

**ICANN
Transcription
New GTLD Auction Proceed Drafting Team
Tuesday, 23 February 2016 at 17:00 UTC**

Note: The following is the output of transcribing from an audio recording of new GTLD Auction Proceed Drafting Team held on Tuesday, 23 February 2016 at 17:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-new-gtld-auction-proceeds-23feb16-en.mp3>

On page: <http://gnso.icann.org/en/group-activities/calendar>

Attendees:

ALAC
Alan Greenberg

ASO
Sylvia Cadena

ccNSO
Will not be participating in the drafting team

GAC
Olga Cavalli

GNSO
Jonathan Robinson
Tony Harris

RSSAC
Kaveh Ranjbar

SSAC
Russ Mundy

Board
Board Liaisons (DT/CCWG or both?)

Erika Mann
Asha Hemrajani

Board appointed staff advisors
Samantha Eisner

Apologies:
none

ICANN staff:
Marika Konings
Lauren Allison
David Tait
Terri Agnew

Coordinator: Recording so started.

Terri Agnew: Thank you, good morning, good afternoon and good evening. Welcome to the new GTLD Auction Proceed Drafting Team Call held on Tuesday, the 23rd of February 2016. On the call today we have Tony Harris, Sylvia Cadena, Erika Mann, Russ Mundy, Olga Cavalli, Asha Hemrajani, Alan Greenberg and Jonathan Robinson. I have no listed apologies for today's meeting.

From staff we have Samantha Eisner, Marika Konings, David Tait, Lauren Allison and myself, Terri Agnew. I would like to remind all participants to please state your name before speaking for transcription purposes and to please utilize your mute button when not speaking. Thank you very much for this, I'll now turn it over to Jonathan Robinson, please begin.

Jonathan Robinson: Okay, so hi everyone and welcome, you'll see in preparation for the call an agenda is being sent out which you can see in the top right hand part of your screen, and in that note section it also describes who the volunteers are from the different chartering organizations. In addition, we have been joined by two board liaisons, it wasn't the 100% - whether the board liaisons were joining the CCWC or the drafting team or both - but welcome to the drafting team - to this first drafting team meeting, Erika and Asha. And in addition the

board has also offered some star statistics through Nora Abusitta and Sam Eisner, so we can come back to that in a moment but that's the sort of collection of instances if you like and I see almost everyone is on the call.

So the origin of this was that we ask each ICANN SO and AC to identify up to a maximum of two members to drafting teams. The idea being that the drafting team has a specific and limited purpose and its best compliance to a limited number of members to get the scope sorted out, at which point the work of the CCWG can commence in earnest.

GNSO, GACNA and ASO have each designated representatives while the CCNSO has opted not to designate representatives to the drafting team but has never the less indicated the willingness to offer expertise and participation as required.

I think GACNA have only identified one representative originally and a second member might be forthcoming, I think we may have two from ALAC at this stage now - am I correct? I know we've got Alan, welcome. But I'm not sure we have (Leon) at this stage and of course Olga from the GAC, yes. So it may be worth - if anyone would like to say anything as an introduction, just do a round table if anyone wants to make a remark and introduce themselves - so let me do that so that we all know who one another are. And perhaps the most logical is just to simply do it in the order of participants as they appear on the left hand side of your screen and the participants in the - feel free to go ahead and sequence that up on the left and just introduce yourselves.

Alan Greenberg: I guess I'm first - it's Alan Greenberg - I'm the Chair of the at large advisory committee and at large has quite a large interest in the subject so yes, we are participating. (Leon) was supposed to be on this meeting, I suspect he may have been distracted by some CCWG activities that are going on but he may be joining us shortly, thank you.

Asha Hemrajani: Good morning can you hear me?

Alan Greenberg: Yes.

Asha Hemrajani: Hello, can you hear me?

Alan Greenberg: Yes, we can.

Asha Hemrajani: Okay, great Alan, so good morning from Auckland, my name is Asha Hemrajani, and I'm on the ICANN board, myself and Erika, we are the two - we're liaisons - I'm sharing the board - co-chairing the board finance committee so money is definitely something of great interest and we are here to help, thank you.

Jonathan Robinson: Thanks Asha, let me skip over (David Tate) from Star pool and Marika can say something about the staff support when we come to the end of the list for the moment - we just left Erika oh hi Erika, I see you've introduced yourself in the chat, but feel free - so go ahead Erika next and then (Heather) after that.

Erika Mann: My connection is super bad so I doubt you can hear me.

Jonathan Robinson: Hey Erika, it's Jonathan - that's fine - you've got the introduction in the chat and you're here as a board representative and your role in the board in that sense is chair of the committee, so that's okay.

Erika Mann: Perfect, thanks.

Jonathan Robinson: Thanks, (Kevin).

(Kevin): Hello, I'm (Kevin) (unintelligible) from Bright (unintelligible) and representing RSAC.

Jonathan Robinson: Olga? Not sure what's happened with Olga, but Olga Cavalli as was highlighted earlier is GAC representative on the call. Russ?

Russ Mundy: Thanks, this is Russ Mundy from the SAC, we are indeed interested and wanting to support this effort, we have had some meetings internally already on the topic and even though the folks may wonder what the level of interest is from the SAC in general, it revolves around - as usual - security and stability and trying to put forth our ideas as to how things should proceed with respect to helping the security and stability of the internet, thank you.

Jonathan Robinson: Thank you, we've got Sam Eisner, feel free to introduce yourself and then Sylvia.

