

**SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPT
Tuesday 19 April 2011 at 1300 UTC**

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<http://audio.icann.org/gnsso/gnsso-jas-20110419-en.mp3>

On page ;

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Participants on the Call:

GNSO

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Carlos Aguirre – Nominating Committee Appointee to GNSO Council

Andrew Mack – CBUC

ALAC

Cheryl Langdon-Or - ccNSO Liaison - APRALO

Cintra Sooknanan – At-Large

Tijani Ben Jemaa - AFRALO - At Large

Alan Greenberg – GNSO Liaison – NARALO

Evan Leibovitch - (NARALO) – At Large – Adobe Connect only

Dev Anand Teelucksingh – At Large

John Rahman Kahn - Individual

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Karla Valente

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Apologies:

Alex Gakuru – NCSG

Dave Kissoondoyal - (AFRALO) – At large

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

Sébastien Bachollet – ICANN Board

Michele Neylon - RrSG

Fabien Betremieux – Individual

Tony Harris –ISPCP

Alice Munyua – GAC

Tracy Hackshaw – GAC

Baudoin Schombe - At-Large

Olivier Crépin-Leblond – ALAC chair

Dave Kissoondoyal - (AFRALO) – At large

Elaine Pruis – MindandMachines
Alain Berranger - Individual

Coordinator: Thanks. The recordings are started. Please go ahead.

Gisella Gruber-White: Lovely. Good morning, good afternoon, good evening to everyone on today's JAS call on Tuesday the 19th of April. We have Rafik Dammak, Cheryl Langdon-Orr, Tijani Ben Jemaa, Cintra Sooknanan, Carlos Aguirre, (John Raman).

We have (Jeff Anantulipsing), Alan Greenberg. From Staff we have Karla Valente, Glen de Saint Gery and myself, Gisella Gruber-White. Apologies today noted from Alain Berranger, Evan Leibovitch who is on Adobe Connect but not on the voice on the bridge, Carlton Samuels, Alex Gakuru, Olivier Crepin-LeBlond and Baudouin Schombe.

If I can please remind everyone to state their names when speaking. This is for transcript purposes. And also a few of you, if you could just speak up a little louder when you speak because of the bad lines. Thank you very much. Over to you Rafik.

Rafik Dammak: Thank you Gisella. Thank you for everybody for joining today call. First let's agree about the agenda. If there is any objection to the agenda that you can see, the Adobe Connect.

Okay we can move to the next item which is about - it's about that we will focus on the JAS issues recommendation, and you have a link to the - to that document in the wiki.

Okay, for that part we had the team of - formed by Evan and (Roy) and Cintra which tried to edit and to include the comments. Last time we tried to make

some comments - the last call we tried to make some comment but we didn't progress so much.

Now however today we will focus only on the content and avoid really any discussion about the process. For that I think Cintra can lead this item and to introduce it to the members, and then we can discuss about. Cintra, are you on the call?

Cintra Sooknanan: Yes I am.

Andrew Mack: Hello.

Rafik Dammak: Hello?

Cintra Sooknanan: Hello.

Rafik Dammak: Yes who - okay. I am hearing Cintra but who was talking? Okay Cintra, please you can take the floor.

Cintra Sooknanan: Do you hear me?

Rafik Dammak: Yes.

Cintra Sooknanan: Okay thank you. All right, okay let me just ask - I think most of the comments were incorporated on the wiki with the exception of Tijani's, which was at 10:00 early this morning - well today and Carlton.

Is there any other comments with regard to Part 1 and Part 2 specifically at this point? I don't know if we can scroll down on the document in Adobe Connect.

Gisella Gruber-White: Sorry Cintra. It's Gisella. You should be able to scroll down on the document now if you can just check, and Andrew Mack has joined the call. Thank you.

Cintra Sooknanan: Thank you so much. Okay, all right. So with regard to Part 1, I will also copy a link to the wiki in just - okay well that will get me to it. Are there any comments on Part 1 and Part 2?

Tijani Ben Jemaa: I raised my hand.

Cintra Sooknanan: Yes Tijani, please go ahead.

Tijani Ben Jemaa: Thank you. So before beginning discussing the text, I have a generic comment. I don't think we should repeat what was said in the Milestone Report.

I am in favor of drafting a text that addresses the issues of our new charter only. If we decide now to do it like it is done now, we have to repeat exactly what was said in the Milestone Report so that there will not be any confusion.

But I do prefer that we draft only what is related to the new charter only. That's my general comment.

Cintra Sooknanan: Okay thank you Tijani. I had raised that point with Evan and he told me that the purpose of going through it this way was really to refocus the group and everyone else as well in the community on what was stated in the Milestone Report.

