

**SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Tuesday 12 April 2011 at 1300 UTC**

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ALAC

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Alan Greenberg – GNSO Liaison – NARALO
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Elaine Pruis – MindandMachines
John Rahman Kahn - Individual
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Karla Valente
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Apologies:

Carlton Samuels – LACRALO - At Large - WG co-chair
Alain Berranger
Sébastien Bachollet – ICANN Board
Dev Anand Teelucksingh – At Large
Dave Kissoondoyal - (AFRALO) – At large
Michele Neylon – RrSG
Fabien Betremieux – Individual
Tony Harris –ISPCP

Alice Munyua – GAC
Tracy Hackshaw – GAC
Baudoin Schombe - At-Large

Glen de Saint G ry: I'll do a quick roll call for you Rafik. Good morning, good afternoon, good evening everyone. This is the JAS call on the 12th of April. And on the call we have Rafik Dammak, Tijani Ben Jemaa, Alex Gakuru, Cintra Sooknanan, Carlos Aguirre, Tony Harris will join us in 40 minutes, Olivier Crepin-LeBlond, Elaine Pruis, Avri Doria, and Evan Leibovitch, (recalling) Cheryl Langdon-Orr.

And for staff we have Karla Valente, Gisella Gruber-White and myself, Glen de Saint G ry. And we have apologies from Michele Neylon, Sebastian Bachollet, Carleton Samuels, Alain Berranger, Baudouin Schombe and , Tony Harris might be on the call in about 40 minutes.

Thank you very much, Rafik, and over to you. But before that may I just remind people please to say your name before you speak. Thank you.

Rafik Dammak: Thank you Glen. Thank you for everybody for joining today call.

Coordinator: Excuse me, Mr. Alan Greenberg is joining.

Rafik Dammak: Okay. So we'll start to discuss about the agenda. And today we change it a little bit; we should discuss about the proposal for the board which is due this Friday. Any objection for that? Okay hearing none just to start also is there any update in your SOI or DOI please send the update.

Avri Doria: This is Avri.

Rafik Dammak: Yes Avri.

Avri Doria: I have an update. I am now acting as a research consultant for both SPI Marketing and for PIR basically doing research and giving them information on what's involved in new gTLD programs, etcetera.

Rafik Dammak: Okay. So please send this update to...

Avri Doria: Yeah, the update has already been sent to Glen.

Rafik Dammak: Oh okay, thank you very much.

Glen de Saint G ry: And it should be added already to your statement, Avri.

Rafik Dammak: Okay so let's move now to the discussion about the proposal for the board this Friday. We'll give the - as I say the proposal to Karla so she should introduce to us about this proposal and why it's and so on. Please Karla, go ahead.

Karla Valente: Hello Rafik. I'm trying to upload the document. I just received the document from - I'm trying to upload so give me one minute please.

Rafik Dammak: Okay no problem.

Karla Valente: Yeah so uploaded.

Avri Doria: Got it.

Karla Valente: Okay.

Rafik Dammak: A little bit - it's a little bit small to that - cannot read.

Karla Valente: Very small, I know.

Avri Doria: Well you can hit your own plus so it makes it bigger.

Rafik Dammak: Thank you Karla. (Unintelligible).

Karla Valente: There is a noise.

Cheryl Langdon-Orr: Yeah, that came in on my line.

Karla Valente: So we have a deadline - so this is Karla Valente from ICANN staff. We have a deadline this Friday to propose something for the board. It doesn't have to be the final report as we have the final report to be published in May, we are ready discussed that. But we need to put some consideration for them in front of them for us to be able to have some kind of a resolution. They are meeting next week.

So I spoke with Avri very briefly - very briefly, extensively yesterday and over the weekend and one of the things we could do as we are discussing, you know, more elaborate proposal at this point and I do not believe we can have anything ready for Friday is to maybe slice a piece of it and talk about the fee waiver or the fee reduction as it was proposed in the milestone report.

So this and the other proposal also is - I understand that it talks about different developing countries and different official lists that we could draw from but for the first round may be we just pick one comment visit that as we go to the second round.

So the main point that Avri raised also in her email is that what we need to do is to expand on the criteria. We had some framework in the milestone report but the board is looking for a criteria, something a little bit more specific to consider.

One of the things that we have - what is moving the...

Cheryl Langdon-Orr: Well certainly somebody here is the host because the rest of us don't have control.

Karla Valente: Okay. So this is - in front of you - so there is a Word document that was sent to you by Avri yesterday. The document you're seeing in front of you now with the green remarks is from Tijani. So I took the latest one which is with Tijani's comments. I thought it would be helpful. And this is what you see in front of you.

