

**SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT**

Friday, 4 March 2011 at 1400 UTC

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Participants on the Call:

GNSO

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Avri Doria – NCSG

Andrew Mack – CBUC

Carlos Aguirre – Nominating Committee Appointee to GNSO Council

ALAC

Carlton Samuels – LACRALO - At Large - WG co-chair

Alan Greenberg – GNSO Liaison - NARALO

Cheryl Langdon-Or - ccNSO Liaison - APRALO

Dave Kissoondoyal - (AFRALO) – At large

Tijani Ben Jemaa - AFRALO - At Large

Olivier Crépin-Leblond – ALAC chair

Fabien Betremieux - Individual

Sébastien Bachollet – ICANN Board

ICANN staff

Karla Valente

Olof Nordling

Glen de Saint Géry

Apologies:

Baudoin Schombe - At-Large

Cintra Sookanan – At-Large

Evan Leibovitch - (NARALO) – At Large

Michele Neylon - RrSG
Alex Gakuru – NCSG
Tony Harris –ISPCP
Eric Brunner-Williams - Individual

Glen de Saint Géry: Thank you. Would you like me to a roll call Carlton, Rafik?

Carlton Samuels: Yes Rafik is leaving so - yes I think that would be appropriate.

Glen de Saint Géry: Thank you. Good morning, good afternoon, good evening everyone. This is the JAS call on Friday the 4th of March. And on the call we have Rafik Dammak, Carlton Samuels, Cheryl Langdon-Orr, Alan Greenberg, Oliver Crepin-LeBlond, Sebastien Bachollet, Avri Doria and Fabien Betremieux.

And we have apologies from Tony Harris, Alex Gakuru, Cintra Sooknanan and Michele Neylon. May I remind you please to say your names before speaking for transcription purposes? And we also have a message from Tijani that he will be five minutes late. And apologies from Baudouin Schombe. Thank you very much. Over to Rafik and Carlton.

Rafik Dammak: Thank you Glen. Hello everybody and thank you for joining today call. So we have quite a long agenda for today. We have four items. And if there is no objection we will follow this agenda.

Okay hearing none so first we will start with the discussion about the board and GAC meeting in Brussels. And I see the messaging for San Francisco. So I think we have some people who attended to board and

GAC meeting. And not sure that everybody also listened to the meeting through remote participation.

So it will be great to have your feedback about the discussion that the board and the GAC members had in Brussels about our works. Avri, Olivier, someone who - oh...

Avri Doria: I'm still here. I'm willing to talk; I'm also willing to be quiet and let others talk.

Rafik Dammak: I think we lost someone.

((Crosstalk))

Rafik Dammak: So Avri.

Avri Doria: Okay.

Rafik Dammak: Avri, we cannot hear you well so...

Avri Doria: Can you hear me at all?

((Crosstalk))

Avri Doria: Or can you just...

((Crosstalk))

Cheryl Langdon-Orr: The operator just needs to disconnect that number. Yes...

((Crosstalk))

Rafik Dammak: Okay. So...

Avri Doria: You can't hear me well or you can't hear me at all?

Karla Valente: We can hear you I think or I can.

((Crosstalk))

Avri Doria: Should I go first with my impressions?

Rafik Dammak: Yes please go.

Avri Doria: Okay. So at a very basic level...

((Crosstalk))

Avri Doria: ...I think the meeting was both very good for the effort the JAS is connected with and somewhat scary for the effort that JAS is connected with. I think that, you know, there's very strong support obviously in the GAC scorecard and from the things they said for the work that we're doing.

I think from the board we also got, you know, strong encouragement to - that the work is important, that we should continue and that we should get it done quickly. If you read what Peter said in - and since Sebastien is in the room or on the call perhaps he'll be able to certainly fill in gaps where my interpretation is wrong.

They're very specific to say that they can't act on anything that's just an interim; they can only act on things that are final and that's certainly understood. What is unsaid in that is final from our working group, final as passed on from ALAC, final as passed on by GNSO, final as passed on by both of them. So that's something that remains unsaid.

Now one of the things that, you know, the board had come back from us with is also not said is this whole criteria that it's good; it looks like we're getting a lot of work done on criteria for deciding. If you look at our whole scope though with them saying until they have final report from us there's nothing they can do we have pretty much a very large and almost impossible mountain to climb.

I don't know for example whether we'll be able to have a final report on the overview and on, you know, various issues while still keeping on open other issues that that's something that remains. But we may have a conundrum to solve in that respect.

But my overall impression is that if we get the work done we have a strong chance. As I said while it wasn't quoted in one of the emails I said while it wasn't quoted by Peter in his final statement from the board it was quoted by Peter at some point that differential rates were allowed for - in the GNSO recommendations for the least developing countries which is not a category that we've used but it's a subcategory of the category we used.

So I don't know what can be done with that but he was careful to quote that during the meeting. And there was pointed out to people during the meeting that the - that the GNSO recommendations also never

said that everybody had to pay the same rate to be - for the program to be, you know, self-paying but that the overall program had to be.

You know, and no one ever got into the issue of what does it mean to pay for the application process? Does application process include, you know, building a great big legal fund just in case ICANN gets sued someday; one could argue yes/no. That wasn't really ever gotten into though I think it was brought up once maybe but I'm not sure.

So I think we're in good shape. I think we have to get the work done. I think we have to come out with some final reports on some of the issues perhaps sooner than others. And I'll stop now. Thanks.

Carlton Samuels: Avri?

Avri Doria: Yes.

Rafik Dammak: Thank you Avri.

Carlton Samuels: This is Carlton.

Avri Doria: Yes.