But I do agree that there seems to be a bit of divergence between the specific terms that we used in the Milestone Report and what is here. So maybe the thing is that we keep those terms that were in the Milestone Report, but build on it so that, you know, we can all be refreshed as well as to what was in the

Milestone Report and where we need to go to a more granular level in the process. Is that okay. Please go ahead Tijani.

Tijani Ben Jemaa: Okay, the question is if we need or if we want to draft a new report, one - a single report that will be submitted. That means that this report will delay the Milestone Report. Is it the intention?

Cintra Sooknanan: When you say delay you mean is it that you mean encompass, because I think what we're trying to do is we're trying to pull the important points from the Milestone Report that we can rely on in showing the community how we've come across to this - these criteria, these steps to the process. I'll - well Tijani, do you want to say anything for that or...?

Tijani Ben Jemaa: No, for now it's okay.

Cintra Sooknanan: Okay, Alan please.

Alan Greenberg: Yes I tend to agree with Tijani that the report should be focusing on what our current charter is. However to the extent that there are things in the original report which we believe were accepted as premises into this current work, they can be restated quickly, not as conclusions of this Working Group but essentially at this point as premises.

Cintra Sooknanan: Okay.

Alan Greenberg: If there were something in the original report which has been rejected, I don't remember but, you know, then clearly we don't want to reiterate it. If it's part of the premise that this work is based on then it should be stated, but stated concisely at the beginning to make it clear, you know, what the origins of it is. Thank you.

Cintra Sooknanan: Okay thanks. Are there any other comments on Part 1 or 2 or generally? Okay and that is done. I will scroll to Part 3. I know Carlton made a comment

about this bit on the wiki page, and he said there are two must have attributes that will allow any applicant to pass or curl the bar swiftly.

They must belong to some group defined in 3.3, 3.4, 3.5, plus be judged as per 3.1. These are equal but the group status must decide highest priority.

Tijani Ben Jemaa: Cintra?

Cintra Sooknanan: Yes, please go ahead Tijani.

Tijani Ben Jemaa: Okay, as for Part 3 there is a classification 1, 2, 3, 4, 5 that doesn't exist in the Milestone Report. And that is - doesn't seem for me very comfortable. I do prefer to stick to what was done in the Milestone Report, otherwise we will discuss again what was discussed before.

So I don't think it is a good thing. I recognize 1, 2. I recognize also 4 perhaps but I don't recognize 3. You understand?

Cintra Sooknanan: Yes I do.

Tijani Ben Jemaa: That's a problem for me, so I do prefer not to - if it - if we want to introduce - if you want the criteria's extra draft. So we don't have to add complication. We try to make it easier, not more complicated.

Cintra Sooknanan: Okay. Tijani, let me just say 3 really encapsulates two bullets that you had in the Milestone Report. The first was community-based applications and you said that community groups such as cultural, linguistic and ethnic groups may be eligible to receive support.

And the second bullet being nongovernmental organizations and views to a society and not for profit organizations, and I agree with you that we should stick with the wording that is specifically in the Milestone Report for the areas that we are pulling from the Milestone Report.

So that is something that we will have to clean up. Just - let's see if there's anybody else. Andrew, you wanted to say something?

Andrew Mack: Sure Cintra. Pardon my voice. I have lost it a little bit so everyone should be happy. The Number 3 I think - I get the idea why we have Number 3. I'm not sure that the focus on for example community applications necessarily gets us the same idea.

However I guess I agree with Tijani and that coming up with some sort of a - the need of the community may be a different - difficult metric to put together.

I was under the impression from our earlier conversations that some sort of a focus on explaining the purpose of the application was going to be part of the whole application process, so maybe that's what you're trying to get at.

I'm just trying to see if we can't clarify that because I understand where Tijani is coming from.

Cintra Sooknanan: Okay.

Andrew Mack: Does that make sense?

Cintra Sooknanan: Yes. Your hand is up still or...?

Rafik Dammak: Cintra, it's Rafik.

Cintra Sooknanan: Hi Rafik.

Rafik Dammak: Yes so my understanding is this part is about the criteria that we need to develop and we didn't - or how do you say, it's an extension of what we did in the Milestone Report.

So I don't see any problem to have them now in that part, like to the financial need or they need the community to be served by the proper TLD. So I don't see the problem for those criteria.

Cintra Sooknanan: Okay thanks. No all we're agreeing to is the fact that, you know, we do need to use the same language as in the Milestone Report just to build on it. With the specific regard to financial need, we had slotted a minimum growth income, a maximum growth income as well as there was a note in the Milestone Report that the - any applicant considered needy must be able to raise 50% of the reduced application fee - that application fee.