Eligibility which basically is the need criteria: Backspace who is eligible for any kind of fee reduction. So it talks - one of the things that I'm proposing here is community based or nongovernment organizations in the condition - the recognition of the key role they play in as a resource to the local communities.

Tijani comment is whether or not we change our mind from the milestone report. So my suggestion - again this is a suggestion is that we narrow to something that we can actually evaluate, something that (unintelligible) for the board to consider.

And not-for-profit organizations from a need perspective and from the point - viewpoint and use and other criteria down in the document here not only for this company to be incorporated (unintelligible) or biased on that line but also for this company to have some kind of - the a recipient of some kind of funds at this point.

And this is one of the challenges is (unintelligible) with new not for profit organizations. And it is indeed a struggle - new not-for-profit organizations would need to have some other way to evaluate. But if we - and I looked into different grants and fee waivers and many grants do require that a company is established or even receives already some kind of a donation so they can assess that are in need of this applicant or the fact that the applicant cannot pay for something.

So again this is a suggestion. A company be established an operation before January 1, 2009. This is not, you know, a set date; we can pick other dates

as well. This is one of the ways to maybe minimize gaming. I do realize that by doing that we have the challenge of having to deal with organizations that maybe were not aware of the new gTLD program prior to that.

There's some other - and I think the Number 3 you talked about that - Avri, would you like to comment on that?

Avri Doria:

Sure, I can. You have people with their hands up. But I did do editing on the first proposal if people want me to talk about the thing. First of all I - you had put a date in the middle of 2010 when you first suggested it. I don't think it matters. In fact I think it's important that the - that the organization - especially if we are doing this narrowed perception - that the organization exist before they knew that we were doing gTLDs.

I think that's one of the gaming prevention, in other words, if you can have created an NGO in anticipation of being able to apply for the fee reduction that's the gaming opportunity.

So if the - you have to have been around - what - and that - at this point that's saying you have to have been around a whole two years in order to qualify that's because before January 1, 2009 there was no notion that there would be any sort of program. And so that was the reason for picking a date that was well before anybody could have created something for the purpose of a gTLD application.

The other one was - the next one was a gaming prevention and basically if we are going with the least developed countries - and if you look at the three it's the least developed landlocked and small island developing states.

Again trying to narrow things down to something that's the board is able to say a-ha, yes that is something that we could identify, that we could put a fence around and say yes this would meet a criteria that is easy to point to and say we understand to so to basically say that they have a - more than a

majority of their operations or of their expenditures, you know, and local places.

Again it's restrictive and it's basically sort of thing, you know, you can't be spending all your money as an NGO to be having rich offices in some country and not doing anything in developed countries. So if it's a least developed country your focus has to be there. That was it, thanks.

Rafik Dammak: Thank you Avri. Just because, you know, we talked about three points, maybe we can listen to the - Andrew comment. Andrew, please go ahead.

Andrew Mack: Sure, Rafik, thank you. I appreciate the work that's been done but I've got to be honest I don't think that this captures - I don't think that this is in keeping with the work that has been done over the last year that's all in the sense that narrowing this to NGOs both I think is on the necessarily limiting.

And also I think is unlikely to capture what I am anticipating it's going to be a number of the applications which may be coalitions, they may be public-private and they may be, as we discussed, what are effectively special-purpose vehicles, you know, the groups that are set up - or coalitions that are set up specifically to do something like a community TLD.

And I just don't see how this gets us there. I appreciate the desire to have something by Friday but this isn't the thing that - this doesn't feel like it reflects the work that we've done. Thanks.

Rafik Dammak: Thank you Andrew. Okay is there any other further comment about - Alan, please go ahead.

Alan Greenberg: I guess I agree with what Andrew is saying at the same time I appreciate an effort to perhaps get us something because if we don't get something - even if we put words around it saying this is a subset of what we wanted but it's something we can define today there's an awful lot of merit.

Because I think that the rate we're going we're not - we're going to end up with zero which is also less than what we've been talking about for the last year. So we may well have to make some compromises even if we put weasel words around them to say they are if we want to get someone's attention at this point.

Or, you know, we talk about middle May as for the final report as if it's a long way away, it isn't. So there are some compromises we're going to have to make if we're going to have any measure of success at all. Thank you.

Rafik Dammak: Thank you Alan. We have Avri and then Alex and then Tijani. Avri, please go ahead.

Avri Doria: Yeah, I just wanted to basically say--first of all this is just a report on the table, it's not pretending to be something that, you know, was put together from everything; it is a subset - as Alan says it's a subset that based upon just having talked to various board members, looking at where we're at and looking at the uncertainties with how one defines anything broader in this time frame.