Carlton Samuels: Can I ask you to comment on - I see a note about application from developing country governments. Could you - can you recall how that was developed?

Avri Doria: I would ask Sebastien a question on that one because I have my own questions on developing governments as opposed to developing countries.

Cheryl Langdon-Orr: Yes.

Avri Doria: And it says...

((Crosstalk))

Carlton Samuels: Yes it says developing country governments...

Avri Doria: Right. And was wondering at the time...

Carlton Samuels: ...it speaks specifically to governments.

Avri Doria: ...whether that was a negative response to our point about, you know, our program does not cover governments. And - but it was never discussed that I heard. I mean, my attention did flag from time to time over two and a half days but I actually don't remember that point being discussed so I may have missed it or, you know, so perhaps Sebastien or somebody else that was there, Olivier, can comment because I don't have the answer for that.

Rafik Dammak: Okay so maybe if Sebastien can answer then we can go to Oliver. Is Sebastien on the call?

Cheryl Langdon-Orr: Yes he just needs to unmute.

Sebastien Bachollet: I guess we need to go back to the scorecard to have this answer. And - but I guess it's something (was) within the scorecard and yes we have the government talking and they want to be part of the program if - from the developing country.

I think that it's one question that a working group must discuss maybe again because I remember that we already discussed that point. But frankly what we - I will say the GAC, the board and the rest of the community needs is - it's work done by the working group.

Whatever decision they come by this working group output in front of the community and how the GAC and the board obviously. And if I can come back after Olivier on some point I would like very much that you answer it would be great. Thank you.

Rafik Dammak: Thank you Sebastien. So Olivier please go ahead.

Olivier Crepin-LeBlond: Thank you Rafik. I was just going to say that I think Avri gave a good - a good rundown on what happened and what was said. With regards to developing country governments I have a feeling - and this is just a feeling because I also - I paid attention but it suddenly came up in the discussion so I have a feeling it might just be by chance that it was there.

But it's something that maybe we'd need to investigate further whether it's specific to government or not. But as you might know the discussions took place over a couple of days; everyone was very tired and it might just be that it was an expression that was used with no further meaning behind it. But to make sure we should check.

There is a - there was a sub-question of course with regards to being able to change the fee. And as you might have read otherwise or on a separate channel the ALAC has revised a charter and the \$100,000 reduction - well reduction of the \$100K fee was taken out of this.

And that was because until the Brussels meeting the board had repeatedly said that there was no question at all of changing that fee and of making any amendments. They refused point blank. And certainly there appears to have been some opening where Peter Dengate Thrush mentioned that it might have to work out something.

And they have no difficulty with the concept of changing the fee. So that's - and an interesting development from that point onwards. Overall the message is get going; get this group working and bring some answers and come up with some solutions as soon as possible.

Possibly in line for the board - the next board retreat which I think is sometime in - I'm not sure exactly when is it May or April. But, you know, we have to work this out and get it worked out as soon as possible.

I'm also told - and this is just a verbal promise - that some board members will be joining as observers because they are particularly interested in this issue. So hopefully we'll have them soon among us. Thank you.

Carlton Samuels: Well I have to mention that Sebastien, a board member, is already here.

Rafik Dammak: Okay.

Carlton Samuels: There's one thing - the transcript says, as I recall, it seems to me that they are waiting on a report from the GAC because Heather was actually directly addressed to say we are waiting to see what the report

says on that. I made an excerpt of it because I thought it was interesting; I had not seen that coming.

So apparently there is some other report that is going to go into this in detail from the GAC side. Did anybody mention that? Or did anybody notice that?

Rafik Dammak: Carlton I think maybe so to go back to the queue maybe Sebastien want to answer now and then we could go to Alan.

Carlton Samuels: I meant on the chat, I'm sorry. Can you send...

((Crosstalk))

Rafik Dammak: Oh yes.

Carlton Samuels: What is the link for the Adobe?

Rafik Dammak: It...

Glen de Saint Gery: I've sent it to you Carlton.

Carlton Samuels: Thank you.

Rafik Dammak: Yes thanks Glen. So please, Sebastien, and then Alan.

Sebastien Bachollet: You know you can go - leave Alan speaking and I am happy to interact but keep going and when I will jump I will tell what I think and what information I can share with you. But no problem to leave Alan to speak first.

Rafik Dammak: Okay thank you. So Alan please go ahead.

Alan Greenberg: Okay. I just wanted a quick note that reduction or differential fees is not the same issue as reinvestigating the rationale and the calculations that went into the \$100K. The \$100K was done as an average and it was clearly defined as the expected average for the items it was covering.

That does not alter the fact that the board or ICANN can decide to use differential fees within that whether it's the rationale for that \$100K or the other \$65,000 is moot.

And the elimination of that item was done in the same timeframe as Tony Harris was doing the work but saying it's really pretty futile; it's not likely to come up with anything. So that's all. Thank you.

Rafik Dammak: Just to ask you so you mean that - what do you think we should keep working on the - that item leaded by Tony Harris because I think it's - even - yes, just that we are trying - investigating about the rationale behind those fees it can help in the I think towards the decrease of these fees. No, you don't think so?

Alan Greenberg: It can do what it wants it's not in the charter is all the issue is so it's not likely to be something that either of the chartering groups or certainly the ALAC is looking for as one of the report items. Whether it's a useful thing to do along the way in trying to understand the concept of differential fees that 's certainly within our mandate. That's my opinion anyway. And I'm not on the ALAC but that's...

((Crosstalk))

Rafik Dammak: ...I think it will be in the third item maybe of the agenda so we can talk about - about the revised charter. Okay so we have in the queue only Sebastien and...

