

**SO/AC New gTLD Applicant Support Working Group (JAS)  
TRANSCRIPT  
Friday 06 May 2011 at 1300 UTC**

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**Participants on the Call:**

**GNSO**

Carlos Aguirre – Nominating Committee Appointee to GNSO Council  
Rafik Dammak - NCSG - Council liaison – WG chair

**ALAC**

Carlton Samuels – LACRALO - At Large - WG co-chair  
Tijani Ben Jemaa - AFRALO - At Large  
Alan Greenberg – GNSO Liaison – NARALO  
Dev Anand Teelucksingh – At Large  
Olivier Crépin-Leblond – ALAC chair  
Cintra Sooknanan – At-Large  
Evan Leibovitch - (NARALO) – At Large

Eric Brunner-Williams - Individual  
Alain Berranger - Individual  
John Rahman Kahn - Individual

Elaine Pruis – MindandMachines

Sébastien Bachollet – ICANN Board

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Karla Valente  
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**Apologies:**

Andrew Mack – CBUC  
Alex Gakuru – NCSG  
Michele Neylon - RrSG  
Baudoin Schombe - At-Large  
Cheryl Langdon-Or - ccNSO Liaison - APRALO  
Tony Harris –ISPCP

Coordinator: The call is now being recorded. Please go ahead. Thank you.

Gisella Gruber-White: Thank you. Good morning, good afternoon, good evening to everyone on today's JAS call on Friday, the 6th of May.

We have Rafik Dammak, Carlton Samuels, Tijani Ben Jemaa, Cintra Sooknanan, Carlos Aguirre, John Rahman, Olivier Crépin-Leblond, Alan Greenberg, Eric Brunner-Williams, Alain Berranger, Elaine Pruis, Evan Leibovitch, Dev Anand Teelucksingh.

From staff we have myself, Gisella Gruber-White. I hope I haven't left anyone off the list.

Apologies noted from Cheryl Langdon-Orr, Tony Harris, Alex Gakuru. And if I can please remind everyone to state their names when speaking for transcript purposes.

Thank you. Over to you Carlton and Rafik.

Carlton Samuels: Thank you, Gisella. Good morning everybody. I will just go the first part of this good afternoon of this call.

The interest here is to put the document that we are going to float up to the various organizations for us to finish this writing this document. So I am perfectly willing to have - consider how we go about this.

My preference would be for us simply to look at the document as is and we will allow the principle writers of the document free reign to lead the talk through. What I would expect is that where there are areas that they're still unsure of what to write, they will bring it forward. We will have a quick one, two, and then we'll make a decision and move it along. So this is not the time for debate. It is just to accept the suggestion from the drafting team.

So, I would put it over to the leaders of the drafting team, Evan and Cintra to move us through what they have prepared.

Evan? Cintra?

Evan Leibovitch: Cintra do you want to do it this time, or me? Take your pick.

Cintra Sooknanan: Evan, I'd be happy to defer to you right now. I'm a bit here but not here.

Evan Leibovitch: Okay.

Cintra Sooknanan: Because of work. Thank you.

Evan Leibovitch: Right. So what I'm going to do then is start to go through things. Last call we made an awful lot of progress. We covered off essentially most of what we'd call Part 3. So if you'll have a look at the document, it has changed significantly since our last phone call in an attempt to both solidify the point of view of this group as well as to clarify.

There's a couple of formatting problems, but that will be addressed.

So what I would like to do is first of all just take a check at does anybody have any comments so far of everything - of anything up to the beginning of Part 3? I think that this has been mainly covered off until now, but I just want to check.

Carlton, do you want handle the queue or do you want me to?

Carlton Samuels: No. You handle the queue.

Evan Leibovitch: Okay.

Carlton Samuels: I'm leaving it up to you my friend.

Evan Leibovitch: Okay. Tijani, go ahead.

Tijani Ben Jemaa: Thank you. Thank you, Evan. For Part 3, Point 3, the applicant must not have any of the following characteristics.

Evan Leibovitch: Okay. Hold on just - why don't you see if any further comment on Part 1 or 2 before just (unintelligible)...

((Crosstalk))

Tijani Ben Jemaa: Okay. Thank you.

Evan Leibovitch: So, okay. Eric, did you have any comment on Parts 1 and 2 before we moved on to Part 3?

Eric Brunner-Williams: Yes. But I'm looking at the preamble or what comes before Part 1, where the process is divided - defined as being confidential.

Evan Leibovitch: Okay. Forgive me. I thought that was taken out.

Oh, it's still there. Sorry about that Eric.

(We should) - you want to mention anything about this? That wording got put in last time after I think one person from the working group made a comment suggesting it, and I share your concern about this Eric.

Can we get a consensus from the group? I was under the impression that - especially given that our background - a lot of us being - coming from At Large, transparency is a very, very big thing. And if I can - I'm not expressing your point of view Eric, it's certainly my own that this process needs to be

transparent. The idea of anybody going confidentially and asking for funding is something I would disagree with.

So the term confidentiality, I forgot about that, that it's actually still in there. Is that your comment Eric, or did you have something else to say about it?

Eric Brunner-Williams: No, Evan. That's it.

Evan Leibovitch: Okay. So is - so the words then for a confidential process, does anyone have any problems - okay. We got a long queue about the word confidential in there. Tijani - or did you - is your hand up about this issue?

Tijani Ben Jemaa: I agree that it must not be confidential. I must be open. Must be...

Evan Leibovitch: Okay.

Cintra?

Cintra Sooknanan: The reason why confidential was put in, I had put it in based on last week Friday's call, I believe where Cheryl had made the statement that if we do make our approved applicants public, that may prejudice them from actually getting funding outside from other sources in the community.

If the group decides by consensus that it should be out, then I'm fine with it either way.

Evan Leibovitch: Okay.

All right, without giving my own comment on that yet, I'll go to the queue.

Dev?

Dev Anand Teelucksingh: Thank you. Yes. Well, I think that's - as people mentioned before, it should not be confidential, only the certain key aspects like the personal details, et cetera, would be kept confidential, of the applicant.

But I mean I just want - my comment is that I guess when we come to Step 5 as to how - when it comes to the flow chart, because my thinking is sometimes I think that - and in terms of how this process is going to work in relation to the Applicant Guidebook. Can it be integrated as part of the Applicant Guidebook or - so I'll defer comments until we get to Part 5 about that.

Evan Leibovitch: Okay. Do you have any comments on the confidentiality issue?

Dev Anand Teelucksingh: Well, I think it's similar to the Applicant Guidebook. You would have certain details like the financial details. You may not want to - you know publicize that. I mean, we'll have to use it to evaluate the application, but it still won't be publicized. But, it's officially here, these are the applications that have applied for needy support for example. But, similar to the Applicant Guidebook from that aspect.

So, I suspect you have to say something like accountable and transparent as possible wording for that.

Evan Leibovitch: Okay.

Okay. All right. Moving on in the queue. Alan.

Alan Greenberg: Yes. We're going to get bogged down if we start debating things here which are - where there are clearly different opinions. I would suggest again this is just a milestone report. If we can't get closure, let's be silent on it.

Evan Leibovitch: Well, what I'm hoping Alan is I think we could get closure because right now on the call, I can't find anybody who supports it.

Alan Greenberg: Well, except Cintra said that it was put in at - because of some strong statements that Cheryl made and Cheryl's not on the call.

I'm just suggesting that debating individual points right now, we are not going to get through this document in time. And if we can't come to closure, then silence is a fine thing to do I think.

Evan Leibovitch: Well, what I'm going to - well...

Alan Greenberg: Well, I have one other thing to say then I'll release the speaker queue. The statement that says it's not part of the Applicant Guidebook but parallel to it, I think there at the beginning needs a statement saying but it must be referenced in the Applicant Guidebook so potential applicants are aware that it will exist.

Evan Leibovitch: Okay.

Alan Greenberg: Thank you.

Evan Leibovitch: Good point.

Is anyone taking notes on this in terms of action items of edits to make to the document, because Alan's point is a good one. And since I can't talk and do - do this and take notes at the same time, is there anyone on this call that is taking notes on this?