And as I say this wasn't looking at for all aid this was looking at specifically for a fee reduction which until a month ago has been off the table. So this is quite specifically saying if the board is going to agree to a fee reduction program and just having listened to them and talk to them about their need to look for it but as I say this is just a proposal that is on the table and it's not trying to say it's everything that's the group wants. Thanks.

Rafik Dammak: Thank you Avri. Alex.

Alex Gakuru: Thank you. Alex speaking. I would like also to add onto this that further to our organization last week or I think two weeks ago I believe where we spoke of exploring a funding (unintelligible) of a fund but I've been (unintelligible) that

with the government. (Unintelligible) they are very - they may be really support and so it's a fee reduction then I think also government may actually support the (unintelligible) funds or at least for their applicant from our regions.

((Crosstalk))

Alex Gakuru: ...consider them maybe willing to contribute to that. So thank you very much.

Karla Valente: I'm sorry, Alex, I could hear only half of what he said. I don't know about others.

Rafik Dammak: Yeah, I think there was some noise.

Alan Greenberg: Yeah, his voice was very low and there was some shuffling type noise in the background also.

Rafik Dammak: Alex, can you please summarize quickly, what did you say?

Alex Gakuru: Okay I'll try to be louder. I am just saying that further to our conversation last week where I offered to receive the governments of Kenya can assist in creating a fund for applicants from our region; needy applicants based on the criteria and if there is a fee reduction that we are exploring that possibility. So that's - it may actually go onto record. Thank you very much. Was that any better?

Rafik Dammak: Yes. Tijani, please go ahead.

Tijani Ben Jemaa: Yes thank you. Once again I would like to thank Karla and Avri for the submission. Because of this deadline that we didn't know before that's perhaps the problem. It is good to submit something; it's very important submit something but we don't have to submit something which will be contrary or in a position to what we will submit at the end in mid-May that's

why we have to be careful not to restrict ourselves to something - to special things.

I think that the board is waiting especially for the way to demonstrate need. And in this text we use the previous funding or the founders, etcetera. Is it the criteria - is it the metrics that we will give in our final submission in May? That's the question.

Rafik Dammak: Okay we have Cintra. Cintra, please go ahead.

Cintra Sooknanan: Thanks Rafik. I'm just raising my hand on behalf of Andrew. Sorry, not Andrew, Evan.

Evan Leibovitch: Oh sorry, maybe it was me?

Cintra Sooknanan: Yeah, Evan go ahead.

Evan Leibovitch: Oh hi. Sorry, I'm having my usual problems with Adobe Connect. And so thanks Cintra. This is all really, really, really confusing and probably totally indicative of why we as a (unintelligible) doing anything concrete.

I thought there was a discussion last week that we needed to start putting pen to paper. A group was put aside, myself, Cintra and Andrew, to go off and try and do something. There was no mention of a Friday; there was no mention of a gun to our heads for something like this. And we come in this morning and find out that something totally different now has been put forward while we're trying to desperately come up with something that could be acceptable.

We've got everyone running off in different directions. We've got all sorts of little cross projects and cross conversations going on. And in the meantime the big questions, the simple questions, which is basically who should qualify and what do they get, this should be something we could put forward in some

terms but we keep reinventing this wheel so many times in so many different ways it's no wonder we haven't gotten anything done.

Rafik Dammak: Okay. Thank you Evan. Avri.

Avri Doria: Okay, yeah, this is just a new proposal on the table. I suppose it's - I didn't realize that a new editor is taking up the pen it meant that people couldn't offer new proposals. If it means that then, you know, the group doesn't accept it and that's the end of it.

Rafik Dammak: Just I think we still wait for that group proposal. We don't have update yet. And my understanding for this proposal to the board is just an (unintelligible) indication what we will do for the final report. The final report is (unintelligible) that we need to have in May if it's just some indications, some ideas that the board can take or not.

So we can still change our minds until May about the difference tasks that we have.

((Crosstalk))

Rafik Dammak: Evan and then Tijani. Evan.

((Crosstalk))

Evan Leibovitch: We had a situation where we put out an interim report that was submitted to Trondheim and it was heavily redacted by staff and done in such a way that the board had a definitely undesirable outcome. I mean, there's a part of me that simply wants to put that report back in front of the board if it's not rejected by staff and if it's put to the board in the way that it was intended.

As far as I'm concerned even resubmitting that interim report is going to add value to it because frankly I don't think the board even totally comprehended

that. And even if it did and rejected it it has now been asked to reconsider by that GAC.

So we already have a document in front of us that the board we thought was given that the board did not react well to and needs to reconsider. There may be other things but one thing that we do know is that that interim group is - that interim report is something that was agreed to and still have an awful lot of very useful information in it and it did have consensus in it.

So I am even going to suggest that when we send something to the board on Friday that we remind them what we've already sent them and that they've previously either ignored or rejected.

