langdon-Orr: But my life has been consumed by the affirmation and the (ACIC) so – but not only because of the release, you know, in the last 24 hours of their draft report and only just emerging from all of that (call to mind).

Rob Hoggarth: Is there a metaphor there with the Chilean minors or something?

Cheryl Langdon-Orr: Oh, in so many ways. Not even a metaphor man.

Rob Hoggarth: Okay, I think that – if others on the call has specific sections or others that you want to flag, if you're done Dave, I'm happy to address those. Otherwise, you know, what I would do is process the changes that you've already given, make adjustments to the language and the paragraphs that we've flagged and perhaps adjust the timetable so that we would expect to get the next version out. What did you say for you Monday deadline Dave? You were thinking, was it close of business or first thing Monday?

David Archbold: If I don't get it done over the weekend I'm not going to get it done.

Rob Hoggarth: Okay so we'll look at then, depending on what I get from you by first thing Monday, circulating a final version 1A to the working group and then we'd look for maybe 48 hour turnaround, noting that we would only have a couple of areas that would now have been adjusted in addition to the typos that you found.

And then look to close and have everybody say either yes I'm good or by not responding say by close of business on next Wednesday, you know, being able to say yes, we're done. It's going to translation. And because of that time you had the – I'm very grateful that you're all happy about the January

30 timeframe because now we'll have an English version to be posted publicly by the 15th of November. We might only have one or two languages given the size of this package translated by that 15 November timeframe.

But I think that's okay because folks will then be on notice and we'll be given ample time to – other language speakers to be able to respond – view the report and respond by, you know, the end of the first month of next year.

Cheryl Langdon-Orr: Rob, is it likely to be French and Spanish that are the languages that come up top first or?

Rob Hoggarth: I would expect those to be first, yes.

Cheryl Langdon-Orr: That'll also take some pressure off the additional (leeway) language which I think are important and are completed, you know, and continue to, you know, wave flags around corridors saying this has got to be done.

The fact now if you look at the (default) as to people who are using these languages, we have a larger grouping in Spanish and French speaking after English then any other. I put actually Portuguese somewhere in there as well but, yes.

Rob Hoggarth: Very good. Thanks.

David Archbold: Okay, so we're on to the next agenda item. So I'm conscience of the time, people.

Cheryl Langdon-Orr: I've pitched by next call. I'm all right. They're not dialing me...

((Crosstalk))

Rob Hoggarth: Well, David, I can suggest and particularly given the timing, that if, you know, you want to spend a couple of minutes talking about the planning for the

workshop in Cartagena, that perhaps the next – we can schedule a working group meeting in the next two or three weeks. That would give you guys a good chunk of time to talk about the agenda, the format and (rust), what I could commit to doing prior to that meeting, collaborating with you as to just circulate to the group, you know, what a (knock) up of discussion might look like just so that – because I fear that that would be a fairly lengthy discussion. It might take you guys much longer then (you expect).

David Archbold: Yes. Have we got a date/time in Cartagena?

Rob Hoggarth: I have some (miti day) requests to the meeting scheme as a placeholder but I've also indicated because of the – you know, the (spongeability) of the schedule that it can't conflict with GNSO, ccNSO or at large things and activities which I think will substantially limit the numbers of options that we quickly concern for you looking back at my meeting request form what date and time I asked for.

Cheryl Langdon-Orr: You might guess (the edge). It can be yes or no and if it's no we'll all bitch loudly.

Rob Hoggarth: Yes I mean – wh- that's a (very) good point. Tentatively I asked for Thursday morning 8:30 to 10:00.

Cheryl Langdon-Orr: Yes.

Rob Hoggarth: Really the windows of time we have are like Wednesday afternoon and Thursday morning. So I tentatively asked for Thursday morning for an hour and a half but, you know, we can adjust or play with that. I will get some – we're going to get from the meeting staff a version of the schedule on Monday (for us) as staff to internally look and see where there are conflicts and then find out who in the community we have to go back to to – or who we need to put together to negotiate times.

So that's the tentative time right now but that was solely based upon me trying to take a quick look and avoid some conflicts. I'm sure I – I'm sure that conflicts with some times.

David Archbold: I'm sure it will. Yes, sure. Okay.

Rob Hoggarth: And I anticipated just based upon the very low turnout in Brussels I said, you know, approximately 25 to 30 people. We could always squeeze in, you know, another ten people in a room that size. But if you guys think it should be much larger let me know, but that's a (pleasant) in the track record to date to be honest.

Cheryl Langdon-Orr: I think that's a fair call myself.

David Archbold: Yes. Yes. I think that's realistic. It's not going to be bigger than that.

Rob Hoggarth: Okay.

David Archbold: Okay. I think we are done. Are we not, for this call?

Cheryl Langdon-Orr: I was going to say it would be nice if we were done done, but we're not done done. We're just (unintelligible). Hey, but we are getting there. That's the point.

David Archbold: Yes. Is there any other business from anybody?

Rob Hoggarth: I do have one item that I wasn't comfortable putting on the tentative agenda but did want to get your all's views. And that is, you know, trying to ensure that we do have or maintain some GAAC interest in participation in the working group.

You know, (Bart) unfortunately couldn't be on the call. He had taken on the laboring or based on a discussion that he, David and I had about reaching out

to Heather Dryden as the current chair of the GAAC. So I'll look – we'll look for an update from him at the next meeting, but just again trying to ensure that we continue to give the opportunity for all the various SSACs to participate and have input on the group.

I've been just a little disappointed that we haven't been able to get full participation in the working group but I also recognize that everybody's got a lot of other items on their agenda and we tried to, you know, stick to the one or two hour blocks that the working group agreed to early on which was essentially 12:00 UTC or 1:00 UTC.

Cheryl Langdon-Orr: And that – it...

Rob Hoggarth: And that's unfortunately the limitations we have.

Cheryl Langdon-Orr: I think (fixed) blocks are important. I think people who's live – and there is after all real life down one volunteer's work – you know, impinges on them. At least I know when things run and what, you know, on list activities might be expected of them during that time.

When you're talking to Heather, you might just mention the time of the call because, for example, it might be more suitable for her to suggest (Frank) or someone who is sort of part of this support team depending on the time of the call.

Rob Hoggarth: Okay, that's an excellent idea. I'll mention that to (Bart). And also as I think you've observed, Cheryl, and a couple of others that as we lean towards the final report and that document and (Mary)'s recommendations, the level of interest is likely to pick up.

Cheryl Langdon-Orr: Oh, hell yes.

Rob Hoggarth: And we certainly want to make sure that folks have the opportunities and are aware of the options for them to participate.

Cheryl Langdon-Orr: Yes.

David Archbold: Yes.

Rob Hoggarth: Okay thank you. That was my only other point Dave.

David Archbold: Okay, thank you very much.

Cheryl Langdon-Orr: All right.

David Archbold: That being the case, thank you one and all. We will plan another meeting (time scale).

Rob Hoggarth: Yes, this is the 5th. You want to be looking at the week – and Gisella and I can work on a doodle scheduling poll for the week of the 15th.

David Archbold: Yes.

Rob Hoggarth: That would give us the option of a second meeting if needed prior to Cartagena for, you know, the work session and the rest.

David Archbold: Okay. Yes please. That's fine.

Rob Hoggarth: Okay super. Thank you all for...

David Archbold: Okay, thank you one and all. The meeting is closed.

Cheryl Langdon-Orr: Oh.

Woman: Thank you Dave. Thank you very much. Thank you everyone.

Woman: Thanks everyone.

Woman: Bye-bye.

Woman: Bye.

David Archbold: (Unintelligible).

END