So basically at this point in time I just wonder if we could comment on what we've put in here as the minimum gross amount, 3 times the operational and contingent risk cost is what is the - ten to the dog as being necessary for applicants as their - I guess their contingency fee fund that they must all withhold.

I don't know if this is too large a figure, if we want to suggest instead that we have a lower bar or what's the case? Please Tijani, go ahead.

Tijani Ben Jemaa: Yes thank you. For the minimum gross income it's the three years operation cost, and I don't think that an applicant that have in hand three years application cost will apply for any support, and yet you take it as a minimum gross income.

As for the maximum I think it's too high - too, too high. It's - I calculated it. It's \$925,000. Does a needy applicant - can a needy applicant have this amount at the entry of the process? It is at the entry of the process.

Cintra Sooknanan: Yes. Well that's something we'll have to work with. Tijani, would you like to suggest any alternatives for those?

Tijani Ben Jemaa: Yes, I would like to suggest only one year of operation for - as a minimum, and for the maximum I don't know. I don't have any idea. I think 185 - it's enough. It's enough.

Cintra Sooknanan: I am - I had suggested two times 185, but if - I don't know if 185 you think is enough. I suppose the group will have to decide that as well, you know. I...

Tijani Ben Jemaa: That's right. Andrew is asking for the floor.

Cintra Sooknanan: Yes, Andrew please go ahead. Sorry.

Andrew Mack: Not a problem. Yes, not a problem. Cintra, Tijani and group might - I guess my question is this. I see there are being two different types of potential applicants if you will.

One is a group of people whether they're a new entity or a coalition or whatever that gets together for the purpose of launching one of these gTLDs, right.

And in a situation like that then having the minimum amount that Tijani suggests might be appropriate, but I don't know. In the case of a - an existing group that has other activities but that has decided to do this as part of its activities, I would - there may be a real problem if we set the - a really low top cap, because it would assume that this is the only activities that the organization is doing and that may or may not be an accurate assumption.

So I wonder how much flexibility we could have in that, and whether it would be possible instead of having a specific cap on the - in the - specific cap on the organization as a whole, maybe it would be possible to do it related to this activity.

I'm not sure if I'm explaining that very well but I can see for example an NGO or a community group that says, "We already do, you know, A and B and C

and D in terms of our, you know, cultural outreach or in terms of our providing service to the community,” or things like that.

Those things would not necessarily make this less deserving as an activity. Does that make sense everyone? I’m not trying to complicate things. I’m just trying to acknowledge - the reality is, is that there are going to be some organizations and we may want them to be applying, right, that have other things going on, that have long roots in the community, that have back office and skills in areas that are contiguous to this.

Cintra Sooknanan: Are there any comments on that from the group? Alan, I think I saw you. Yes, please go ahead Alan.

Alan Greenberg: Yes I agree. I mean, if we put an absolute cap on the resources the organization has regardless of what they’re currently using them for and what their other, you know, other parts of the application are, we’re saying we only want, you know, groups that are crippled to begin with and something that’s really viable in its own right and will continue, you know, shouldn’t apply.

And I’m not quite sure that’s something that’s correct. I grant however without the cap the criteria makes - is - are - is more difficult. But I think that’s just the kind of applicant we may well want, so I think we have to factor that in.

I had one other comment. In a previous comment Tijani said something about, you know, one year instead of three for continuance funding. I don’t agree with that.

I think three years is a reasonable amount, however it’s three years of minimal-based running to maintain the existence of the TLD and resolution of the TLD, not necessarily the steady state costs when they were still deemed to be successful and growing.

And we talked about that a lot earlier but I don't see it actually in the recommendations, unless I'm missing the wording somewhere. So I think the three years is not unreasonable, but three years of what we need to be specifying. Thank you.

Cintra Sooknanan: Okay. Are there any comments with regard to the 50%? The - go ahead Tijani please.

Tijani Ben Jemaa: Alan, what is - can you give an amount how many dollars it will be one year of minimum operation?

Alan Greenberg: I don't know. (Eric) is - did a lot of work earlier on that and I'm not a Registry expert, but it costs an awful lot less to simply maintain resolution and keep on - keep things functioning if you're not, you know, trying to grow your market or even collect revenue - collect ongoing fees.

If the Registry is deemed to have ceased existence it's a special purpose one and the people who wanted to do it don't exist, or say they can't make a going concern of it, then I don't think we should be trying to find, you know, keeping it alive in its normal form and trying to find another owner as we're - as ICANN intends to do for commercial or commercially oriented TLDs.

So I don't know what the absolute number is. I suspect (Eric) has come up with numbers but I, you know, it - they're not things I have at my fingertips. But it's a very different operation than the kind of thing that is envisioned in the Applicant Guidebook right now. And I thought there was universal agreement with that but maybe I'm wrong.