Okay. Don't all speak at once.

Alan Greenberg: Well if Cintra's the co-author and she's not handling it, then - the spoken part, then perhaps she can take notes.

Evan Leibovitch: Okay. So I'm going to count on Cintra and/or Gisella to take notes on this so I can...

Gisella Gruber-White: Yes, I'm taking notes.

Evan Leibovitch: Okay. So we can (unintelligible) - can do those, that it's both on the issue of confidentiality and to add, as Alan suggested, that his remark we have to make reference that this document, even though it's not going to be integrated into the Application Guidebook, at least needs to be referenced from it. So, okay.

Anyway, we'll - I'll talk to Cheryl offline about the point on confidentiality, because I think it's a (unintelligible)...

((Crosstalk))

Alan Greenberg: But again, we can afford to be silent at this point on that kind of issue.

Evan Leibovitch: Okay.

Olivier, go ahead.

Olivier Crépin-Leblond: Thank you, Evan. And bearing in mind what Alan had just said, maybe I'm just going on about a subject that might be closed by now.

On this subject of confidentiality, if the applications are open and published as they arrive, then I think that there is a problem with that because they will be looked at by other potential entrants in the market that might wish to put a rival application into - in the same process.

On the other hand, if they're published after the closing time for application, then I don't see any problem with it being open and transparent. Thank you.



Evan Leibovitch: Okay. I would simply mention that this is kind of late in this discussion to be talking about something really this fundamental.

Anyway, Eric go ahead.

Eric Brunner-Williams: Thank you. This comment is somewhat - something of a process point. Which member of ALAC has the unilateral right to add text? I don't think that Cheryl's insertion of this idea in the last call, over my objection in email since I really wasn't able to participate fully in the call, is any - has any greater rights to be left in or left silent about than anything else.

I - my response to Alan is that this - trying to be silent on something that got stuck in on the last call is just not the right process. Thank you.

Cintra Sooknanan: Can I just respond to that? I put in that insertion and it wasn't asserted on the last call, it was last Friday's call, and it is subject to review. That is the whole point of us going through this now.

Evan Leibovitch: Okay.

Eric Brunner-Williams: (Unintelligible) then review it.

Evan Leibovitch: Okay.

Eric, I totally share your concern about this, and we'll do what I can between now and the next few days to address it.

Okay, I still see Olivier's and Alan's hands up. So you still have something to say on this issue?

Alan Greenberg: Yes.

Evan Leibovitch: Go ahead.

Well, Olivier's first. Olivier?

Okay. Go ahead Alan.

Alan Greenberg: With regard to Eric, I wasn't trying to say she has unilateral right. If I understand correctly what Cintra said, removing it undoes what Cheryl's comment generated and effectually yields silence at this point. It doesn't put in the negative. I don't think previously it said non-confidential, but maybe it did. I may be wrong.

I'll point out what Eric has pointed out a number of times; that for this process to be effective, people are probably going to have to use it prior to application.

Evan Leibovitch: Okay. So...

Alan Greenberg: It's not even an issue of releasing them one by one. It's before the process even starts.

Evan Leibovitch: Okay Alan, but I'm - for the interest of trying to get something...

Alan Greenberg: Yes.

Evan Leibovitch: ...done here in a short period of time, you're suggesting silence on the issue, which also happens to agree with Eric, which is keep the thing the way it was before the thing was added last week.

Alan Greenberg: That was the point I was making.

Evan Leibovitch: Okay. So we're all in violent agreement then that the word should come out and may be subject to further review.

Okay. Good. Moving on.

All right, so is there any other comment about Parts 1 and Parts 2?

Right now at the work - based on the work done by the drafting team, all of the red text has been taken out, and so the intention is that the black text in Part 1 and Part 2 would remain as is. If there's no further comment on that - okay, Cintra. Go ahead.

Cintra Sooknanan: Hi. In Part 2 - sorry, Part 3.1, Bullet Number 2...

Evan Leibovitch: Okay. We're not on Part 3 yet. Just trying to get consensus that Part 1 and Part 2 has no further comment on it. That we can move ahead.

Cintra Sooknanan: Okay. Sorry. Sorry.

Evan Leibovitch: No problem.

Okay. Seeing no further comment on that, we will rapidly move to Part 3.  
Cintra, go ahead.

Cintra Sooknanan: Evan, you have drafted this proposal, but I don't think it effectively captures the fact that we do have to include a social benefit for 3, 4, and 5. So therefore, 1 and 2 -- right -- which is from - 1 is from a community and 2 is from an underserved language. The social benefit in those applications is obvious, but for 3, 4, and 5 it's not.

So, I think we - for 3, 4, and 5, we do need to couple the social benefit aspect which you have low down...

Evan Leibovitch: Okay.

Cintra Sooknanan: Yes.

Evan Leibovitch: This is - okay. Again, this goes to something that was a relatively recent inclusion within the past week, which was the concept of social benefit added to the criteria that were mandated under before. So there have been various social benefit issues such as economic stimulus, gender balance, and so on, that were - that have been - that were suggested to be added within the past week.

And so what I've tried to do is because I - they didn't seem to be primary criteria, there were actually moved to a sentence after the mandatory criteria. Are there any suggestions of how to deal with what Cintra has put into the blue text under Part 3.1.2, which essentially says that - under the criteria about operation in an emerging market or nation sponsored by non-profits, civil society, or non-government organization, operated by a local entrepreneur in those geographic areas where market constraints make normal business operations more difficult.

Do we need to put any text to say that the applicant has to demonstrate a specific social benefit from one of those three characteristics?

Tijani, go ahead.

Tijani Ben Jemaa: Okay. I am - I didn't want to speak about that, but I think that we can - it is - when it is from a civil society, it is already a social aspect. So I don't think that we need to add something. Perhaps (unintelligible) yes, you're right, but not for the civil society and for the NGOs, et cetera.

And in the emerging markets, we can add something. Yes.

Evan Leibovitch: Okay. So, if...

Tijani Ben Jemaa: I have - okay.

Evan Leibovitch: Between now - within - over the weekend, if somebody can suggest a different - a slightly modified wording for 3.1.3 and 3.1.5 that would make the social benefit aspects of those points more apparent - if somebody could recommend something, that would be appreciated. If not, the drafting team will come up with something on its own.

Tijani Ben Jemaa: I can...

Evan Leibovitch: Okay.

Tijani Ben Jemaa: I can if you want.

Evan Leibovitch: Tijani, are you still in the queue, or are you done?

Tijani Ben Jemaa: I am still on the queue for other things.

Evan Leibovitch: Okay. But for right now, we're dealing with this specific thing.

Okay, Alain, go ahead.

Alain Berranger: Yes. Thank you very much. I'll volunteer to draft up some words on the social benefits aspects.

Evan Leibovitch: Okay. Thank you very much.

Alain Berranger: I'll just have to be briefed about the timing. That's all. When...

Evan Leibovitch: Alain, I'm more than happy to go offline and talk to you about that.

Alain Berranger: Excellent. Thank you very much.

Evan Leibovitch: Okay. Alan.

Alan Greenberg: Yes. Just quickly. I think to the extent that we can get words defined - if we change the introduction - the Point Number 1 - the Bullet Point Number 1 to - from "including" to "which may include". It's a little softer.

I'll point out that this is a (C) change that we have gone through and maybe once we get out this particular document, we need to go back and think again that originally we said we're going to help people who don't have the - enough money.

We've added in social benefit, and the question is if this is a commercial operation which simply needs a boost to become viable, that may or may not have a real social benefit other than boosting the overall capabilities within the country. So we may want to go back and look at that, but we can cover it to some extent now by simply changing the "including" to something softer. Thank you.

Evan Leibovitch: I'm hoping that the wording that (unintelligible) is going to work on that we've been talking about, about possibly some minor modifications to those specific points, may help to add some...

Alan Greenberg: I'm giving you a fallback if you need it.

Evan Leibovitch: Got it.

Okay. All right. So Eric, go ahead.