Rafik Dammak: Okay so you need to (unintelligible).

Evan Leibovitch: Well, Karla, what's your view on that because, I mean, you were in the middle of all sorts of crap with what was going on. I mean, is there any value to us resubmitting this?

Karla Valente: I think there is value, Evan. But I think that it really depends on the content how substantial it is for the board to consider. Yes, you know, do this, this is the direction we are taking or not. So if we're able to take the report, if we're able to take the previous content one step further into actually having a criteria that is more solid, you know, I never know what they are going to do but we certainly could try that.

And as I said the idea is not to change direction here or is just to put something concrete in front of them that they can consider. And this is not very far from what the GAC was discussing with the board too which I thought, you know, could make our position stronger in requesting something like that.

It's a (unintelligible) strategy too, Evan, we can ask for 100 things in the whole (pots), having, you know, X accepted or we can ask for five solid things and then, you know, five for them strongly and have them tied in a way that makes them hard to - makes it hard to, you know, take them apart.

It's really a matter of strategy. I think at this point in time I would prefer the number two. I have a concern not only how much we have been doing I think we already off the tangent here compared to the milestone report.

We divided the group in subgroups and I think we're revisiting issues like you mentioned before. So I think we are off just something that I am concerned about the timeline.

But whatever strategy the group chooses in order for us to have something in front of the board by Friday I am happy to help in any way.

Rafik Dammak: Karla.

Karla Valente: Yes.

Rafik Dammak: Is talk - okay so there was some problem in the line. Okay thank you. We have Elaine and then Tijani and then Alan. Elaine, please go ahead.

Elaine Pruis: Thank you. I would like to thank Avri and Karla for the work they did to put this together. And I would like to point out that this has been an effort made considering that there is a deadline coming up and now we actually have some text in front of us that we could be discussing and agreeing on or altering according to our previous work.

And instead of having, you know, further discussions on oh this is the new timeline and we're being taken by surprise I think what we're getting here is a little gift in prompting from the staff and from the board saying look we want to include your work in the program at this point.

And this is where we need some more information and if you get this to us on time then we can go ahead with this round. And if we don't get this to them on time then I think we're going to get pushed off to the next one.

So I would like to suggest that we actually look at the text that's written here and work on that. I hear Evan's concern that (unintelligible) were going to author something and my concerns about transparency last week in that whatever work was being done would be in front of us.

Either that's not happening or no work has been done. So since we have something here in front of us that we've had some input on from the board and staff there's a part that we do need to answer these questions. I'd really like to (unintelligible) to this proposal. Thanks.

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

Tijani Ben Jemaa: Yes thank you. I am afraid we will not be able to change our mind from this report that we will submit now and the report we would submit at the end in mid-May. We don't have to be contradictory with ourselves. So if we have to - I do think that we need or we - it's preferable to submit something for this Friday. It will be very good.

But we have submit something light but not in contradiction with what we will submit in mid-May. So perhaps we don't have to go deeply in things because in that way we can submit something that we will continue on later. If we have to submit now something and to change our mind in May I would prefer not to submit something now. That's all.

Rafik Dammak: Just I want to reply as (unintelligible) Tijani consensus now about the criteria, etcetera. I'm not sure how we can say that we cannot change our mind in May. Still in discussion about that so we don't have anything ready yet. It's just this proposal for Friday just a proposal. It can help; it can give some

guidance to the board, that's all. But we still have to finish our report for May. That's the important milestone that we need to achieve.

Alan and then Cheryl and then Andrew. Alan, please go ahead.

Alan Greenberg: Yeah, I just wanted to make a brief comment on Evan's suggestion to resubmit the previous report. Regardless of how well or poorly that report was presented to the board it's important to remember we got it to the board way, way after the official cutoff and just probably when they were getting on planes to go to that meeting.

So we certainly didn't give them enough time to consider it well. That doesn't excuse the rather poor answer we got but I think we have to frame it. So that notwithstanding the main problem with that report was it didn't give concrete ways to delineate and identify candidates and that was explicitly what came out of the eventual board answer; that they need some guidance on what we're talking about as part of that process.

So just resubmitting the same thing I don't think is going to impress them to be honest. Thank you.

Rafik Dammak: Thank you, Rafik. Cheryl Langdon-Orr here for the record. Surely with a small preamble here this text if we then go on and agree to (unintelligible) the principals that it's suggesting could be sent to the board so that it is an update, a here is a set of currently-considered criteria for CBOs and NGOs.

What we've been asked for, as Alan was just saying, is more concrete and specific criteria and that does build on the recommendations that we made in our interim report. If what we (unintelligible) board on Friday is a here is where the JAS workgroup is up to on hard criteria considerations for CBOs and NGOs then I think we can probably continue on that discussion and get something profitable out of this meeting.