Cintra Sooknanan: Okay, any further comment to Alan? Andrew please go ahead.

Andrew Mack: Thank you Cintra. A suggestion - in the interest of trying to get us moving forward, if this is an area where there are some good, legitimate arguments on both sides and where there are some new facts that we need to try to

narrow it down, can I suggest that we put a bookmark in this particular space about the exact number and see if - move on and see if there are other things that we'd like to get done?

I just - I know everybody wants to pick up the pace and I think that this is a good thing that we need to get back to, but that we - on this call we probably don't have the final answer, so maybe bookmark it and move on?

Cintra Sooknanan: Okay I agree with that. I see Tijani's also in agreement. Just one thing before we move away from financial need. I've just copied in the Milestone Report - there was - I mentioned it before, the need - well the requirement that the needy applicant must not benefit more than 50% of the reduced fee from us.

Are we still in agreement with this? Well I suppose it's something we'll have to get consensus on just to ensure...

Alan Greenberg: Is there anyone who disagrees on this call?

Cintra Sooknanan: Okay great. All right, so let's move on. All right, I know Tijani you had mentioned the fact that we're not using the specific language, so these are the requirement.

Let me just go to - yes, corporate structure and mission. Are there any specific requirements to corporate structure and mission?

Alan Greenberg: What section number is that?

Cintra Sooknanan: This is 3.2.

Alan Greenberg: Thank you.

Cintra Sooknanan: Now the way this is structured is in my opinion it needs to be modified a little bit. I think what - and the way that it was set out in the Milestone Report was that there are two - well as Carlton had stated in his comments, there are two requirements.

They need to be offered, support-based for a specific guideline, which community-based applications, NGOs looking to then developing economies, scripts with limited Web presence, et cetera, right.

And then you have the financial check, so based on those two things tying in we would know who the needy applicants are. So there's a social aspect as well as a financial requirement, but the way this is stated here is a bit hierarchical so it doesn't exactly read that way. Tijani please go ahead.

Tijani Ben Jemaa: Cintra?

Cintra Sooknanan: Yes. Hello Tijani?

Tijani Ben Jemaa: Yes. I have the floor?

Cintra Sooknanan: Yes you do.

Tijani Ben Jemaa: Okay thank you. So for the four bullet point that you put, you put the Working Group is in broad or full agreement in enabling applicants from the following.

The fourth one, I don't recognize it. I don't see where we had the agreement and where it is written. I don't know it. Companies primary owned by members of the community to be served.

Cintra Sooknanan: Right. I think that that came out of joint ventures. Let me - well let me have the - perhaps different companies coming together but the majority of the companies or the majority of the work being done should have been in

that - the community being served. Andrew, you want to say something on that?

Andrew Mack: Sure. Thank you. Tijani, you're right. This is technically not something that is - that was in the Milestone Report, but I think it's something that is suggested by it.

When we had the initial language around local entrepreneurs - well two things just to go back. I think everybody was generally in agreement. I think I can say this, that everybody was generally in agreement that the legal or juridical structure of the applicant was not a major criteria.

And the reason in part why was because we don't know who's going to apply. We don't know what combinations of people may come together to apply and that the whole idea of what constitutes an NGO, what constitutes a business or a - or different versions of a partnership in different jurisdictions is a pretty big issue.

It varies from place to place, right, so what we wanted to do was to leave this as open as possible to include people as widely as we can with the exception of the exclude list, which is - which we had from the Milestone Report.

I think that the way I read Number 5, the companies primarily owned by members of the community to be served, is a way - a different way of saying local entrepreneurs but to broaden that ever so slightly to say that the company - some - entrepreneur to me suggests a small company, a very small company and in fact a company owned and working in the community might be slightly larger.

But I think the important thing that we agreed on that I took from it was that the legal structure is less important, and the fact that they are trying to do something in this community is more important. That didn't come out right but I think you know what I mean.

Cintra Sooknanan: Okay, I've just copied these bits that are in the Milestone Report, right, that deal with this section. The second comment I have which goes each application requesting such support, that was something that was already written in terms of IDN scripts.

But I think it may be applicable here, that if we do want to open the flood gates so to speak for these kind of companies, that they do have some level of community support. Tijani, you want to say something?

Tijani Ben Jemaa: Yes Cintra. It is a problem here because it is not the criteria. It wasn't a category of applicants that we defined. It was one condition put together with the IDN support.

It is specific to the IDN support, but here if we read it like this, that means that any company which is owned by members of the community can apply, and it is problem for me.