Eric Brunner-Williams: Thank you. I think Tijani's ahead of me in the queue.

Evan Leibovitch: I (unintelligible)...

((Crosstalk))

Tijani Ben Jemaa: Not for this point.

Evan Leibovitch: If you're talking - if you have something on 3.1 Eric, go ahead now. I think Tijani wants to talk about something else.

Eric Brunner-Williams: To a public interest issue of them.

Evan Leibovitch: Yes.

Eric Brunner-Williams: It was always present in Resolution 20, so I think we have a public interest case for the things that we've already put here. I'm sorry I'm not very articulate right now, so I'll stop talking. Thank you.

Evan Leibovitch: Okay.

All right. So essentially what we're going to do with Part 3.1 is (unintelligible) and I are going to work off line to see if we can come up with some modifications to Bullet Points Number 3 and Number 5 to emphasize the social benefit of that.

Okay, moving on. Demonstrate financial need. And for that, Tijani, are you in the queue about this part? About 3.2?

Tijani Ben Jemaa: Yes. No, I am on the queue for 3.3.

Evan Leibovitch: Okay.

All right. Then if that's the case on 3.2, Elaine go ahead.

Elaine Pruis: Thanks. Yes, I was just looking at 3.2 and it references the 3.3, but I don't see a 3.3 on the document - on the Wiki. Is it somewhere else.

Evan Leibovitch: You're probably going to have to refresh it. Under Part 3, there's a 1 and a 2 and a 3. Pretty explicit. Right underneath where it says 3.

Tijani Ben Jemaa: No. She's right. She's right. 3.3 is missed.

Elaine Pruis: Thank you.

Evan Leibovitch: (Really)?

Tijani Ben Jemaa: Yes. I put the paragraph 3.3, but it is not there now.

Alan Greenberg: She's not talking about sub-Bullet 3 under 3, but 3.3.

Tijani Ben Jemaa: She is speaking about 3.3, yes.

Alain Berranger: Yes. Just before Part 4 starts.

Evan Leibovitch: Okay. I'm not (unintelligible)...

((Crosstalk))

Evan Leibovitch: Right now, I'm on the main bullet points of - right now, we're still talking about 3.2 before we're even moving ahead to that.

Alan Greenberg: 3.0...

Elaine Pruis: (Unintelligible) 3.3, and there is no 3.3.

Tijani Ben Jemaa: Alan - Evan?

Evan Leibovitch: Yes?

Tijani Ben Jemaa: We are on 3 and Number 2 - 3 Number 2. It's not 3.2, because 3.2 is a paragraph - is later.



Evan Leibovitch: All right.

Alan Greenberg: Yes. This is the part preceding 3.1, unnumbered other than that.

Evan Leibovitch: Okay. I'm on the bullet points right now.

Tijani Ben Jemaa: Okay.

Evan Leibovitch: (Unintelligible) for eligibility under this program. We've got a 1 and a 2 and a 3. On the 2, the application must demonstrate financial need.

Eric, I need - I guess you and I still need to work offline on going through that. You sent something fairly extensive, but we need to gel that into a couple of sentences that can be used here and perhaps fleshed out further in future text.

Eric Brunner-Williams: Right.

Evan Leibovitch: So that's being left as an action item in red.

Eric Brunner-Williams: Yes.

Evan Leibovitch: (Unintelligible) to submit non-income measures.

Okay. So going to the actual parts underneath. So - and you're right Elaine; there is no 3.3, and the purpose behind this is that the Paragraphs 3.1, 3.2, and so on were to give explanatory notes. If - is explanatory text required for the 3.3 is I guess what I'm asking.

We have the material there in the bullet points right after the - in the section Part 3 who qualifies for support. To qualify for eligibility, we've got 1 and 2 and 3, and what follows in the - you know, where it says "notes on" is

essentially where further text is required to explain what was in the part in front of it.

Is explanatory notes required for 3.3 Elaine?

Elaine Pruis: I wouldn't know because I didn't - I couldn't find 3.3. I think we just need to change the notation a little bit. We've got a header Part 3, and then there's a 1, a 2, and a 3, and then there's a 3.1, 3.1.1, 3.1.2. So maybe we move the notes underneath the relevant sub-headers or we number things - just make it easier to find.

I'm you know scanning this document, I think just as anybody else would scan it looking for the relevant points. And if they're hard to find, then that's a problem.

Evan Leibovitch: Okay. The intention was to try and put it right under Part 3 to say you know, here's a summary of the point - here's a summary of the criteria, and then underneath are notes on them.

So, okay.

Alan Greenberg: I can to try to address it if you get to me.

Evan Leibovitch: Sorry?

Alan Greenberg: I can try to address that if you get to me.

Evan Leibovitch: Okay. Well, then I just have Alan. Go ahead.

Alan Greenberg: Okay. First of all is an extraneous "1" after the second "and", which should be removed because it adds to the confusion.

Evan Leibovitch: Fixed.

Alan Greenberg: Number two, I would take Point Number 1 under 3 and move it to the end. Having it lead the one that people have already - some people have already said they want to change and we say - and we're saying we may negotiate shouldn't be the lead one.

Evan Leibovitch: Okay. Refresh your screen now Alan and tell me what needs fixing.

Alan Greenberg: Okay. The "1" is gone.

Oh - no - I would not put those 3.1's, because now we have two sections called 3.1, two sections called 3.2. So I wouldn't have changed what you just changed in the headings.

Evan Leibovitch: Okay.

Alan Greenberg: What I'm suggesting is under what you right now have as 3.3, which was 3, I would take Item Number 1, "from a developing country, governmental, or parastatal, or an applicant" and move that to the bottom of the list.

Evan Leibovitch: Oh, okay.

Alan Greenberg: So we don't lead off with the one that we're probably going to change.

Evan Leibovitch: Oh, okay.

Alan Greenberg: Okay. Number - next, I would take the bold section that says "applicant by governments"...

Evan Leibovitch: Yes.

Alan Greenberg: ...and move that into perhaps with another lead in sentence into what Elaine was saying is the missing 3.3.

Evan Leibovitch: Oh, got it.

Alan Greenberg: Now, you may want to - you know, you may want another flowery sentence or something to talk about why we are excluding these, and then the "application by governments" that makes the 1, 2, 3 correspond with the 3.1, 3.2, 3.3, and takes some somewhat extraneous text out of the introductory part and into the discussion. Thank you.

Evan Leibovitch: Got it. That makes absolute sense Alan. And so, that is - that's definitely going to be done.

Okay. Are there any other - what other comments are there on Section - on Part 3?

Alan Greenberg: The paragraph that starts, "Although not," that may perhaps should be in the discussion as well.

Evan Leibovitch: The intention behind that Alan is - and maybe this group can help with how this is dealt with. In the past couple of calls, we've been dealing with social benefit aspects that were not sort of primary ones. Things like economic stimulus and gender balance.

And so, there was a comment in the call that these should be included; however, I also don't think that there was agreement that these were primary criteria that on their own should be qualifications for getting aid.

Alan Greenberg: Shouldn't that be in the discussion of 3.1 though, not 3?

Evan Leibovitch: Oh, okay. Got it. So - all right. All right. I understand what you're saying. So it's just a matter of placement.

Tijani Ben Jemaa: I understand. But why...

((Crosstalk))

Alan Greenberg: But I'm suggesting it be in the second - in the part under 3.1, not in the lead in on 1. It's - you know, it's a sub - it's a detail perhaps.

Evan Leibovitch: Got it.

Okay. All right. Tijani, go ahead.

Tijani Ben Jemaa: Yes. At Point 3, end of Part 3, "The applicant must not have any of the following characteristics."

Evan Leibovitch: Yes.

Tijani Ben Jemaa: Number 1, "From a developing country, government, or parastatal." You mean that if he is from a developed country, it's not a problem?

Evan Leibovitch: Oh, okay. All right. Point taken.

Tijani Ben Jemaa: So we have to remove developing country.

Evan Leibovitch: You're right. You're right. Okay. Those words come out. Thank you.

Okay. Any other comments on Part 3?