And to the board as an update - and it would need to be clearly labeled as an update - from our work this week. But I think if we go back and try and start to reinvent wheels or go off in all sorts of tangents either neither a profitable use of our time nor likely to be a successful outcome. Thank you.

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

Tijani Ben Jemaa: Star 6.

Andrew Mack: Sorry about that. Look I'm really concerned that we're going off on a wrong tangent here. If we send something forward to the board that just talks about one small subset of what we're doing there is a substantial risk that they will say fine, go do that and only that. That may be their reaction and that's not the consensus of our group.

I respect and appreciate the effort that was put into it. I myself did not know about this Friday deadline or we might have done our work differently. But the truth is is that I think that's a substantial risk. And I wonder whether it's sending forward something that is - I am concerned that sending forward something that, number one, doesn't have the consensus of the group but, number two, only addresses a small subset of what we're looking at I'm not sure that does us any good with the board.

I'd prefer to, you know, to work on something - I think we're actually farther along than we realize in a number of things. And Cintra, Evan and I we're trying to put together a draft, Elaine, that was - that was something that was more complete that everybody could chew on. There's no desire to do anything untransparent just to have something that captures all the text that we've done so far.

If we have a little bit of time to do that then we can send it around to everyone. But barring that sending forward just a slight strikes me as fraught

with difficulty and not going to help us accomplish very much. That's just my sense. Thanks.

Rafik Dammak: Thank you Andrew. Okay I think Alan's suggestion I'm not sure that we should send or not the proposal for Friday. And I think we need to find...

Tijani Ben Jemaa: Hello? Rafik?

Cheryl Langdon-Orr: I can hear you Tijani.

Tijani Ben Jemaa: But I can't hear Rafik.

Cheryl Langdon-Orr: Yeah. He might have dropped out.

Tijani Ben Jemaa: Yeah.

Coordinator: Sorry, this is the operator. I'm just establishing the connection again for Mr. Dammak.

Tijani Ben Jemaa: Okay.

Cheryl Langdon-Orr: Thank you. What is the board asking for on Friday? That seems a surprise to all of us?

Tijani Ben Jemaa: Good question. Good question.

Karla Valente: Well by Friday - this is Karla speaking - by Friday the board is looking for an update to understand where we are and if we can have something more solid for them to consider that would be great. And if we don't have it at least we have something more concrete in terms of the direction we are taking. I think that would work too.

((Crosstalk))

Karla Valente: ...make resolution so I do understand the...

((Crosstalk))

Karla Valente: ...by the working group. However I think we can caveat things with...

((Crosstalk))

Karla Valente: ...that we understand it is a subset and we understand...

((Crosstalk))

Karla Valente: ...done by May.

Cheryl Langdon-Orr: Say, Karla, thank you for that. Cheryl here for the record. That's where I was heading was, you know, if that they want is a snapshot or an update then with the right prefacing and with the right caveats as you've said what we can do is say this is where we are in discussion at this stage as a draft for CBOs and NGOs.

You know, I certainly hear what Andrew is saying and I share to a fairly wide extent the concerns that Evan put forward that any time we send anything to the board it's either assumed that it's incomplete yet and not read or is somehow to be cast in concrete.

So I think it's important that we understand why they've asked for anything at this stage and for what purpose.

Alex Gakuru: Sorry to barge in because I know Rafik is not moderating us on the queue. But I'm wondering whether those questions or the request by the board could not have been posted or can be posted to the list so that we can see how best maybe we can also respond because it would be nice to know what they

actually want and then as a group we can see what we can do. Thank you -
Alex.

Rafik Dammak: Thank you Alex. I'm back to the call.

Alex Gakuru: Oh welcome.

Rafik Dammak: So we need to make a decision I think - we still have 50 minutes on the call.
And we didn't really progress so much even on this proposal. I do agree with
Avri if we don't propose anything now we may add nothing later so at least to
propose even something more narrowed and we keep - continue working in
our final proposal it may work.

But if we don't propose something now we are not sure what we end up at
the end. And we have real tight deadline. Okay Alex, you want to comment
again or it's just you...

Alex Gakuru: Oh I'm sorry it's left over, I'm clearing it. Sorry about that. Bye, bye.

Rafik Dammak: Okay so we have Tijani in the queue. Please Tijani go ahead.

Tijani Ben Jemaa: Yes thank you. I wonder if our pen holder does something saying what we
discussed and what are the options we explored together and take into
account the document submitted by Karla. And the deadline is very tight I
know but perhaps tonight or tomorrow morning propose to the list a document
that will not give sharp choices - sharp decisions, sharp recommendations,
that will prevent us to change them for the final report.