Sebastien Bachollet: Yes thank you. First of all I want to confirm what Olivier say that board members - some board members are willing to join but they are traveling. And I don't know if they will be able to do that prior to San Francisco.

But also that they are - the GAC member and I had conversations for example with Brazil, they are willing to join then. It's important to keep that in mind and try really to involve them. And San Francisco will be a good opportunity for that.

I have put the information about the (disparity) in local governments in developing countries. They were - it's on the scorecard and it's a subject I would like us to take into account as a group - sorry, the working group to take into account.

My main question it's linked with what Olivier said about the timing. I think we - and when I say we it could be ALAC, it could be GNSO but it could be also the board, we can come and say you need to deliver for this date.

You have - this meeting could be - it could allow you to elaborate when you will be able to deliver something. Can you commit for something? It's a proposal made by Olivier, it's a good one but if you think you need less time or more time.

I think if you can set up your agenda it will be then allow both ALAC, GNSO and maybe the board to take into account and to wait for that. It's quite clear for everybody I guess that it will not jeopardize the finalization of the application guidebook. It is possible (Paula) worked and that's good. It gives the working group a little bit more time.

But if you can gain some perspective it will be great. If not somebody else will do it - will do that for you. And that's maybe not the best one. To answer Tijani questions the idea - I just got that also with Olivier's - to have two months after the board meeting in San Francisco that means 18 of May will (lead) the board retreat I guess it's the 20 of May then, it's just before, and it could be interesting input for the reflection of the board in these retreats. Thank you.

Rafik Dammak: Thank you Sebastien. You know, I think that it's possible that we - so from my own perspective so the working group can commit for (unintelligible) but for that maybe we need to get more feedback from other working group members.

We have Andrew and then Avri in the queue. Andrew, please go ahead.

Andrew Mack: Thank you very much. A couple just quick thoughts but they're both principles that I'm not sure we want to give up on as yet. The one was we talked a little bit about the - you mentioned the country - the possibility of having countries get into this. And I - we specifically left them out for what I think are good reasons. I'm a little concerned that that would change our dynamic fairly much and I think it might really monopolize what little resources we have.

So I don't know what everybody else thinks but I'm a little bit uncomfortable with the idea of throwing it open to countries especially since some of the countries have had opportunities in this space and before it had resources. Maybe that'd be - it'd be part of a separate window or something like that. But I'm concerned that they might suck some of the life out of what we have.

The second thing is that whole principle that Tony's efforts are going after which is that there is a - that the pricing is to some extent arbitrary and that the amount of price that's being charged should really reflect the actual cost to ICANN.

I think that that's a, you know, it's good that they've discussed the possibility of being willing to lower prices. My concern is only that if it happens as if, you know, as if it were a gift from Santa Clause or, you know, like if it's a concession effectively that's being made that's different than having a rational conversation about the actual real costs.

And there are a number of people who have made the point I think very eloquently that the real costs are probably lower and so we want to pass those real costs along to everybody but especially to the communities in need.

So I don't know - my concern is is that if we give up on that principle that we may end up with - they change their mind they change their mind and we've kind of lost that. So I don't know what everybody else thinks but those are just the two things that jumped out in my mind.
Thanks.

Rafik Dammak: Thank you Andrew. Please Avri go ahead.

Avri Doria: Okay thanks. I got three points. First one, one of the things we have to figure out and I mentioned this briefly while I was going through is everything needing to be final versus certain parts being final. I think definitely we have to have the work of Team A-B final, you know, before we (unintelligible) everyone because that's entry to the program. Some of the other stuff we may be in various stages of continuing to work.

So something we'll need to figure out is how to deliver our product so that perhaps we can call some things final; this is the final output on, you know, these objects in our charter while others are being worked on.

Two, in terms of the government comments on them being supported I think...

((Crosstalk))

Avri Doria: Did I lose you guys or did just somebody else fall off?

Cheryl Langdon-Orr: No you're still there; we've lost someone else.

Avri Doria: Okay.

Andrew Mack: We hear you.

Avri Doria: Okay. In terms of the government comment about including them in the process we made an initial, you know, determination that we didn't want. I think like any comment - somebody kill that person or that noise, thank you.

((Crosstalk))

Andrew Mack: Easy on the person, the line needs to go for sure.

Cheryl Langdon-Orr: There's paperwork involved if you take out people, really. It's just...

((Crosstalk))

Avri Doria: ...that we get into soft work but anyway...

Cheryl Langdon-Orr: It's the wet work...

Avri Doria: Or wet work I guess it's called. But on the point I think like any other comments we've got that's one of the things that's still pending and I haven't even looked at them to know whether there's a substantial bunch.

We have to address each of the comments. We have to do due diligence. We have to go back through it I think - I would agree with Andrew's point and maybe make some additional ones - when we were doing it.

But if the governments have come to us with a comment on our work saying, you know, we like 95% but this 1% we ask you to reconsider

we should go through the process of thinking it through, taking their arguments, coming up with our own arguments, publishing it.

And maybe even, you know, in addition to including it in a - in our final report actually say, you know, send them a answer thanking them etcetera and saying for the following reasons we have decided A, B or C. So I think we have to give it due diligence.

I think one of the things that came out of the discussion if nothing else is that in this whole relationship between GAC and the rest of us in the volunteer corps of ICANN is that we have to have, you know, proper due process, proper consideration and then, you know, conclusions. So I think we have to do that.

On the issue that, you know, Tony's sub team of one was working on that got taken out of the agenda I know we're going to get back to that on the why they did that. But if it's done it's done; it's out of our agenda. We certainly have enough work to do to not do that.