Tijani Ben Jemaa: Part 3, or Part 3?

Evan Leibovitch: Yes. Anything (unintelligible) now, or...

Tijani Ben Jemaa: Okay. I have...

Evan Leibovitch: ...anything in Part 3?

Okay. Tijani and I have Dev in the queue after.

Tijani?

Alan Greenberg: You mean all of 3 or just the part preceding 3.1?

Evan Leibovitch: Right now, all of 3.

Tijani Ben Jemaa: Oh, before 3.1? Okay. No, I don't have anything.

Alan Greenberg: Evan just said all of it.

Evan Leibovitch: Yes. Right now we - okay. Go ahead.

Tijani Ben Jemaa: Okay. All of it.

I have a problem with 3.1.2 for the underserved languages.

Evan Leibovitch: Okay.

Tijani Ben Jemaa: You say as part of this, the group identified two categories of groups. I will speak about that later. And you said the group - the working group did achieve consensus that as long as you are talking about bundling. As long as the applicant is providing build out of language whose presence on the Web is limited. And they must, or they should - we should give support.

Evan Leibovitch: And they meet the other criteria.

Tijani Ben Jemaa: And they meet the other criteria, yes sure. We didn't have any consensus on this. We already - we always said that the application that is in underserved languages is eligible for support.

But we didn't say that this is for bundling for if you have two things. We are not, I don't think that it is our mission to help someone who is applying for two things. We have...

Evan Leibovitch: In the immediately previous paragraph it says partial but not consensus support was expressed for bundling. I think that's pretty explicit.

Tijani Ben Jemaa: Okay. But after that you said which consensus. And you said it twice. The same sentence said twice.

Evan Leibovitch: One deals with bundling and the other one deals with the consensus. This is proposing language support is limited, we should give support.

Tijani Ben Jemaa: Well if you want me to read it again, it is very clear. To address the need of, okay, you said the working group achieved consensus that as long as the applicant is providing build out of languages whose Web presence is limited.

And they meet the other criteria price report should be recommended. And immediately after the working group did achieve consensus that as long as applicant is providing build out, (unintelligible) the same sentence.

I feel that it is willing to make it one of the main points of this report. And I am very, very, very much not comfortable for that.

Evan Leibovitch: Okay. Okay, Tijani I'm going to ask the group for some guidance on this because I'm not quite sure how this is unclear. So I'm going to go through other people in the queue and let's see what we can do.

Dev you're next in the queue. Dev are you there?

Dev Anand Teelucksingh: Okay sorry, hearing me now?

Evan Leibovitch: Yes.

Dev Anand Teelucksingh: Okay sorry about that. I was on mute. Okay, yes regarding the application must demonstrate service to the public interest. The problem with the five points is that to me it's not - I wish it has to be a little more clearer.

For example, when (if it) support by and for, support by and/or for this thing called (so linguistic) at the communities. I guess I was thinking of what is some more specific wording.

For example, should it - can we say that the application must be a community gTLD application? Because it seems to be that these points is specifically seeing that in order to be of public interest, it must be a community gTLD application and not an open one.

The other point is for (Part D point 3), operation in an emerging market or nation...

Evan Leibovitch: Okay (unintelligible) do you have any comments to the conversations that Tijani's been making about the what he is saying is a lack of clarity on 3.1.2?

Dev Anand Teelucksingh: Yes. That, yes that too.

Evan Leibovitch: Okay, I mean right now I'm just trying to get some clarity on what's going on in, like Tijani's mentioned this point on 3.1.2. I'm trying to get to some clarity on that first.

Dev Anand Teelucksingh: Okay. All right, I have nothing to say on that. So maybe just go into the queue. My mind's gone blank on that one, on that point.

Evan Leibovitch: Okay. Right now I'm looking for help on that specific part of it. Alan can you suggest something?



Alan Greenberg: Well yes, I'm also puzzled that there - I think about how to be precise on this. I think the - there is benefit sometimes in leaving the situation open in the sense that the, you know, the principle of it is a presence of which on the Internet has been limited.

And it is up to the applicant to make that point or to the evaluation board to not recognize those arguments. So there - I don't know. There are so many underserved languages. I don't know how we're going to find a criteria that's going to be very mechanically precise. I think we need to stick to the principle.

But, you know, that's just a...

Evan Leibovitch: Okay, all right. And I have to express my, I have to apologize to Tijani because I'm now just seeing it. I'm re-reading it. Essentially there's a - the single sentence is being repeated twice.

Okay, my apologies Tijani, I see exactly what you're saying. We've essentially repeated the same sentence two times.

Tijani Ben Jemaa: Yes.

Evan Leibovitch: Okay. And so I'm going to - that's going to be addressed.

((Crosstalk))

Evan Leibovitch: Okay, next in the queue, Eric.

Eric Brunner-Williams: I'm actually, my question was where was that sentence that's repeated? And I wish we had line numbers so that you could say it's Line 198 and Line Number 207 or something...

Evan Leibovitch: Okay Eric that's nice. But this Wiki doesn't do line numbers. So where is -  
right now we are on the section 3.1.2.

Eric Brunner-Williams: Yes I know that. Where are the two sentences?

Evan Leibovitch: Okay, the one paragraph begins to address the needs of this group.

Tijani Ben Jemaa: At the end of the paragraph.

Evan Leibovitch: The second sentence is redundant with the immediately following sentence.

Eric Brunner-Williams: I don't see it here.

Evan Leibovitch: Okay, anyway I - okay.

((Crosstalk))

Evan Leibovitch: Okay, anyway that's being fixed. It's simply that there were two totally  
redundant sentences in there. Okay, Elaine go ahead.

Elaine Pruis: Thanks. Yes I think obviously there are two redundant sentences in there. But  
the real problem is is we intermingled two separate recommendations.

One of them has strong support and the other doesn't have - it say partial but  
not consensus support. But I think it's not very much support at all.

So I think we should...

Evan Leibovitch: Okay. I've addressed the redundancy.

Elaine Pruis: I'm not talking about redundancy. I'm talking about your mixing two different  
ideas.

Evan Leibovitch: That was separate paragraphs.

Elaine Pruis: Excuse me?

Evan Leibovitch: I removed the second sentence from that paragraph. So they're now in separate paragraphs. So they're distinct.

Okay, we've dealt with that. Okay. Okay, Dev you had some comments on other parts of Part 3?

Dev Anand Teelucksingh: Yes.

Tijani Ben Jemaa: I haven't finished.

Dev Anand Teelucksingh: Okay, no problem.

Elaine Pruis: And then I'd like, I'm not done. I don't think you separated out enough to make it clear that they're two different ideas with two different levels of support.

Evan Leibovitch: Okay, Elaine as I've said, this - the edit will be done so they will be suitably distinct from each other. Do you have something else to add? Okay, Tijani go ahead.

Tijani Ben Jemaa: Yes thank you. And the paragraph where you say there is not consensus immediately after explaining what is bundling you say the working group achieved a consensus so...

Evan Leibovitch: No, no I dealt with that. That will be added to - that will be fixed.

Tijani Ben Jemaa: Okay thank you.

Evan Leibovitch: Okay, did you have anything else on Part 3 Tijani?

Tijani Ben Jemaa: Part C moment, yes, Part C but not Part C for the moment.

Evan Leibovitch: Okay what else in Part 3?

Tijani Ben Jemaa: Yes, I -Part 3.1.5.

Evan Leibovitch: Yes.

Tijani Ben Jemaa: The first paragraph, why for profit companies etcetera, etcetera. And you see can be eligible. We never said that for profit companies can be eligible, never.

And even when we said (long at entrepreneur) we said in those areas where etcetera, etcetera, etcetera. So here there is information, but it is not a part of our output.

Evan Leibovitch: Okay. All right I'm going to have to differ to the group because this is - is this something that needs clarification? I was under the impression that as long as they were meeting the other criteria of social good, that a private organization could do this. So if I'm incorrect, let's.

Okay, have people - okay Carlton go ahead. Carlton your hand's up. Are you on mute?