Rafik Dammak: Okay any comments on that? For the pen holder I think you are talking about
the editors, no? Because we don't have pen holder anymore...

Tijani Ben Jemaa: Yes, yes...

((Crosstalk))

Tijani Ben Jemaa: ...persons, yeah, yeah, the drafting team if you want.

Rafik Dammak: Okay. So I think we need to make some decision now and to move forward.
Okay Andrew, please go ahead.

Andrew Mack: Okay so Rafik, so our options are to effectively to - first of all when is our -
when is this due? Is this due Friday close of business? Is it due after our next
call?

Rafik Dammak: Karla.

Karla Valente: Friday. Hi, Andrew, Friday, close of business in California.

Andrew Mack: Okay.

Karla Valente: As I said, anything and everything that is to be considered for the Applicant
Guidebook. But again nothing prevents us from again posting something that
is more complete and more comprehensive in May and request the board to
consider the final report.

Andrew Mack: I understand. What I - as we already have a drafting group that's working on
some stuff and we already have some other things that are out on the table
perhaps the best thing that we can do is to try to come forward on Friday with
some - with a complete proposal or a complete proposal and this proposal
from - a complete proposal in our case from the drafting group - to share with
the group no later than say Wednesday close of business or Thursday
morning or something like that that we can say does this get us where we
need to go and have a discussion about whether we are going to submit one,
the other or neither or something else but have that conversation on Friday.

Right now it doesn't strike me that we have anything that we can say yes or not to in its current form either way and we only have 15 minutes and I don't think we're going to get there in 15 minutes. So that would strike me that that's the - that's really the only option at this stage. Does that make sense to everyone?

Rafik Dammak: Just to ask you want...

((Crosstalk))

Andrew Mack: So we have - as Evan mentioned we have a group that's trying to pull together - that's trying to pull together the where we are not just in the NGO space but more broadly across the group. We should have something done within, you know, 24-48 hours because we're already working on it pretty hard.

And we could send that - we would be able to send that out to the group as a possible - as a possible response, okay? And my thought is is that we have something that is complete it is better - and it's a complete sense of where we are that everyone - that reflects our conversation to this point - it's better to send something like that than it is to send something that is just a slice of what we are doing which as we've discussed may or may not send a confusing message to the board.

Rafik Dammak: Thank you Andrew.

Andrew Mack: Hello? I'm sorry I've got a lot of background noise all the sudden. Anyway my - that is my suggestion is is that we, you know, we take a look at that and the one that Avri put together with Karla and see where we are on Friday and have what is effectively a discussion do we send one, do we send the other, do we send neither, do we send something else?

But right now we don't have anything - we don't have any - what I perceive to be a complete proposal on the table.

Rafik Dammak: Okay. Elaine, please go ahead.

Elaine Pruis: Thank you. Maybe it would just help me if somebody could tell me why that work that's being done, Andrew, isn't on the wiki for us to watch as it develops or on the Skype chat?

I respect that you're working hard on it but I'd also like to just see that as it evolves. So, you know, if you post that Wednesday night that leaves me, you know, Thursday to look at it before we talk about it on Friday. And I'd rather just watch it develop...

Andrew Mack: And, Elaine, I hear what you're saying. I don't think we're talking about - we're talking basically about an editing process that is already (unintelligible) with three people. I, you know, there's nothing - in the same way that Avri made the effort to try to put together something that is a - that's effectively a straw man to work at we're trying to do the exact same thing.

You know, if we did our edits on the wiki it wouldn't change anything in any way. It won't be a complete product until, you know, we've gone through all of the pieces of it. So we're working on it as fast as we possibly can. There's nothing - there's nothing more that you would be able to see as it gets done is my point.

Elaine Pruis: Well what are you starting from? I don't even know what you're editing.

Andrew Mack: All we're trying to do is to take - as Evan said - when Avri said this is going to take more time than she has Evan volunteered and Cintra and I agreed to help to take what we have and to try to tighten up the language in everywhere it seemed - where we had agreed. For example in the area of the amount of money the top and bottom parameters that you mentioned on our last call you

said what's the principal behind the top and bottom parameters for financial need, right?

Things like that to go through the documents that we have from all the different groups to combine them, consolidate them and to pull up the areas where we specifically either have good - where we have conversations that haven't been included into that or to try to figure out the language and to clarify it or to point up places where this is an area where we'd need more work or where we have a - where the group has a sense of what needs to be done but doesn't have - doesn't have the actual number, things along those lines.

Including some areas where we clearly need more data from ICANN, right? And, you know, relating to the (unintelligible) and things like that. That's the idea. It was (unintelligible) try to (unintelligible) the edges a little bit. And I think it will do what we're trying to do.