I think if there's a bunch of us that, you know, want to go to the streets protesting that, protesting the way, you know, the things were - prices were put together, putting out papers, putting out statements, putting out blog entries on this being outrageous separate from the group we should do so.

You know, but if it's been taken out of our charter and it's not like we have a shortage of work to do then it's gone, you know, but that doesn't mean that we can't find another avenue to continue, you know, you know, ramming our heads into this particular wall. Thanks.

Rafik Dammak: Thank you Avri. I agree with you about the first point to prioritize some items so. And, yes, also about the charter issues. Anyway as I said you have a lot of work to do.

Okay we have Alan and then Cheryl. Alan, please go ahead.

Alan Greenberg: Sorry...

Rafik Dammak: Alan.

Alan Greenberg: ...I just wanted to make a comment on response to Andrew. And if the board is willing to give differential fees to the least developed countries which is a well-defined term or to applications from least developed countries whether it's governments or otherwise which implies higher prices for other people if they're to meet the average price rule I'm quite happy with it.

You know, I don't think that dilutes our efforts at all. You know, whether we want to make them eligible for all the other types of support that we're talking about that's a decision we can make in our deliberations. Thank you.

Rafik Dammak: Thank you Alan. Cheryl please go ahead.

Cheryl Langdon-Orr: Thank you very much. Just a couple of very brief points, first of all when we've been discussing applications from governments in today's call we've tended to talk about governments as national governments and we need to be very clear that what the scorecard says, what it refers to is municipalities and local governments in

developing countries which is a vastly different beast from a sovereignty or national government.

Let's be really careful that as we are in the working group reacting and planning on how we deal with what's being raised in the GAC scorecard or GAC deliberations that we actually address what's being asked for not what we think we hear but what we actually have in writing.

And that brings me to the in writing, it is I think extremely useful as those who sat through and/or read the transcripts for two and a half days (unintelligible) important to recognize that from - governments have various layers and that would include municipal and local ones in many, many countries certainly even in my well developed country here in the antipodes.

Working from a written report or something that is final is not only vastly easier it's actually essential. It just doesn't get on agendas to get reactions and discussions going in most of these places, you know, the hallowed halls, until such time as there's something that can be, you know, what we call tabled in other words put down, stuck in an agenda, reacted to and worked on.

Just a very quick point on the validity of the cost models, (AVCOD) series is one of the simplest ways of ratifying what the actual costs are or are not going to be of this process and let's wait until the next round; that's not a pathway I would like to see all the benefits for the focusing on what JAS group is trying to do held up for.

If there is a differential price negotiation as Alan just discussed then I'm perfectly comfortable with that as well. What I wouldn't want to see is, dear people, okay your concerns that we have not got a valid cost model here well what we will now do is wait until we have proof of the pudding with the actual first round or next round I should say being done as a completed and reported on exercise.

We will have therefore the cold hard facts on what it actually costs and thank you JAS workgroup but, no we'll get back to you after that on responses. That's something kind of scary. So I certainly wouldn't want to be going down that pathway because I think the work that we're doing in the other areas is far more important and as you say certainly can keep us well occupied.

Rafik Dammak: Thank you Cheryl. Carlton, please go ahead.

Carlton Samuels: This is Carlton. Thank you, Rafik. I just wanted to - well I was going to say something about the cost model and (unintelligible) and Cheryl just said it. I think, you know, we'll know more about it after we see the first go-around.

But just to throw this in the mix in the - the reason I raised it at first is in the transcript it says applications from government and authorities in developing countries and it didn't make a distinction so that's why I said there was a report that was alluded to that was coming that will probably make that very clear.

But I thought it was important for us to watch out for it because if it was a broad-based government and authorities then there would be - I would have a major concern about the stretching of resources. That's

the reason I brought it up because my original thinking was they were talking about municipalities which in my part of the world is different and that was certainly going to authorities that side.

But when you say governments it becomes a little bit more like national governments. So - and it says developing country governments so it's very important for us to watch the clarification so that we put a fence around it. Thank you.

Rafik Dammak: Thank you Carlton. Is there any further comment about this item? Okay so hearing none so maybe we can move to the next item by just saying - Carlton you have - you still have your hand raised you want to...

Carlton Samuels: No, no, no, I'm done. I'm sorry, I'm done, thank you.

Rafik Dammak: Just maybe for - I'm not sure but maybe for this issue about how to - about this request from the GAC maybe if - Carlton maybe if you want to volunteer for that so to see how we can - how the working group can work on that matter? What do you think?

Carlton Samuels: Well I would willing to see if I can get some further information clarification about it, yes definitely.

Rafik Dammak: Yes so that's to be more (practice) about this matter. Then if we have GAC members or any guests we can - as Avri advised maybe can reconsider what at least let's be ready for that. And you have some comments from this call. Okay.

Let's move to the next agenda which is about the San Francisco meeting for - yes, that's more about the update for GNSO session in

Saturday. So if you have any comments about that. It's just that we as leaders, me and Carlton, we should have an update session for the GNSO Council on Saturday. What I advise that you just - it will be more - mostly about updates about what - about the progress done by the working group.

But if you want any other topic or item that we should bring to the GNSO Council you are welcome to propose. And also to comment and give your feedback.

Carlton Samuels: Rafik can I just say - and this is for the member to - for guidance - we are seeking guidance on this. You know, the usual, you give an update on what the working groups are doing and so on. I thought it would be useful to at least outline the ALAC process in looking at the working group charter again.

I don't know if this would be advised by the other members of the group or should we just leave it alone and just continue just giving the update on what the working groups have come up with? I think it's important for us in doing the update to mention the priority that we are seeing.