So second point, I said from the beginning that we don't have to modify the Milestone Report unless it is - it comes from a comment, a public comment, and that we agree on this change.

But now we are changing the Milestone Report. We are introducing new categories and I don't agree with that.

Cintra Sooknanan: Okay. Andrew, you want to say something?

Andrew Mack: Yes. Tijani, I'm - two things. Number one is, is that we have done a lot of work since the Milestone Report and so just on the face of it, I don't think that we should be afraid to include the additional work that we have been - that we have done.

The - my reading of this last category is, is that this is an attempt to clarify the potential private sector or company or entrepreneurial applicant. And if that's not clear, let's come up with a clearer definition.

I don't think it's something that is outside of what we discussed initially, though, to Tinjani. Honestly, I don't. I think it's a - it maybe doesn't - maybe it doesn't connect in clearly enough with what you think of number 4. So let's just work on that.

Cintra Sooknanan: Okay, Tinjani, would you like to respond?

Tinjani Ben Jemaa: I don't want to say anything. I have a big problem because I am feeling that we are discussing again the milestone report and it is not our mission now. We don't have time to do that. So we - if we want to use some parts of the milestone report here to introduce the criteria -- the matrix that we want to set -- it is good.

All our mission here is about (unintelligible), about criteria, about metrics, not about defining new criteria - new categories or who will - we'll define again who will get support. We did it in the milestone report. We don't have to repeat it. We can recall it, but we don't have to repeat and to change and to add.

Cintra Sooknanan: Okay. Fair enough. Thank you. Alan?

Alan Greenberg: I generally support what Tinjani said. My only caveat is if in trying to address the issues in our current charter, we find that we really should've changed - we should've done something differently in the initial report, then we should identify that and point it out as a change but a change which we, you know, feel is mandatory now.

I would - I think we need to do our best to not go back and tweak things and just make changes because it's a little bit better. If there are things that we

really in our current wisdom should've done in the milestone report and we neglected to, then fine, we have to correct them and identify it as such. But we shouldn't be revisiting just for the sake of revisiting unless something has become - was thrown up in our face as clearly something we missed in the original one.

To the extent possible, we should be addressing the current new issues. If we have to make changes, then identify it as such, not just slip it in and not mention it.

Cintra Sooknanan: Okay. Alan, how do you feel about this specific point? Do you think it should be left in or taken out?

Alan Greenberg: I don't have a really strong point on it or really strong feeling on it.

Cintra Sooknanan: Okay.

Alan Greenberg: You know, other people have been working on the real substance and how viable our recommendations are and are they reasonably encompassing or not and I'm not the expert on that in this case. I haven't put enough energy into this. I've got - you know, I'm working on other things. But...

Cintra Sooknanan: Okay, no problem.

Alan Greenberg: ...I think as a principle, we should try to keep to a minimum of changes just for the sake of change.

Cintra Sooknanan: Okay. So what I've been hearing is your suggestion that we go back to the language of the milestone report and wherever we deviate, we explain why we've deviated and...

Alan Greenberg: If there is something that really needs to be adjusted and the group - you know, and the group believes that, then so be it. We don't want to ignore something that's important.

Cintra Sooknanan: Okay, fine.

Alan Greenberg: But, you know, try to constrain ourselves.

Cintra Sooknanan: All right. Andrew?

Andrew Mack: One quick suggestion that I think is - wasn't included initially in the milestone report but I think everyone seems to agree on is that there will almost certainly be some sort of - there may be - there almost will certainly will be some sort of partnership or groups coming together -- coalitions -- to do - to make applications. And one of the things that we had in - on the Wiki was the idea of being - having an acceptable category being some sort of combination of other acceptable entities, right?

So an NGO plus a private sector company or, you know, community organization plus an NGO or things like that. That's not on our bullets. I think that should be on our bullets given that we already discussed it at length. Everyone should be okay with the idea.

Cintra Sooknanan: Okay. Are there any comments with regard to that point...

Tinjani Ben Jemaa: Yes.

Cintra Sooknanan: ...have I not included?

Tinjani Ben Jemaa: Yes.

Cintra Sooknanan: Tinjani, please go ahead.

Tinjani Ben Jemaa: Yes, thank you. So thank you, Alan, for your comment. Really, I appreciate what you say. If we have to changes something from the milestone reports, it would be a specific thing that we have to highlight it and we have to discuss it and we have to agree on it, because the milestone reports have been submitted and we will not look very wise or very serious if we change it now and send other thing. We have to stick to it unless there is a big (unintelligible) to our work now and then we have to change something to be able to establish the mechanisms, the metrics, the items mentioned in our charter -- in our new charter. Thank you.