Carlton Samuels: I'm off mute.

Evan Leibovitch: Yes you are.

Carlton Samuels: I want to point out that you could have a for profit company that comes in a consortium with government or other entities to do it. It's the objective of the clarification for us to (cavel) about what is a for profit or not to me is not useful.

It is the objective that we are concerned about, the objective of the public interest. And I don't care if it's a Martian who shows up. As long as they meet that objective criteria that is what we should be worrying about. Not for profit, I'm sorry. And I feel very strongly about that.

Evan Leibovitch: Okay. Well just so you know, as I've been trying to save it, for some reason the software is not re-loading on me. So I can't see the text in front of me right now while I've saved it.

But are there - can we have some discussion on Carlton's point about, you know, how specific do we need to make about the form? We've said explicitly not to have governments in or parastatal organizations.

That has been subject to a request of the GAAC. And so that's been mentioned in the document. What - how should we treat this beyond that? Okay, in the queue I have Dev then Eric then (Ella) then Centra.

Dev Anand Teelucksingh: Okay thanks. Well then my question is what exactly does Point 4 mean, it's sponsored by our non-profit civil society and non-governmental organization then if we are saying that a profit organization can apply for support under this program? That's my question. All right.

Evan Leibovitch: Well then just generally speaking to Carlton's point. How specific do we need to get about what form of - what incorporated form of body is actually making the application?

To what extent is relevant? The mile - the original milestone report explicitly restricted governments. But we've sort of been dancing around on whether its civil society or a for profit or a private public partnership.

To what extent does this document need to concern itself with the nature of the body? Eric you're next in the queue.

Eric Brunner-Williams: Thank you Evan. I've put the two points into the chat. The first one is, this is about 3.1.2. We still have the scripts and IDN references in the text. And these can be changed to languages, which would be more consistent in the document.

So that's an editorial change. But I propose to provide suggested language.

Evan Leibovitch: Well making that specific change is something I can do on the fly. So keep going.

Eric Brunner-Williams: Okay. The substantive change in the same section is I believe in Elaine's point also is the existence of bundling, which is a separate idea, with the consensus for support for underserved languages.

And I would not think we would - I think it would improve our document to remove the reference to bundling. And the associated non-consensus reference. It would shorten the section somewhat and certainly make it clearer what we were about. Thank you.

Alan Greenberg: Evan, this is Alan. Just a technicality, can I be re-admitted into the Adobe Connect please? I lost it. Thank you.

Man: Alan you go back to the link.

((Crosstalk))

Evan Leibovitch: Because people who are not on the call right now have asked it to be there. And since they're not here to defend that, I'm kind of hesitant. We've made it clear there wasn't full consensus on it.

But the issue has been raised repeatedly. So I'm hesitant to take it up. If you'd like, we can take that to the mailing list, which I still would comment has had very, very little traffic on it in between calls, which is very disappointing.

Man: (Unintelligible).

Eva Leibovitch: Okay, Tijani go ahead.

Tijani Ben Jemaa: Yes thank you. As for the presence of our friend (Elandro) I think that this is the last call before we deliver our output to the board. So everything has to be agreed on before the text is forwarded to the board.

I don't know how we will do to agree on something that will be updated later. This is the first point.

The second point, I want to remind everyone that in the first phase, we have very long discussion about for profit companies or enterprises. And it was very difficult for me to make the group agree on the local entrepreneur that are located in the place where the market is not favorable for any business.

And otherwise the group was against any commercial entity to get support. So this is the first point.

The second point I want you also to remember very well the spirit of the (Reservation 20). It was for helping the needy applicants. And I don't think that for profit company can be really a needy applicant. That's all.

Evan Leibovitch: Okay. I'm not sure if we're going to have resolution on specific wording on this. So we're going to have to take this to the mailing list basically because, all right.

We've been around the block on this so many times. And here we are with the last meeting or two, and fundamental issues are still being debated. I mean this is just really exasperating. All right.

Tijani Ben Jemaa: I have made this point before. I made it in my proposal to you.

Evan Leibovitch: I know you've made the point before. But obviously the group is still debating it. So you're as lost in this as I am.

All right. I don't know what to do about this. I mean we can try and hammer out wording now or we can move on. I mean we're more than half way through the call and we haven't even touched Part 4 yet.

Centra Sooknanan: Evan can I just suggest that these areas that the group can obviously not come to any agreement with. That we just flag it as being non-consensus point because...

Evan Leibovitch: Which is okay.

Centra Sooknanan: Even the issue of having multiple applications for IDN applicants in multiple languages. That was discussed at (Nausium) on that IDN call. And we still can't reach any kind of consensus on it.

So let's stop beating a dead horse. And move on to points that, you know, we can get consensus on.

Evan Leibovitch: All right.

Centra Sooknanan: Sorry, thanks.

Evan Leibovitch: No, I share your exasperation at this. All right, we'll see what we can do with that. And in the meantime, let's move on to Part 4.

Part 4 has been substantially reworked, many, many thanks to Tijani on this. And so since a lot of this is going to be new to folks, let's start going through the parts on okay, Alan, are you on Part 4 or still 3?



Alan Greenberg: No, I was - had my hand up with Centra was speaking. I, just very quickly, I agree with what Centra said. We can either be silent on points that we have not reached consensus.

Or we can explicitly say in a section somewhere the following issues are still being discussed. We have not reached consensus. But let's not pretend we're going to reach consensus on everything today.

Evan Leibovitch: I think that's safe to say. All right, okay. So can we move on to Part 4 and specifically start to go through...

Centra Sooknanan: Even before you move on, what about the evaluation for the governments that the wording - where is it? The wording is under 3.3.

Evan Leibovitch: Right because 3.3 is the list of things not to be accepted.

Centra Sooknanan: But applications by governments or government or entities. Was there any comments on that wording?

Evan Leibovitch: Right.

Alan Greenberg: Even this is Alan I had my hand up for...

Evan Leibovitch: Okay sorry, go ahead.

Alan Greenberg: You know, it's just that I've - I don't want to re-open a discussion on 3.1.2. But I think there's a problem of logic in the first criteria of specific maximum income. Financial need is not a function of income.

Evan Leibovitch: I couldn't agree more with you. And actually we are waiting on some alternative wording that Eric is going to be making for us regarding this.

I know it's kind of late in the game. But your concern is - your issues are noted. And perhaps between you and Eric we can come up with some wording that would help to describe the concept of financial need without having to talk about income.

That is going to be not only appreciated, but we're so late into the game. And such a basic thing is still wanting in this document. But we really have no other choice because until now we don't have wording in it. So...

Alan Greenberg: Fair enough. We just have - we look silly right now as it is. So we need to address the issue for sure in words.

Evan Leibovitch: I'm in absolute agreement with you. And so do you have something. I know Eric's working on something. If you have some possible text at least to put in, at least efficient so as you say we don't look silly.

If it's something that we can reasonably agree on that is - that indicates in a general level how we would look at financial need without looking at income, that would be highly appreciated.

Alan Greenberg: Yes. I'll do - I'll draft up something and work it with you guys.

Evan Leibovitch: Okay so between that and what Eric's working on we should have something. And I'm really going to ask you guys to do this over the weekend so that by the time we're ready to try and nail this down on the next call that we have some wording everybody can agree on. Tijani go ahead. (Is that LN)?

Tijani Ben Jemaa: Yes okay.

Evan Leibovitch: Well sorry, Eric speaking to this. Go ahead.

Eric Brunner-Williams: I'm sorry, was that Alan who was talking about...

Evan Leibovitch: Yes.

Alan Greenberg: Yes it was Alan about the relationship between need and income.

Eric Brunner-Williams: Oh that's nice to know.

Evan Leibovitch: Okay Tijani go ahead.

Tijani Ben Jemaa: Okay thank you. I would like to remind everyone that the (unintelligible) straight, the financial need is one of the most important point that we have to submit to the board.

The board is waiting for this, essentially for this, not for any other thing. We are (relating) the milestone report. But sometimes we are (contradicting) it. But it is not what we are waiting for.