So I would respectfully ask if you could think about Avri's suggestion that we firm up the parts of the report that we think should be final or near final for them so that we can - we can clearly delineate the pieces that we are presenting a report is final and the others that we expect further work on. That would be very, very much meaningful for us.
Thank you.

Rafik Dammak: Thank you Carlton. Please Tijani, go ahead and then Avri.

Tijani Ben Jemaa: Okay you hear me now?

Rafik Dammak: Yes.

Avri Doria: Yes Tijani.

Carlton Samuels: Yes.

Tijani Ben Jemaa: Okay thank you. Carlton I think that there is no need to speak about the charter in the GNSO meeting. Let's speak about the content, about the work done, about the work to be done, about the result of the Brussels meetings and what are the - what is the future, what (can't) be the future. It's better.

The charter it is a mess. We had a charter, we changed it, they have another charter. So don't speak about the charters. Thank you.

Rafik Dammak: Just I want to add something. I meant before sometimes updates to the GNSO Council and we talked many times about the charter. I agree with Tijani that we should avoid that is not that it won't be so (unintelligible) for you. And also I think that today in the GNSO meeting that they received a new - the charter as approved by the ALAC.

So not sure what we can add on that matter. Just maybe we can give more updates on the work that the working group will do from the GNSO perspective.

Avri, please go ahead.

Avri Doria: Okay thank you. I had two points; I'll make the - when I was going to make that I raised my hand over second. The first one is the charter. I agree with Tijani that it's a mess. I actually don't think it's a mess though I guess I think it's kind of interesting the way it's working out.

I actually think it would be reasonable not for Rafik who is after all the GNSO's chair in this whole thing but Carlton or perhaps another ALAC person who was there in that meeting to explain to, you know, the GNSO why they did what they did and why they felt it was important and so on.

And perhaps we should also make sure that the group knows in addition to the work how the working group is dealing with a bifurcated charter or the union of two charters and to just inform them that, you know, that is what we're doing.

So I don't think it can be avoided. I think the fact that, you know, very quickly into the GNSO the new ICANN, you know, I mean, the new ALAC charter was informed.

I think trying to avoid it as a subject might actually make it more of a subject and I think just hitting it head on, we didn't agree, we did this and the group is doing that and lay it on as fact, as done now let's move onto the work. But obviously that's for other people's calls but I'm sort of disagreeing with that let's not mention it notion.

On the finishing of the work I was thinking about it and so there's really multiple parts. First of all there's the final report on our first work, on our first and original charter. That one we should take the comments somehow, take the comments, respond to them and then call that one

final in some way and indicate as part of that that there will be future reports on each of the work items in the constructed - in the renewed charter.

So what I'm trying to think of is a way to sort of construct the beginning of the succession of parts in our final so let's have a final for our first charter. We did this work. In that charter say and we are now working on the work items in the extended charter. And those reports will be delivered individually as each work item.

And then hopefully we can actually even given dates for when those will be done. And so then we can say now that we've got an extended charter we can - because the reason we didn't want to call that a final charter, I mean, a final report before was because we wanted an extended charter and we didn't want to close things and then reopen; we've got extended charter.

So if we do final report Part 1 or final report original charter, come up with some proper name and close off that chapter as I say we have to take what we did and we have to add comments. And if we change anything because of it for example this whole government or municipality thing fine we should do it in there. And then lay out how we're going to respond to all the work items in our extended charter.
Thanks.

Rafik Dammak: Avri just trying to - how to say - to check if I got your last comment. You want that we update our last (unintelligible) report as a kind of final report?

Avri Doria: As a final report for the original charter and we've got to find the right name for it, Part 1, final report, you know.

Rafik Dammak: Yes.

Avri Doria: But basically because we've got content in there. In other words they're saying they can't act on our recommendation to reduce the fees by \$25,000 and \$15,000 there I'm hand waving the numbers, I don't remember what they are exactly, you know.

We made those solid recommendations. We're not doing any more work on that now, you know, on that. We were going to do more work on the \$100,000 that we left untouched; we're not going to do that either. So our recommendations on fee reductions are done unless we change them...

((Crosstalk))

Avri Doria: ...because of any comments we've gotten. So those should be delivered and those should be gotten into their consideration pile immediately. Now what's not done, where they've already asked for more work that's in the extended charter is how do you determine who's needy? How do you this? How do you that and how do you the other thing?

That work is still going on. So if we give them our interim - our milestones as a, you know, updated after the comments - and I assume there's comments, as I say I've been lazy, I haven't gone to look - updated after the comments and basically saying for the original

charter this is the final report; there will be further reports on the extended charter items and put that right at the top in bold letters.

And then start getting them the stuff to work on. Make sure that we've got the most critical piece of how you qualify which is the one that, you know, gives the board the greatest agita because they're afraid that anything we suggest someone will gain.

If you say it's from people from a least developed country then they're afraid everybody is going to go down and register their corporations there. To which I might answer well groovy, you know, then we'll have lots of people paying taxes in those least developed countries and maybe that'll help.

You know, I don't know, I mean, I'm hand waving. But basically their consideration is, you know, how's this going to be gained? And so we have to give them that information first. That is probably one of the biggest pieces that we need to give the board in order to get the program, I mean, in terms of the work I'm doing, in terms of trying to raise funds and trying to get foundations.

It's important but it's not as key; it's not as big a roadblock as that first A-B question. The Team A-B question is the biggest one that stands as a blocking option to anything else we want to do. You know, we've made recommendations, we're working on the details but that question, how do they determine need, is one the board has to get to be able to act on as soon as possible. Thanks.