Cintra Sooknanan: Okay, agreed. The only thing I want to read here is the issue of governments. We had initially taken out - we had said governments were not going to receive any kind of funding, but we had put in within here - I think we were looking at the fact that they may be able to get funding based on what was stated with the GAC meeting and the request from that GAC working group. Do we have any strong feelings for or against that? Tinjani?

Tinjani Ben Jemaa: Yes, thank you. Again, here also, it's a change in the milestone report if we want to change it. And if we will change it, it would be according to the comment received from the GAC and we have to have real agreement on it.

What I proposed in an earlier time that we don't touch the categories that have to be supported. We will change only the categories that haven't to be supported -- the exclusion. And the exclusion, we can put a nuance if you want. According to what the GAC will provide us because we asked them to provide us with their views and they didn't do anything so far. Thank you.

Cintra Sooknanan: Right, okay. Are there any further comments on that point? No? Okay.

At this point, Rafik, can you just tell me (unintelligible)...

Andrew Mack: Sorry, Cintra, I - this is Andrew. I have a - can I just jump up? I didn't get my hand up in time.

Cintra Sooknanan: Sure, no problem. Go ahead, Andrew.

Andrew Mack: The - there's a question about - to Tinjani's point, there's a question about where we are with the GAC and what we're expecting by when from then. And there were some questions as to whether or not they were going to get back to us or we were going to get back to them. And I wanted to know - maybe this is where you were going to hand it to Rafik, but I'd love to know where we are with that.

If they're expecting something from us, I think it would be wise for us to say exactly what we are hoping to get back from them so that we don't give them the impression that we'd approval or their - you know, or their - that they need to review all of the work that we're doing but that we're very specifically focused on the government issue. Make sense?

Cintra Sooknanan: Yes. I just want to ask Rafik if it's okay for me to just go by five minutes on this item of the agenda. Rafik, is that okay?

Rafik Dammak: Okay, no problem. Just...

Cintra Sooknanan: Right, because I know you have (unintelligible).

Rafik Dammak: Okay, it's just that the second document - the second item is about (unintelligible) criteria.

Cintra Sooknanan: (Unintelligible), which is what (unintelligible).

Rafik Dammak: We - I think we are still the criteria. Okay, so you can - I think they're overlapping items anyway. Okay, go.

Cintra Sooknanan: Okay, no problem.

Rafik Dammak: Yes, yes, please.

Cintra Sooknanan: Thank you. All right, coming back to Andrew's point -- Tinjani, if you don't mind just holding for one moment -- I posted in the chat my drop waiting for that bit, right? So I don't know. It was not in the Wiki page, but we could just have a read on it.

This is my understanding of what the - where we are right now. Basically, the GAC will take a look at our criteria and then they will give us recommendations on how or if a government entity can fit into our criteria or how our criteria may be tweaked for their purpose to allow developing countries to apply. Andrew, you want to say something?

Andrew Mack: Am I - I'm sorry. My hand was up from last time.

Cintra Sooknanan: Okay. Tinjani?

Tinjani Ben Jemaa: Yes, have you finished with section 3?

Cintra Sooknanan: Three point what? Two or communities? Needing to (unintelligible)?

Tinjani Ben Jemaa: Yes.

Cintra Sooknanan: No. What I wanted to do is I just wanted to raise the - that government point, because it's 3.2. The working group was also explicit regarding organizations that should not be eligible. So I just wanted to cruise off on that bit and then move to 3.3 if it's okay. Yes?

I don't know if there are any comments with regard to the message that I have posted here. Andrew, I know you had the concern about where we're at right now with the GAC. This is...

Andrew Mack: Right.

Cintra Sooknanan: ...(unintelligible) that query.

Andrew Mack: Right, and my only concern, Cintra, is I think that there's a chance that if we - well, first of all, I want to make sure that if we owe them something, that we get them something, and if they owe us something, that we know when it's coming, but more importantly that this doesn't slow us down and this - that there's not a sense that they are overseeing our work but rather just contributing into it.

There was - there has been some pretty strong pushback against the idea of including governments and I think that Elaine and others have made it clear that before we would approve that, we would want to have a long conversation about it amongst the group. Is that the way everybody else remembers it because that's the way I remember it from our earlier conversation? Hello?

Cintra Sooknanan: Comment from our group with regard to their (unintelligible)...

Andrew Mack: Comments - my apologies. Comments from the group regard - specifically related to whether or not to include government application. In the milestone report, we rejected the idea of having government application. GAC comes to us and asks us to include - to consider including them.

And then the question is - at one point in time, I was thinking that the GAC was going to come back to us with a request of - a more detailed request of what that would look like -- almost like a proposal -- and then there's something question as to whether or not they are to come to us and give us that information or whether we are going to - they're going to look at what we propose - what we put forward and then add to it. I just wasn't sure where we were with that.