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

Tijani Ben Jemaa: Yes thank you. I don't disagree with the fact to submit something special to the fee reduction because the fee reduction was at first rejected and now it is accepted again so if we submit something special to the fee reduction it will be a good thing, I agree.

What I suggest is to submit something light; not restrictive so that - let's say something that give indication we will tell them we are here for this point and we are still discussing the issue so we have some guidelines. And I ask the drafting team to give us the proposal by tomorrow so that we can discuss it before arriving to Friday with the final proposal.

Rafik Dammak: Okay. Cheryl, please go ahead.

Cheryl Langdon-Orr: Thank you Rafik. Cheryl Langdon-Orr for the record. I just wanted to ask the group - and I'm very aware of the small amount of time we have left on this call and we've been very busy discussing process as opposed to product. Can we look at what we have in front of us which from my reading I'm not having a visceral reaction to in any negative way.

I'd like to discuss a few points; I'd like to understand a couple of things more. But is there anything in what we have in front of us that is likely to be countered to further documentation that we're going to be getting by the other drafting group?

Can we not see this as not a minority issue as Avri was suggesting in the chat but something which, you know, can be hybridized with or blended but at least, you know, we can have discussed it because we at least I thought had the time to discuss it in today's meeting.

We have it in front of us. Can we not go from top to bottom and specifically looking at it from a fee waiver reduction, which is, you know, something that's come up like a phoenix raised from the ashes again, is there in this group at this meeting much that we have a problem with or do we have a possibility on consensus or agreement or are there things we need to highlight and edit? That's what I'd like to suggest.

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

Tijani Ben Jemaa: Yes, Cheryl, there is a point that is for me difficult to adopt. The one that make the criteria for the need is a report from the founder. That means that the organization, the NGOs or any other entity who haven't been founded before cannot apply. It is too much restrictions I think. That's why I say we don't have to be in contradiction with the final proposal.

Cheryl Langdon-Orr: Tijani that's exactly what I'm saying; can we not go through this text and discuss?

Tijani Ben Jemaa: Yes sure.

((Crosstalk))

Cheryl Langdon-Orr: Because, you know, this is, as I understood it, for discussion. We're just not discussing it; we're discussing the principal of it instead of it.

Tijani Ben Jemaa: I already...

((Crosstalk))

Tijani Ben Jemaa: ...submitted comments on it.

Rafik Dammak: Okay thank you. So we have Avri. We just have five minutes in this call and we need to...

((Crosstalk))

Rafik Dammak: Please, Avri, go ahead.

Avri Doria: Yeah, this is Avri. I assume you can hear me. The reason for picking that tight constraint - and I admit it's a constraint - is as I said it's one, was the gaming issue in other words, and the other was the competence of ICANN in the next consider it seven months to figure out how to figure out who has need and who's appropriate for granting funds.

Now I think that it's fairly obvious that, you know, we don't want a newly risen organization to be all of a sudden the one that's doing this but rather it's got to be someone that's representing a community, that's someone that's already there in the community.

And the reason for going to someone that's already gone through a process of applying, gone through the process of being vetted by a major internationally known donor association is to basically find a shortcut and a really tangible constraint to how do we know what is an appropriate applicant to give a fee reduction to?

As I said we don't have our own money yet to be giving away grants so therefore - until we have people to sign up and say yes we've got money and we'll fund a program we don't have to worry about ICANN or an ICANN foundation making its own grants. That probably won't happen in time.

In terms of other funders if we get other partner funders on they're going to have their own criteria. We may need criteria for say this is how we pass a name onto them; we go through a couple checks and then we say yeah we think this is a bona fide applicant for you, Donor X, who's participating in a program with us; go for it.

So in terms of looking for this one it's sort of how can ICANN that has no experience as a funding organization look at that kind of notion and say yes this is a person who merits, you know, some access to this fee reduction program which as, you know, Cheryl said it really is a phoenix rising. It was dead on arrival.

Now all of a sudden it's being seriously considered but it's being seriously considered in a way of give us some tight constraints where we can be sure that we're not being gamed and that we're giving it to the right people.

So the constraints in this proposal were meant to be able to give the board that kind of certainty only in terms of fee reductions, in terms of the aid in kind and the technical aid and the passing their name onto a donor. All that can be a lot fuzzier in terms of who gets helped.

But in terms of actually reducing the fee - and remembering that reducing the fee in one place whether it's true or not the optics of it will be is that it increases the fee in some sense for others. So, you know, it's just that was the reason for it; that's the reason for the tight constraints just to make sure we get something now in this round. Thanks.

Rafik Dammak: Thank you Avri. We still have one or two minutes on this call and I think it's time to make a decision.