Carlton Samuels: Well I - just to let you know I'm sorry about this, Rafik, I have lost Internet access so I can't join any of the chat rooms or so on. My ISP is

giving me troubles. In any event I just want to endorse the approach that Avri has given as the one that I think is most appropriate. I hate to jump in here but I don't know what will happen with my line. Thank you.

Rafik Dammak: Thank you Carlton. Just to have question for Avri, if we do that let's say the final report Part 1 do we need also that we get the approval from our chartering organization? Because, you know, that...

Avri Doria: Yes.

Rafik Dammak: Yes.

Avri Doria: I mean, I think so. I think, you know, it should be sent to both the ALAC and the GAC and to the world, you know. And - but the board will want to see at least somebody's imprimatur on it. So I think we should follow proper procedure. If we don't get it from the GNSO we don't, you know, that be as it may. But, yes, I think we have to follow proper procedures.

And, you know, we each have to agitate in the groups we're in to get them to sign off on it, etcetera. But, yes. And who knows the GNSO's perspective may be a little different after this whole GAC process; it may not but it may be.

Rafik Dammak: Maybe. Okay, okay Andrew.

Avri Doria: You never know. But, yes.

Rafik Dammak: Okay thank you, Avri. Andrew please go ahead.

Andrew Mack: Yes, Avri, I'm just trying to understand exactly how this would operationalize itself because - well first of all I agree with you completely that we need to focus in on the A and B because that is our - that's kind of our entry point. So I think that that makes good sense.

The question is is for all the other things that we've been working on where we have things that like in Tony's group that are more or less shut down does it make sense for us to effectively sweep all the pieces together and say here's where we are and shoot us back to the group and say are we comfortable with that?

And if we are we're going to put that in the basket of things to share? Is that what I'm hearing you say is the protocol that you're recommending? Does that make sense?

Avri Doria: Excuse me for jumping in again. That's not quite what I was saying.

Andrew Mack: Okay that's why I'm asking.

Avri Doria: Taking our milestone report which was our final report for the first charter but we didn't want to call it final because we didn't want them to close the group down before we had a chance to get an extended charter so that's why...

Andrew Mack: Right.

Avri Doria: ...essentially we called it milestone. We got some comments back from it, I'm assuming, we got at least the government comment. So let's tie that one up with a bow and call it done and include in it a section that says in terms of the extended charter we will deliver the items in our

extended charter on the following dates and hopefully we can give dates on it.

Andrew Mack: Okay.

Avri Doria: I think - we do not include Tony's because it's no longer in our charter for, I mean, you know, the language one we include - and I guess Tony's on that one too. But the \$100,000 isn't in our charter anymore so we don't even include it.

As I say if there's a bunch of that want to go start the anti-\$100,000 club we should go do that and do it as an independent ICANN protest motion.

Andrew Mack: Okay I'm - that's why I'm asking I just want to make sure that - I know that there's some work that's been done on some of these areas since the milestone report that we probably want to include in. And I hear you about wanting to take out things that are no longer in our - that are specifically no longer in our charter if they are.

That makes sense. I just think it would be worthwhile before we send it out to have a last pass at it to make sure that we're all on the same page and that we all agree that what we think we heard is the group's consensus. Does that make sense?

Avri Doria: Oh yes. And I think it makes sense even on all the other items to say this was the final report for Part 1; here's the status of where we're at.

Andrew Mack: Yes.

((Crosstalk))

Avri Doria: ...those other items.

Andrew Mack: I think - no, no, no I think that makes sense at all. I also wish to endorse the idea for our own purposes of having some dates certain when we want to try and deliver stuff. I think it'll help us focus the mind. I think there should be before the next board retreat I think that's a great idea and probably a little bit before so we have some wiggle room in case we need it.

But I definitely think that having some dates for us will be helpful for us and will make us appear to be a little bit more of a serious partner. I read - I appreciate your report earlier. I was watching the transcript because I couldn't get the - I couldn't get the vocals to work - the voice.

And I, you know, I read a lot of this as very positive. And, you know, there's a lot more eyes on this now than I perceived there to having been before. So I think that the more we can appear to be time certain and outwardly serious to them the more likely we are to get some of the things we're looking for.

Rafik Dammak: Thank you Andrew.

Andrew Mack: Sure.

Rafik Dammak: Okay Avri maybe just can you send all your suggestions to the mailing list maybe to share with the people who are not here? So...

Avri Doria: Sure.

Rafik Dammak: ...then - yes, please, thanks.

Avri Doria: Yes, sure thing. I can write that up.

((Crosstalk))

Avri Doria: Can I ask a question while I'm already talking out of fruition? Do we have a - we have a face to face meeting in San Francisco of the working group correct?

Rafik Dammak: Yes.

Carlton Samuels: Yes.

Avri Doria: Okay good.

Rafik Dammak: Yes, so maybe we can - need to talk about what we should have as agenda for that face to face meeting to make it more really - to do as much as work that we can there. Okay. We have Sebastien, Tijani in the queue. Please - Sebastien please go ahead.

Sebastien Bachollet: Thank you Rafik. Yes, just a short note to say that there is a meeting of the working group if Olivier, Avri and other can ask the people they told us that they want to join this working group to be aware of this meeting. It would be a good time to then to be up to speed on the work done both from the board, the GAC and many other if they are. Thank you.

Rafik Dammak: Thank you. Tijani, please go ahead.

Tijani Ben Jemaa: Yes thank you. Sebastien, you made my point exactly because you proposed on the mailing list that we hold another meeting, a public meeting, so that we can, if you want, promote our working group and our work. And I replied saying that I agree but with the condition the attendees must be targeted because I don't want to repeat the experience of Cartagena.