Cintra Sooknanan: I think they are going to look at our criteria and then add to it and see how they can refine it if they can to developing countries. That's the impression that I had. Alan, please go ahead.

Alan: Yes, I don't think you're going to get anything from the GAC at this point other than what they've published in conjunction with their discussion negotiations with the board. So to the extent there is something there, we can use it. To the extent it isn't there, I don't think we can expect anything -- certainly not prior to coming out of Singapore. Thank you.

Cintra Sooknanan: Okay. Cheryl?

Cheryl Langdon-Orr: Thank you, Cintra. Cheryl for the record. Yes, certainly, accounting what Alan has just said, I was concerned about the timing issue.

To the particulars of your text, Cintra, I'm comfortable with along the lines that we've been discussing up until the last sentence then and it goes to, to some extent, what Andrew's been raising. I think the practicality of it is that the GAC working group whether it's offered to or not is not going to get that loop closed even if we were to send them the JAS criteria in a timely manner, which at this point in the proceedings we have not. So I think we need to certainly propose deleting that last sentence and dealing with them with the timing issue in another way.

Just back to the pushback that Andrew was referring to, of course, not all of us were totally on the anti-government bandwagon, but it was not a view that was of sufficient, I guess, influence when we put our consensus on this matter for the milestone report. I think raising this fits with the points Tinjani and others have made in this call. I would treat this as a piece of reaction and requirement to consider additional change because it is coming in a similar manner to what we would've expected to public comment to the milestone report, so I'm happy to put it on the agenda.

I think we particularly have the opportunity to suggest that, for example, in the consortium model which is also being put forward for consideration in the criteria that this is one of those opportunities where a type of government -- remember we were not just talking very specifically. In San Francisco, we were definitely not referring to governments in terms of simply a national - in fact, very unlikely to be a national or federal entity, but far more likely to be a regional or sub-regional or local or even at the level of a community or cross-community entity, which in the definition of the particular (unintelligible) nation, was still a governmental organization. So we were talking about municipal and local government entities.

There are a number of existing examples in not gTLDs, but certainly ccTLD policy where a governmental entity, most frequently at a local or municipal level, does not qualify to be in the non-gov space or non-education space in its own right, but can be a part of a consortia or group of interested parties that put together opportunity for community-driven and/or community-managed and owned namespace interests. And it's happened on a number of occasions where geographic names permitted within country.

And I think if we work from that type of precedent and use that at this stage at least as an example of the type of way that a particular local or municipal governmental interest from a developing economy that was meeting a particular community need for gTLD might make it into this list, then we would be heading in the right direction. Now if that was what was agreed to, I think that type of text could be sent as an advanced copy to - by the coaches of the JAS workgroup to the GAC representative whose name suddenly escapes me that came to the meeting in San Francisco. I think part of our problem is that we were expecting to have more GAC input in the actual JAS workgroup meetings and we haven't had that.

Thank you for indulging me through a very long intervention.

Cintra Sooknanan: Thank you, Cheryl. Okay, so I suppose I was (unintelligible) as well as Rafik can be with our way forward with the GAC and those recommendations. I just want to move on. See if we can get through 3.3 Communities Needing to Preserve Language or Culture. See how accurate that is.

Tinjani Ben Jemaa: Yes?

Cintra Sooknanan: Sorry, Tinjani, please go ahead.

Tinjani Ben Jemaa: Thank you. 3.3, I don't see why it is here, because it was said already. We said in 3.2, the first paragraph, that linguist and linguist communities that pass their need criteria are eligible. So why do we give up this whole paragraph for this particular category? I don't understand. If it is for emphasis, I don't like it because we don't - we are not prioritizing a category then another.

Cintra Sooknanan: Okay. I think we should - what I'll do is I'm just going to copy the specific language that was used in the milestone report and maybe we can just refer to that. If the problem is just a matter of phrasing, we do not certainly need to use this example. So I've just pasted that community-based application.

Tinjani Ben Jemaa: Okay.

Cintra Sooknanan: Are there any other comments on this section? I do have to apologize for the noise outside as well.

Man: Little bit of (unintelligible) in the background?

Cintra Sooknanan: No it's just an alarm? Are there any other comments on 3.3? No? Okay. So, 3.4, Communities Needing IDN support. Tinjani, please go ahead.

Tinjani Ben Jemaa: Yes, so what I said in my e-mail - the previous e-mail to Andrew and what I put here in my comments, I fully agree that the promotion of the

underserved language is a noble objective that I support -- fully support. But this working group doesn't have this mission. This working group has the mission to support needy applicants.