They know what we wrote for in the milestone report. But they ask it specific question, especially how to recognize a financial needy applicant. And if now we don't submit something, I think we had better not submit anything.

Evan Leibovitch: Tijani I don't know what to tell you. You know, this group is what this group is. And here we are, the week coming up before we're being instructed to send something in.

And we've gone into extreme gruesome detail on so many other things. And sudden something so basic we haven't go anything. So I have no words for you on this.

Tijani Ben Jemaa: You are right. I apologize.

Evan Leibovitch: I, you know, we're just trying to do the best we can. But, you know, the writing team is here at the direction of the rest of the group. We're not here to lead the group.

We're trying to reflect what it's saying. And if the group isn't saying anything, we have nothing to put in.

Tijani Ben Jemaa: Evan believe me, I am not criticizing the drafting team at all.

Evan Leibovitch: No, understood and thank you. You've been, believe me, Tijani your contribution is huge. Alan go ahead.

Alan Greenberg: Just a clarification. You just made a mention a little while ago to the next meeting. My recollection was the deadline was today or tomorrow.

Tijani Ben Jemaa: Today.

Alan Greenberg: Can we have Olivier tell us what the current deadline is so we know what we're working towards?

Olivier Crepin-LeBlond: Thank you Alan. I was going to say the deadline is today. But we can move it to tomorrow. But the Monday time is the time when the ALAC and the GNSO should be able to send something to the board.

So, you know, obviously this is going to have to be read by the ALAC. We can't just read it in a matter of hours. It needs to be a couple of days reading time. So it's latest tomorrow to date...

((Crosstalk))

Evan Leibovitch: Yes Rafik?

Rafik Dammak: Yes, but for TMS we take - make decision. We need to have a motion for next Wednesday. And they only can make any decisions for the next call, which should be in two weeks.

Evan Leibovitch: Okay. So essentially what I'm hearing from everybody is on this point, which is the demonstration of financial need, 3.2, probably one of the most important things.

We have less than 24 hours for people to submit wording and for the group to agree on it. Do I have that right?

Man: Yes, sounds good.

Man: Sounds right.

Evan Leibovitch: Okay.

Man: I'm not sure it sounds good. But it's what needs to be done.

Evan Leibovitch: Okay. So Eric and Alan, if you could possibly expedite some reasonably straightforward wording that at least is, Alan I hesitant to say vague, but at last broad enough so that the group can come to some speedy consensus on this. That would be appreciated.

Alan Greenberg: You know, one question or clarification to Eric is Eric you already drafted your non-income measures paragraph?

Eric Brunner-Williams: Yes I have. And could you put your (SKIF) ID in the chat window please.

Alan Greenberg: Okay I will. It's Alan...

Evan Leibovitch: I'll tell you what, offline I'll put the two of you in touch with each other.

Alan Greenberg: Okay great.

Evan Leibovitch: Okay. Note to self. Okay we have half an hour, less than half an hour technically left in this call. And we need to go through Part 4, which is substantially reworked since the last call.

And much appreciation to Tijani and Centra for the work having been done on this. So a discussion is open right now on what we have for Part 4. So essentially what this is trying to do is describe.

So assuming somebody has met the criteria that we have discussed in 3.3, what do they get? In general terms much of this has been previously discussed.

But the writing team and Tijani has essentially tried to put this into reasonably straightforward wording that we could submit on. So I see no hands up. So this means either everybody's busy reading it or nobody has anything to say on it.

Man: What is the it here?

((Crosstalk))

Evan Leibovitch: Say it again please.

Man: Part 4.

Evan Leibovitch: I don't believe you'll find anything new here. But there's been an attempt to essentially rework this to make it clearer and more straightforward.

So if there's something you don't agree with, here's the time where we can expose it and bring it out. Eric go ahead.

Eric Brunner-Williams: Thank you. In an email to the two members of the writing team, is suggested that we address the - several of the needs which arise from the guidebook.

First being the (basics) addressability. We don't, but this is not generally available. And it's an artifact of I suppose evangelic influence on ICANN staff that believes that (V6) is globally available.

Man: (Unintelligible).

Eric Brunner-Williams: So my suggestion was that we provide - that the JAS will issue an RFP to V6 operators, such as hurricane electric, and there's a bunch of them. That they offer support to qualified applicants to meet the transition to delegation requirement for V6 reachability.

This is minimum requirement that they - basically it amounts to a machine in a cage that has V6 and V4 accessibility so that the applicant can meet that without having to get a V6 line out to wherever the heck they are, which may be in Central Africa.

So that's a proposal that we propose to provide the lacking infrastructure, in particular the V6. From that I then thought well what if we do the same for the continuity instrument?

If we create the pool so that the actual cost to the applicant for continuity drops to what it is if they use a existing registry provider back-end, which is very close to zero actual cost for continuity guarantees.

So that's the basic idea I have is that we provide an infrastructure guarantee, which is different from the GNSO notion of having individual vendors provide infrastructure to individual applicants.

So this is a new idea proposed very late in the game. And I'll stop here and take questions if there are any.

Evan Leibovitch: Okay. Eric considering that you know there are very compressed timelines, is it possible to try and build this into Point Number 4? And at least putting in a line or two that's not extremely detailed but at least gives an intent?

Eric Brunner-Williams: Yes.

Evan Leibovitch: Evan Leibovitch: Okay, so all right, so all right that's - is there anybody in the group that has a problem with what Eric said, if not then I will work with him off-line to get some wording related to that into the document post haste.

Okay seeing no hands up, now given that there's been very little other discussion on part 4, can I assume that there is general agreement or is everybody still reading it?

Eric Brunner-Williams: Evan?

Evan Leibovitch: Go ahead.

Eric Brunner-Williams: I'd like to ask Elaine if she has any objection to the JAF providing a - a basis for infrastructure to qualified applicants.

Elaine Pruis: Sorry can you repeat that?

Eric Brunner-Williams: Yes, Elaine I can. Suppose the JAS provides V6 capability - reach ability and a means to satisfy the continuity instrument requirement, whether this is through a pool or through a cooperative or whatever, do you have an objection to that?

Elaine Pruis: Perhaps I'm lost or it's a trick question, but I don't understand.



Eric Brunner-Williams: It's not a trick question. it's a possibility of competition between JAS and back-end service providers. One of the value propositions of back-end providers that I receive and I know others bandy about is that the back-end provider because they're doing several applications or they have already existing tenants, that they're actual cost for continuity is zero and so the pass through cost to the applicant is zero. Similarly they already have V6 so there's no additional cost to have V6 reach ability to any of their tenants. Where the applicant is a stand-alone operation, these are serious - these have serious cost consequences so this is.

Elaine Pruis: Okay Eric I think I get it. Basically the idea for what JAS was going to do was not provide any of these services but just connect applicants with providers. So I think that...

((Crosstalk))

Eric Brunner-Williams: That's the GNSO model but there is no intermediary, the ALAC model is we don't necessarily count on direct provision of resources from existing contracting parties to new applicants.

Evan Leibovitch: So Eric what is your question?

Eric Brunner-Williams: Well my question is is there objection to the JAS arranging for infrastructure to be available, not necessarily involving the existing operators?

Evan Leibovitch: All right.

Elaine Pruis: Well that's a completely different concept than matching and it's a whole new program so we'd have to figure out where are we going to get these resources, how are we going to provide them and I think that's beyond what we had originally imagined.

Eric Brunner-Williams: Okay.

Elaine Pruis: I don't - I have no preference of who gets help from whom, the idea is that an applicant that needs help with finding a provider that's willing to do that - I don't think that GNSO and ALAC needs to complete about who's supplying who - perhaps...

Evan Leibovitch: Eric is there a possibility that we can generalize this out as that somebody who gets support should have support given to them and let's not worry about who provides it and leave that as an implementation detail that we're not going to get done at this point?

Eric Brunner-Williams: Yes I'm fine with that.

Evan Leibovitch: Okay Tijani go ahead and then I have Alan and the queue after him.

Tijani Ben Jemaa: Yes Erica your point is valid and it's only the question of assist ability. But how to demonstrate the need if not solved yet.