Now your proposal is very good. We can keep our face to face meeting but let other people attend it so that they will be aware of what we are doing and it will be the best way I think. So - in a small room, we don't need a lot of people; we need people who are interested and people who we want them to come. Thank you very much.

Rafik Dammak: Thank you. Avri please go ahead.

Avri Doria: Wasn't Sebastien before me?

Rafik Dammak: I don't think so.

Avri Doria: Oh okay.

Rafik Dammak: Sebastien...

Avri Doria: I just wanted to comment on Tijani's point of people that we want. I'm assuming it's an open working group meeting so that we won't be restricting anyone from coming. I mean, certainly we should outreach to people saying please come to our meeting. But if people show up that we've never met before or whatever I think it's an open meeting and it should remain so.

Carlton Samuels: It is an open meeting. I was about to - I can't put up my hand because I don't have connection but it is an open meeting. Unfortunately Tijani we can't restrict who will show up. We have to do the best we can with when they show up.

Tijani Ben Jemaa: I didn't say we have to restrict I said we don't have to have an empty room...

Avri Doria: Right.

Tijani Ben Jemaa: ...because in Cartagena we had almost an empty room. So...

Carlton Samuels: Okay.

Tijani Ben Jemaa: ...we have to lobby, we have to outreach people to come. And we will target people that we want them to come. That's all.

Rafik Dammak: Anyway...

Carlton Samuels: Okay I see the clarification though, thanks.

Rafik Dammak: Anyway I think the idea - the basic idea was to invite those people who showed interest to us...

((Crosstalk))

Rafik Dammak: ...yes from GAC or maybe even the board members they want to participate as observer. But that's the problem that our meeting is just

maybe one hour before the public forum. Anyway, Sebastien, you want to comment because your...

Sebastien Bachollet: Yes.

Rafik Dammak: ...hand is currently up.

Sebastien Bachollet: Just a very small - just a very small point is to say that you will have the opportunity to discuss about that. I have the impression during one of the gTLD session - I don't know when - but where the committee will be talking about the GAC board interaction as it's one of the topic it will come at that too.

And I have to leave you because I have another phone call and I guess for some of you too. Bye bye and thank you very much.

Avri Doria: Bye bye.

Rafik Dammak: Thank you. Bye.

Carlton Samuels: Bye.

Rafik Dammak: Okay thank you. (Unintelligible) okay we run out of time but just I want to be sure because next week I think maybe many people of our working group will prepare for the travel to San Francisco meeting. So do you want that we keep the call for Tuesday or just we will - our next meeting will be the face to face one in San Francisco? Okay Tijani, please go ahead.

Tijani Ben Jemaa: Yes I raised my hand not for this question but I will answer it anyway. I do - for my case perhaps I will not be available for the next call if it is decided. And I think a lot of people will be in the same case.

I wanted to ask Karla if she verified the room name because what I saw on the schedule there is not - how she called it...

Cheryl Langdon-Orr: Victorian...

Tijani Ben Jemaa: ...there is - Victorian...

((Crosstalk))

Tijani Ben Jemaa: ...Victorian room, yes.

Karla Valente: Sorry, Tijani, this is Karla. I do not have a response from the meetings team yet. As soon as I have I'll send it in an email to the mailing list.

Tijani Ben Jemaa: Okay thank you.

((Crosstalk))

Rafik Dammak: Anyway I think we can check that during the San Francisco meeting. But so if there is no objections so maybe we shouldn't have our call in Tuesday so maybe people are (unintelligible) then we will - our next meeting will be the face to face one in San Francisco. But we should...

Andrew Mack: And what day of the week is our face to face?

Cheryl Langdon-Orr: Thursday.

Andrew Mack: Thursday, okay.

Rafik Dammak: Thursday, yes.

Andrew Mack: Okay.

Rafik Dammak: So it's okay for you just you want to keep the Tuesday? It's up to you, it's no - okay so hearing no objection. So I guess that we - our next call will be - not call but our next meeting will be the face to face one in San Francisco.

But I would urge everybody - I would like to urge everybody to participate in the mailing list and we can have more deep discussion there and also to update the wiki. So I saw that some of work teams already did that so it will be really helpful.

And then we can continue with the discussion maybe in the mailing list about what agenda that we want for the next meeting in San Francisco. Okay. So any further comments?

Okay hearing none I think - Tijani, please go ahead.

Tijani Ben Jemaa: Yes thank you. I have sent an email telling you that our text is already on the wiki page with a link to the wiki page. So please go there and comment on it. We need your input. You need - as Avri said our working group, our work team is - has the most - not important but the most needed item.

So we have to work on it all together and I beg your pardon I need your inputs. Thank you.

Rafik Dammak: Thank you. So about the third item which quite important but we don't have enough time. It's about the ALAC probably revised the charter. Is Alan in the - in the call?

Alan Greenberg: I'm still on the phone; I'm not in the meeting room.

Rafik Dammak: Ah yes, please. So maybe is it possible to - because I know that there is - this email was send to the GNSO mailing list but maybe to - just to update people in the working group if someone can volunteer - maybe you - to update us about what's happened to the charter from ALAC side so just to know - some people in the working group know what we have to do, what are our tasks from...

Alan Greenberg: I can certainly do that but if you look at the document at the URL I sent right at the top of it there's a point or two of comparison between the two old charters, the new charter and a rationale for why the change was made. So I don't think a lot of discussion is needed but I'm certainly willing to do that. But I think the document does give that background very well.

Andrew Mack: Alan, where did you put that document? That link?

Alan Greenberg: I put a link...

((Crosstalk))

Alan Greenberg: ...in the chat. I'm not in Adobe Connect anymore.