So I think that what was said in the milestone report was good and now we need to find the mechanisms as it is as - in the charter -- in the new charter point issue number K. We need mechanism. We don't need to add things for the bundling, etc., etc.

Cintra Sooknanan: Okay, but Tinjani, you understand this is part of the criteria mechanism. It is one of the aspects that is going to be considered along with financial. So I do see some value in refining what is in the milestone report but maybe not repeating as you say. Andrew?

Andrew Mack: Yes, Tinjani, I hear what you're saying. We made a conscious decision to include a group that I worked on and that you worked on somewhat and (Erik) and others and Cintra and Carlton specifically looking at this issue over the course of the last six months. I think that we had an affirmative decision by dint of the establishment of that working team that we were going to look at this issue and include it. The time - you know, if we had made a decision that we didn't want to move forward with it, then the last six months of the work, we wouldn't have done.

So my sense is, is that this is - yes, is that this is - this falls right out of the work that we had done on the milestone report and frankly that this is important. I'd like to address two of the issues in terms of the things that are placed in red there.

One was related to the issue of the ccTLDs. I think that while there is a lot of progress that's been made with the ccTLDs, it is clear that there are some real limitations, including some limitations imposed by the strengths of the organization and the effectiveness of some governments around the world. So that's one thing.

The second thing is in terms of the underserved communities, we're - the whole purpose of this is to try to make it possible for two classes of people that we've talked about and that we've got language around. One is communities that have a two-script identity like French and Arabic in Tunisia. And then the other one is groups that are going to have - that are languages that are unlikely to ever be built out because they're small. And those are both ways of addressing the digital divide and addressing the needs of the community.

So I think it hits our core straight on, but we've got to - you know, it's already in our report effectively. So I think that we can get metrics around what qualifies as an underserved community pretty easily. I don't think the CCs will do it just on their own. Thank you.

Rafik Dammak: Cintra?

Cintra Sooknanan: Yes, Rafik?

Rafik Dammak: You have two minutes on the call. I think it's time to (unintelligible)...

Cintra Sooknanan: May I just take Tinjani's response to this and then it will be - you know, you can take over from there.

Rafik Dammak: Yes.

Cintra Sooknanan: Okay? Tinjani?

Tinjani Ben Jemaa: It is not a response. It's only to say that what was - what we are supposed to do is to do the issues of the charter -- the new charter. And in the charter, they say we have to find mechanisms for the IDNs. It is not to say to rewrite the milestone report and give more - how to say - more reasons for the - for

(unintelligible), etc. I don't find that we are doing our work. I find that we are rewriting the milestone report in another way and I don't like it.

Cintra Sooknanan: Okay. Sorry now. Rafik?

Rafik Dammak: I just think we have only one or two minutes to finish this call. Let's now to agree what we will do in the next call. I saw that Cheryl suggests that we start off from the .3, .4. I think that we are - we don't have any agreement yet at this point. And in the meantime, I would ask - I would like to ask people to continue commenting on the Wiki so it will be more easy for the editors to compile comments and that we have updated documents for next time.

Any suggestions for next call that can be added to the agenda of the next call? Okay. Having none and - Andrew, please go ahead.

Andrew Mack: Rafik, this may or may not be an appropriate request. So I - you know, you can take it or leave it. I will be away for a family thing on - and will be unable to be on the call on Friday. And given that this 3.4 is an issue of great personal interest and one I've been working on the - running the work team for, if there's any way we can push the discussion of that specific issue to Tuesday, I'd be most appreciative.

Rafik Dammak: Okay.

Andrew Mack: But I'll be away from - I won't be able to be on the call on Friday.

Rafik Dammak: Okay. As you were leading that - you are leading the team about IDN support, so it's better that you should be present when we are going to discuss. So okay, we can start from the 3.5 and then we can discuss about the .3, .4 on the next Tuesday call. Cintra, any comment?

Cintra Sooknanan: Rafik, I'm sorry, I don't want to take too long. I just want to agree with Andrew simply because IDNs are part of our new charter and I don't think it

was discussed in the level of detail that it requires to be discussed in the milestone report. So I do think that maybe perhaps next week Tuesday we can really spend quite some time just discussing IDN for that point alone because it is now part of our charter. Thank you.

Rafik Dammak: Okay. So anyway, I will like ask again people to make the comment about the specific point on Wiki for that next Tuesday call - by - for Friday, we'll start from the point 3.5. Okay?

Any other comments? Okay, thank you. Thank you for attending this today call. And this call is adjourned. Bye-bye.

Tinjani Ben Jemaa: Bye.

Andrew Mack: Very productive call. Thank you-all.

Cintra Sooknanan: Thanks everyone. Thank...

END