((Crosstalk))

Tijani Ben Jemaa: May I say something?

Rafik Dammak: Okay please be brief.

Tijani Ben Jemaa: Okay - okay, no very brief. But, Avri, do you think that we will have registries applying for new gTLDs from developing countries or needy people - needy organization applying for new gTLDs that have already been founded before?

If we give criteria for - I think that we will not - that we will have an empty box with no one passing this criteria. It is useless. So this is the problem. Since the Web industry is a new thing, is not - I don't think that organizations that's applied for - I don't know for what or things - will apply today for new gTLDs.

Avri Doria: If I can answer quickly? I think the answer is yes. First of all the registries are, you know, they're not going to be starting their own registries at this point. For better or for worse they're mostly going to be using registry service providers. And what they're going to need is the help with application fees.

And, yes, I believe that there are lots of - lots of - or at least a couple in every community, in every nation of cultural linguistic or what have you NGOs, civil society organizations, etcetera, who are active in many different things who

as the four-month outreach program goes on will say hmm, yes, this is something that makes sense to our community to do.

And yes I believe that being an established community organization, somebody that's already known, someone that's already working with this, working with that, working with education, working with reading, working with literacy programs, working with any number of things could well be interested depending on the outreach, so yeah.

Rafik Dammak: Okay thank you Avri. Andrew, please it will be the last comment. Andrew, please go ahead.

Andrew Mack: Sure. I hear what you're saying, Avri, and I think it makes sense. My experience in a number of the countries where I think we may have the greatest need is is that the only way for this kind of thing to come together is is if it were to be a coalition of interests. That's partly because there are various people who may be wanting to do this and we - and we would want to avoid - and they would want to avoid conflict over who gets to represent the community.

And because in many instances the NGOs that you're speaking of while they - it may have some track record are relatively weak and by coming together as a group they might have a much better chance of being able to be sustainable which is one of our primary goals.

By narrowing - it's just my sense but the NGO that you're looking for may not exist in a lot of the places that we're trying to reach and by narrowly defining in terms of an NGO I think we're going to miss out. Tijani mentioned there are private sector firms that may be appropriate partners in this; there may be others.

Let's play with this a little bit to see if we can't take the best out of what you got and wrap it all together. I get the impulse and it makes good sense to me

but I'm just - I'm really concerned that it's going to be too narrow and it may take us down a wrong path, that's all.

Rafik Dammak: Okay. Sorry everybody I think really we need to make a decision now. I'm not sure if we will continue on the mailing list we will reach that quickly. So what - I suggesting maybe we should work on the (Caroline) Avri proposal because we have it already.

We have this - volunteers from - editor volunteers that can - may work - maybe with Avri to propose something to the working group for tomorrow. Cheryl, you want to comment?

Cheryl Langdon-Orr: Yeah, sorry, I had typed something and then it disappeared off my screen so I was going to just contribute it to the chat. I was just thinking from what Andrew was saying and building on what Avri was talking about before that it may very well be - and I agree with Avri I think there will be people who in the - at the outreach phase go oh right that makes sense to me.

Well in some cases if they are collaborations that include CBOs or NGOs with this sort of track record there's no downside to that. I'm still of the view - and if we can get this text into a wiki and/or list discussion we can all contribute to it as well.

That perhaps these can be like desirable and a central criteria so, you know, if we can say the priority will be given to CBOs, NGOs or consortia that come with this approach, you know, that's a possible outcome. But we need to be able to discuss it between now and our next meeting not just at our next meeting.

Rafik Dammak: Thank you Cheryl. So okay I'm not sure how long - so what was my suggestion that we have a proposal that we can work on with volunteers, editors and also Avri and we can have something to discuss in the meantime before the next call in Friday.

Tijani Ben Jemaa: So I agree.

Rafik Dammak: Okay? Okay hearing none objection that will - okay we will...

Karla Valente: Rafik, this is Karla. What specifically do you want me to do and what - should I say to the board that we do have something that is going to be ready for them by Friday?

Rafik Dammak: I think so.

Karla Valente: Okay. But the editing - who is writing this report?

((Crosstalk))

Karla Valente: That's the group that Andrew mentioned?

Rafik Dammak: I'm not hearing you well, Karla.

Karla Valente: Who is the editor? There has to be one person responsible for...

((Crosstalk))

Rafik Dammak: Editors we have Andrew, Evan and Cintra and then I suggested also Avri to participate.

Karla Valente: Okay. Thank you.

Rafik Dammak: Okay thanks. So okay I think it's time to adjourn our call. If there is no objection? Okay see you for the next call and thank you everybody for participating for this today. Thank you again. See you.

((Crosstalk))

Avri Doria: Bye-bye.

Karla Valente: Bye.

END