Evan Leibovitch: I assume that the question for me Tijani, specific to version 6 availability, what need are you speaking to?

Tijani Ben Jemaa: What need, the financial need.

Evan Leibovitch: Yes I thought so, you're mixing questions Tijani, please don't do that.

Tijani Ben Jemaa: I am sorry, I understood that.

Evan Leibovitch: Okay Tijani right now we're on part 4 which is assuming somebody has demonstrated need, we've covered that, that's off the table at this moment, it's been addressed in part 3, we're in part 4. The applicant has asserted that they have the financial need, what do we do for them, do you have a comment based on that?

Tijani Ben Jemaa: No.

Evan Leibovitch: All right, Alan, go ahead.

Alan Greenberg: Yes I was going to comment on Eric's suggestion regarding V6 and just to point - but you know the fact is it's off the table is fine, I'll just point out the JAS group cannot do any operational thing, all we can do is recommend that ICANN does something, thank you.

Evan Leibovitch: Well and so that goes to the point that I was saying Alan that rather than having us going to the details as to who would provide the support, that we would simply put out there that the applicant should receive support, how ICANN manages that is probably beyond the realm of what we can do in this document.

Alan Greenberg: I respect something slightly stronger that we see the need for ICANN to make such arrangement or someone to make such arrangements.

Evan Leibovitch: Alan can I ask you to do a little bit of that wording for me?

Alan Greenberg: Sure, I'll try.

Evan Leibovitch: Okay. Okay, right now I'm just trying to share the load of some of the additional writing that needs to go in, the point was made and it's important.

Okay are there any other comments on part 4? All right, assuming that there may be some further on considering how new this wording is, we've basically got some time left to deal with it on the mailing list, any issues that aren't here, but for the purpose of this call since I see no more hands up on part 4, we will move on.

Alan Greenberg: I have a question for Eric can you point me where in the section that you thought this should be inserted, we can do it off-line, that's fine.

Eric Brunner-Williams: Yes, I'll do it off-line Alan.

Alan Greenberg: Okay thank you.

Evan Leibovitch: Okay which brings me now to the section that we have here as part 5 which is how is the evaluation being done. We have a lot of wording in here, a lot of red, a lot of blue, a lot of, you know, to be decides, to what extent does part 5 even belong in something that we have to submit in the next 24 hours, we have spent - it's been my opinion that it's been necessary to nail down the parts that we've done so far 1 to 4 before even talking about the detail level of it and so the question is how much of any of part five is actually suitable to go into a document that we have to submit in the next 24 hours. I have Eric and then Alan. Eric go ahead.

Eric Brunner-Williams: Thank you I've seen on the list several references to some work flow process which I've always thought was going to be in section 5, if we don't have that, it would be useful to say that what talked about doesn't exist.

Evan Leibovitch: Okay Eric let me just answer that very briefly in a sense that Deb has spent an awful lot of time working on flow charts that would try and describe the flow of how the evaluation is done and so on the problem is that that's sort of been put on hold pending our nailing down in part 3 of exactly what we were checking for.

Eric Brunner-Williams: Well Deb's flow charts, at the moment, in my mind they exist of two words - Deb's flow charts. I haven't actually seen any of them and I don't know anyone who has, perhaps you have.

Evan Leibovitch: Deb did those flow charts exist in a downloadable link or is that...

Dev Anand Teelucksingh: This is Dev, yes they are, I can try to find the links and see if we can put them up again, it was posted to the mailing list as well.

((Crosstalk))

Dev Anand Teelucksingh: Way back when.

Evan Leibovitch: I believe since they're available on a link that Deb will put that link up on the chat list now.

Dev Anand Teelucksingh: Don't post the list, it's been in the realm of this too many times, post it to the list again, let's do that.

((Crosstalk))

Man: I'll have to go to the connect room.

Dev Anand Teelucksingh: I'll try and find it right now.

Evan Leibovitch: Okay, Alan go ahead.

Alan Greenberg: Yes in answering your question, the charter which we should have gone back to sometime in the recent while, in the recent history to see whether we're really addressing the charter questions, does they provide proposed mechanisms so to some extent yes we need to say something, we probably can't at this point so I think we perhaps put a one sentence in saying this is still under, you know, investigation or something.

To a larger - the detail implementation I do not believe is our responsibility.

Man: No I agree, but I think...

Alan Greenberg: But we need to put some words in because the charter question did imply that we were looking at this, but I think at this point, you know, we have essentially said I think was an agreement that this is all going to have to - the

evaluations are going to have to be done by external evaluators, ICANN is not going to do it themselves, and further details we will provide in our final report.

Evan Leibovitch: So essentially part 5 becomes a TBD that we say, you know, as we're given more time we'll be able to iron that out.

Alan Greenberg: Except noting the concept of external evaluators which is in line with how ICANN has done all of the evaluations associated with your GTLD's.

Evan Leibovitch: And do we have to be exclusive about it?

Alan Greenberg: Yes because there are people - other people who are saying that ICANN should do it themselves.

Evan Leibovitch: Do we have agreement in this call or have we achieved agreement before that we want to explicitly tell ICANN that we want this to be done by external evaluation? I have Eric then Cintra but I'm putting this out to the work group just to nail down to the purpose in putting in this report - well first, let's clear the queue, Eric and then Cintra and then we'll ask a question, go ahead, Eric.

Eric Brunner-Williams: Thank you. The second part of my initial point was I think that all of section 5 should be struck, perhaps one line left behind, Alan said a nice line and I think that's all that's needed. Thank you.

Evan Leibovitch: Okay, I think I'm in agreement with that. Cintra, go ahead.

Cintra Sooknanan: Hi, thanks Evan, I basically the first part of it is just all the parties criteria that we described above in 3, what I would just suggest you read through is you'll see below there's two bits of green, everything between those two bits of green. And I think there was an issue about paying back any monies that were expended to the applicant. I don't know if that's going to be part of our report, but there's a bit included in terms of that as well.

Evan Leibovitch: Well that part has been in the document for quite a while and since that's a fairly significant, we can't put that in and we've got 24 hours to deal with something that essentially needs a group consensus.

Cintra Sooknanan: Okay so what I'll do is in the interim, let's just go with the two-liner, so Alain, but in the meantime I will post this to the (unintelligible) and see if I get some feedback.

Evan Leibovitch: Okay, Eric those links are in the chat area now, this is the first time you're seeing that?

Eric Brunner-Williams: Yes it is.

Evan Leibovitch: Okay that's unfortunate but okay, Alain go ahead.

Alain Berranger: Thank you very much, to be realistic really we don't have time to do a comprehensive section part 5 and so I'm very much in favor of that - of the one phrase that says that these evaluation details will be in operated by the - by ICANN or the evaluation committee, designated by ICANN.

Evan Leibovitch: Okay so there is general agreement that this is going in as non-final report obviously but as a second milestone report and that we are going to ask for some time in Singapore and perhaps beyond to try and nail down some of the rest of this. It has been - there's an attempt to try and get some additional help from the Board and the GAC since both of them are driving the production of this working group to see if they have some input to put into this.

Tijani go ahead.

Tijani Ben Jemaa: Yes thank you. So I agree also with the proposal of Alan but I have another point that we have to address now before we leave. What we will ask the

Board to put in the doc because now the doc will be finalized and you will not be able to add anything so I think that first the mention to the (unintelligible) process; second if they will propose a fund, we have to negotiate what they put in the fund and you have to mention in the doc that ICANN will put something in the fund; those are the two essential points - and also, a third point, if there is a panel, what kind of panel, who will appoint it.

Evan Leibovitch: Okay, okay what you're talking about test - is that actually started to deal with at the preamble, at the very beginning of this call about putting in a mention in our document - there should be mention and reference to the JAZZ process in the applicant guidebook but really I don't know how much where in a position to ask for beyond that. You know the concept of a pool, we haven't even talked elsewhere in our document about a pool so having - so requesting that to go in the applicant guidebook when we haven't even nailed that down ourselves may be a bit presumptuous.