Andrew Mack: Oh okay good, I'm sorry I just didn't see it.

Alan Greenberg: I'll send it to the mailing list also.

Andrew Mack: Thank you, appreciate it.

Alan Greenberg: At this very moment I have to run out right now but I will send it to...

Avri Doria: You already sent it to the mailing list, right?

Alan Greenberg: I don't - I'm not sure maybe it was.

Avri Doria: Okay.

Rafik Dammak: No I don't see...

Andrew Mack: I don't think so but...

((Crosstalk))

Andrew Mack: Thanks.

Alan Greenberg: And if someone else can send it if they have it otherwise I'll send it when I get back later today.

Avri Doria: Okay it's in the chat now, never mind. Thank you.

Rafik Dammak: Thank you.

Cheryl Langdon-Orr: Alan, I just cut and paste Alan's earlier chat. Cheryl here. But basically the charter is what it is, deal with it.

Avri Doria: Yes.

Rafik Dammak: Yes.

Avri Doria: The only correction...

((Crosstalk))

Avri Doria: ...I'd make is that - is the charters are what they are, make what it is.

Cheryl Langdon-Orr: True. Are what they are, deal with it.

Alan Greenberg: I've got to run, bye, bye.

((Crosstalk))

Andrew Mack: Yes I've got to go too.

Rafik Dammak: Thank you, Alan, bye.

Andrew Mack: Thank you all very much.

Cheryl Langdon-Orr: Bye all.

Avri Doria: Bye bye.

Rafik Dammak: Yes, thank you. Yes it's time to adjourn this meeting. Bye bye everybody. Glen? Are you - Glen, are you on the call? Karla?

Karla Valente: Maybe not Glen. I'm here. Rafik, this is Karla.

Rafik Dammak: Yes, Karla so what do you need more about - for - sorry I didn't respond to many emails these days. But just what kind of update that you still need for the San Francisco meeting?

Karla Valente: So we just need that information for the GNSO and based on this conversation I'm going to send a short update to Glen and copy you and Carlton. And then we have this face to face meeting already scheduled. I'm going to double check the Victorian room that Tijani mentioned.

And the last thing you said we just be careful because there is a chance - there is a slight chance that this GAC board consultation meeting on new gTLDs might change and might become an all day event. And I don't really know what is planned for that. So I'm going to get back to you on that (unintelligible) our face to face meeting.

Rafik Dammak: You mean it can come in the same time? Because we are already before the public forum. So...

((Crosstalk))

Karla Valente: Yes, I know, I know. And in the current schedule there is not a problem at all. But I heard rumors that there was a request for the change in the agenda. So I wanted to make sure that I now understand what is the changes.

Rafik Dammak: Okay thank you Karla.

Karla Valente: Okay and this happened like in the past two days...

((Crosstalk))

Karla Valente: ...after the publication of the original agenda. So because I wasn't in Brussels I'm not quite sure, you know, what is really being done in relation to the agenda changes.

Rafik Dammak: Maybe Olof can know something; maybe we can ask him.

Karla Valente: Olof is still on the call? Yes that is really a Kurt question. So Kurt and John Jeffrey so I'm going to - I'm not sure if they're already back from Brussels today. I'm going to try to reach them today; if not, you know, Monday and I'll get back to you.

Rafik Dammak: Okay. Just maybe two points, I really need to prepare...

Carlton Samuels: You're very low, Rafik, I can hardly hear you. I don't know why.

Rafik Dammak: Oh okay. Just a...

Carlton Samuels: I'm hearing you now.

Rafik Dammak: ...so just to how say - I was going to ask Karla so you can draft an agenda for the face to face meeting.

Carlton Samuels: Yes.

Rafik Dammak: And then we also need for the GNSO session we need the presentation. Usually we prepare a presentation I'm not sure what kind. What will be the content because it's more about update about the progress.

And then maybe Carlton you can take care about how say the charter issue just maybe to give the ALAC - let's say perspective for the charter. But just to advice to know that we shouldn't really spend too much time on that; it's really the kind of polemic issues and we need more to show that we are doing more than about such administrative issue.

Carlton Samuels: Yes well - telling what the charter is I think it's important to do that just to show the evolution of the thing. But that is a two-minute thing. I mean, I'm more interested in doing - saying what the working team has agreed to and how we - how we divvied up the work and so on. But that is going to be - it's half an hour so it's not a long time, eh?

Rafik Dammak: Okay thanks. So, Karla, I know that we are asking you too much work but we...

((Crosstalk))

Karla Valente: No don't worry. So you want an agenda for the face to face meeting. I'm going to keep the agenda and the presentation simple, as simple as possible. The presentation I will try my best to give an update for example explain that we divided - further divided in subgroups and the areas that we are working on so forth. But I'm have to send it back to

the working groups - subgroups to ensure that their message is well captured.

Rafik Dammak: We will work on that on the next week so mostly I think by (me). Then I guess we - I will see you in San Francisco.

Karla Valente: Yes see you in San Francisco. And I'll try to do that early next week so give people time, you know, to, you know, prepare for San Francisco, still revise the - at least the presentation.

Rafik Dammak: Okay thanks Karla.

Carlton Samuels: Okay.

Rafik Dammak: Thank you.

Karla Valente: Okay. Thank you very much.

Rafik Dammak: See you in San Francisco. I will arrive in Thursday (unintelligible) that time. Okay bye-bye

Karla Valente: Bye bye.

((Crosstalk))

Carlton Samuels: Bye bye. See you all.

Rafik Dammak: Bye, bye.

Carlton Samuels: Take care. Bye. Bye.

END