You know, not to mention how much money ICANN will put in the pool, I mean that's getting into a bit of an implementation detail the nature of which I guess we need to nail down in part 5. We just haven't gone to that level of detail. I mean you're talking about a very major thing Tijani and we've barely covered off the high level issues. So we've got - so what we have to say very clearly I think as was mentioned in the preamble and I think Alan said that at the beginning, that we need to make sure that the applicant guidebook is aware of our program, that applicants are made aware of our program, but beyond that I don't think we have a lot of influence over what changes are going to be made to the applicant guidebook and in fact there's been many comments in this group that what we do should affect the applicant guidebook as little as possible.

If there's disagreement on that right now, this is really, really late in the game. Right now I'm just trying to nail down is there anybody on this call who disagrees with the proposal that Alan has put forward, that part 5 essentially be taken out of the document that we submit to the supporting organizations



and be replaced with a small paragraph saying that this is being worked on and that the one thing that we do want to comment on is that the evaluations will be done by external, not internal evaluators, is there anybody on this call that disagrees with that, if you disagree with that put an X in the adobe connect.

So for our widespread agreement, is there anybody who has disagreement?

Alain Berranger: This is Alain, I just want a point of clarification. Is it, and this may be a rookie question, but do we actually want to keep the JAZZ working on the details of a future part 5?

Evan Leibovitch: That's a very good question. Does anybody have any answers to that? So Olivier you're in the queue, maybe you can help with the answer to that?

Olivier Crepin-Leblond: Thank you Evan, well, I'm not sure I've got exact answer to this, but if you're going to say that the evaluation is going to be carried out by external evaluators, you effectively also close the door to the ALAC for example having any look into the evaluations themselves.

Evan Leibovitch: Okay Alan go ahead and then Eric.

Alan Greenberg: Two comments, number one as I pointed out, we need to go back to the charter and see what it's asking, it did talk about mechanisms, I don't think we're supposed to be writing a detailed implementation plan but we do need to give some outlines. With regard to what Olivier said I guess I have to differ.

I think anything which is other than external evaluators is going to be a complete non-starter if nothing else the decisions that are made here are potentially very political and sensitive ones and ICANN - there's just no question in my mind ICANN is going to want to separate itself from those who are making the decisions, you know, so it doesn't get blamed that you're favoring Africans and not Central Americans or vice versa or whatever the

decisions are, there are going to be decisions made to refuse - to support some people and the results are going to be sensitive and subject to criticism.

ICANN is going to need to separate itself, be able to separate itself from those so I think anything other than external evaluators is going to be a non-starter.

Evan Leibovitch: Okay I'm going to clear the queue, Eric you've got the last word as far as I'm concerned, I'm going to hand control back to Carlton who is chairing the meeting and is - needs to put a heart stop. So Eric you have the last word as far as I chairing this is concerned.

Eric Brunner-Williams: Thank you Evan. The external evaluators may not necessarily give any members who view the public interest take the controlling rationale. So if we do not make a reference to in the mechanism, that the mechanism must continue to carry the public interest as a guide for evaluation, we risk the possibility that this evaluation is done entirely by, let us say Arthur Anderson pursuing entirely reasonable but purely commercial objectives, thank you.

Evan Leibovitch: Okay, on that point as promised, Carlton I see the chair of this back to you, since we are at the 90 minute mark. Carlton? Carlton are you there.

Man: Well I think he just went away.

Woman: Disconnected, we're going to dial back out to him.

Evan Leibovitch: (Paul) we don't need to do that.

Man: I think he's here.

Woman: Rafik's here.

Evan Leibovitch: Okay.

Woman: Carlton may be rejoining.

Alan Greenberg: Evan can I have a word in response to Eric please?

Evan Leibovitch: Go ahead.

Alan Greenberg: What can be good or bad evaluators for anything, if we stated the criteria that social justice is the important thing then we are presuming that ICANN will at least to attempt to find someone who is in a position to judge that. Whether they do it right or wrong we have no control over but, you know, we're stating the criteria, that's all we can do.

Evan Leibovitch: Okay, Rafik, the call is back in your hands.

Rafik Dammak: Okay thanks Evan. So we don't have so much time to finish the document, the dateline is today I think or tomorrow. So if I'm - I think you have already asked some people to send you some rewording so you can finish some parts and we still have - maybe we can if it's useful, maybe we can extend for 15 minutes here. I agree with (unintelligible). Maybe for 15 minutes just if we can fix or finish some parts of the document. Any objection to that?

((Crosstalk))

Evan Leibovitch: ...what needs to be discussed. As of this moment there's three people who are going to be submitting wording that is Alain, Alan and Eric and in terms of the wording that is in the document right now, we've gone through all the sections so unless there's specific comments on the document beyond the delegation of some new wording that has already been made, go ahead, I'm not sure if extending the time on the call is really going to do that because we've already gone through the parts of the document to that extent.

Rafik Dammak: I don't think so. Okay we'll have Cintra with you, seems like we go ahead.

Cintra Sooknanan: Thank you Rafik. There's one section in part 5, even if we don't want to propose mechanisms, that speaks to the application of the Board and this is where we find that the application is seen untruthful or that they have a change in financial circumstances. Can we evaluate that section? Is there support for that? I cannot see whose objection, if you prefer.

Rafik Dammak: Okay maybe we can have 10 minutes to do that?

Cintra Sooknanan It's (unintelligible) now, support may stop in two ways, one is discharge they stop the employment notification to the applicant. This is if the applicant - that we've discovered that the applicant is either lied or just for whatever reason has not informed us of a change in their (unintelligible). Perhaps we could just evaluate this action and see if we'd like this included.

Rafik Dammak: Okay Cintra if you think that we can do that in 10 minutes, there may be people that need also to leave, so is it possible to read through it quickly or not?

Evan Leibovitch: Well put it another way, is there any objection to putting in Cintra's wording as she has suggested? Okay not having received any objection to it, then that can go in along with Alan's point about insisting on external review.

Rafik Dammak: Okay.

Dev Anand Teelucksingh: Well unfortunately this is Dev.

Rafik Dammak: Yes, Dev please go ahead.

Dev Anand Teelucksingh: Okay, well I mean the text is appropriate. I mean it just comes down to part 5 and detail process flow, but I thought it was the point of really raising that since we decided to take out - we're not going to try to come up

with a detail process for part 5 anymore. I mean there's questions like, for example, if there's a contention between this application and say a full profit organization going to the regular application, what happens, do we still support it, do we still support any - the extended reviews and pay the additional fees and so forth, but again I don't know if you can have any answers to that question at this point so.

Evan Leibovitch: Rafik, Cintra's hand is up.

Cintra Sooknanan: Hi I think the intention is that - okay, even if we're not going into the detail process which is flagging that (unintelligible) stop. So even if we give support, it's not that your guaranteed support for the whole process, you still have to continuously meet our criteria and it's going to be evaluated. The only other question I had was that do we also want to include a point that was in the milestone report which regard to the fact that an applicant who qualifies and is given support by us once granted the application may have to payback partial or all our support.

I don't think we have enough participants here so - but it's just a point of luck.

Evan Leibovitch: Anyway I think we've officially run out of steam.

Rafik Dammak: So Cintra do you want to comment more or just your hand was raised?

Cintra Sooknanan: No I will lower my hand, thank you Rafik.

Rafik Dammak: Okay, okay I think many people are leaving now so not sure that we can extend anymore but, okay, but we have still one day to finish I think, the (unintelligible) wait for some words and if it's for I think Alan, Eric and Tijani if I'm not mistaken. So the main part I think it's complicated to finish in just one day and to have comments from everybody in the main agrees but so what the working group members advise on section from that?

Evan Leibovitch: I don't think there's a lot of advice anymore Rafik, we have what we need to do and if we can't get it done in 24 hours it doesn't get done.

Rafik Dammak: Okay, let's do our best and hope that we can finish as much as we can.  
Okay, so thank you everybody, thank you Evan, Cintra for your hard work and we adjourn the call for today, bye, bye.

((Crosstalk))

END