Sam Eisner: Hi, this is Sam Eisner, I'm Associate General Counsel with ICANN, I'm here to help support the board's efforts along with the drafting team and I think, you know, we'll figure out how staff will figure into the remaining part of the CCWG work as well, but I'm here to support within the drafting team effort right now, thank you.

Sylvia: Hi, my name is Sylvia I'm (unintelligible). I work for the (unintelligible) for reasonable development and we are very interested to see how (unintelligible).

((Crosstalk))

Jonathan Robinson: Thanks Sylvia, it was difficult to hear you so you may want to type a couple of comments in the chat, your audio was low and if you do come in on audio again if you can just check the microphone setting, thanks. (Tony).

Tony Harris: Yes, hello everyone, my name is Tony Harris, I'm with the internet service provider's constituency and also a GNSO council member and I was asked by my constituency to cooperate in this drafting team and perhaps what I

might be able to bring to the table is experience as a new digital registry which I am, thank you.

Jonathan Robinson: Marika, did you want to come in and introduce yourself and the staff working with you?

Marika Konings: Yes, thank you Jonathan, so my name is Marika Konings, I'm the Senior Policy Director and team leader for the GNSO, together with (David Pate) who is also part of the GNSO team, we'll be providing staff support for the drafting team efforts and I think you've seen already several emails coming from our hands and of course if there are any questions or any support you need, especially with regard to call in info or call out, Terri is here as well to assist in that regard.

Jonathan Robinson: Thanks Marika, thanks everyone, so welcome, that's our group and I thought it would be useful just as I conclude to just make sure that we're all 100% clear on the objective of the drafting team and of course by all means, raise any points or questions as I highlight that. I mean, essentially the team is tasked with developing the charter for the CCWG, so the temptation for us will be to talk about all sorts of things, you know, use of processes and ideas and concepts and so on, but in essence we are scoping the work through the preparation of a charter so that the CCWG, which hopefully many if not all of us will then work within, and is likely to be a much larger group, will be in a good position to do its work in a well scoped way. That charter will be put to the - to the chartering organizations for their consideration and in fact, we have a template charter that we can start to work with the base point and - as a base temp if you like - and this charter - this template comes out of some work that's been going on in parallel with these two major working groups that have been working on the stewardship transition and accountability - there's been a third cross-community working group that worked on the principles and mechanics for groups such as this because it was envisioned a while back that this will become more and more of a norm, this sort of cross-community working group mechanism of working.

And so while that groups work isn't complete, they are some way down the road and we're expecting that the publication of their principles to be eminent if it doesn't happen yesterday or if not, it will be very shortly. So actually it's worth probably this group if you haven't seen it being aware of that document just the cross-community working support, as it sort of - to provide some helpful insight into the way the broader committee has been thinking about the work across the communities working groups.

So here in front of you, you have essentially a charter template, the structure with which we'll work, just sort of software type approach I guess where it's a statement of work or a charter for the group. Are there any comments or questions at this point? Because this is - this will be the fundamental output out of this group. Okay, seeing none at this stage, really, you know, I've sort of seized the leadership at this point to try and get us moving, but we will need to - and that's what you see under item 3 - we really need to think about someone chairing this drafting team and/or whether we need a vice-chair. In fact, the charter will deal with what sort of approach we take to chairing the CCWG that follows from this but in the meantime we need a chair and possibly a vice-chair of this drafting team.

So I would almost certainly be willing to do that, but I don't want to just presume so, so I don't know if anyone has any comments or thoughts on this or any input you'd like to make at this point. There you go, I see a couple of hands come up, that's good. Alan Greenberg, go ahead.

Alan Greenberg: Thank you Jonathan, if you're willing to put the time into it, I'm certainly willing to have you do it and although I - my time is very limited - I would work with you but as a vice-chair or assistant or whatever, I'm not adamant to doing that but I will do it if no one else wants to. I think a chair should have some other assistance, someone to bounce things off if necessary, thank you.

Jonathan Robinson: (Tony).

(Tony): Yes, just to say that I support that you should do this Jonathan if you're willing and you have such great experience and I'm also comfortable and happy that Alan has stepped forward.

Jonathan Robinson: Okay, seeing a couple of other supportive comments, thank you Russ, thank you Sylvia in the chat. Let's put that down then as our structure for running this group and if anyone wakes up in the middle of the night screaming we'll get feedback from your group, by all means, come back to us. But provisionally we'll put myself in place as chair of drafting team, supported by Alan Greenberg of ALAC as vice chair. Thank you, now in some areas of all of this work, we are finding our way and we have the recent letter from the board sent to the GSO essentially proposing and suggesting that our two board liaisons or participants - here is the letter from Steve to - Steve Crocker, Chairman of the ICANN board to (James Sliddel), ICANN CNFO chair, talking about - it appeared and disappeared but - the suggestion of the board participants it would be I guess useful here, like I said, initially wasn't 100% clear I think with Asha and Erika would be participating in the work of the drafting team but by virtue the fact that they're here is saying that they would like to participate in the drafting team as well as in the CCWG or CWG that derives from this.

I guess it would be useful to have any input or thoughts that you have Asha and/or Erika as to, you know, the role of the board in this. What do you expect to participate alongside the other participants or do you see yourselves more in an observer type of role and just keeping an oversight and frankly, I don't have a strong view on all of this, but it would be great to hear any thoughts and if you haven't discussed it yet or don't feel in a position to articulate that, then fine, you can come back to us, but just any thoughts or - about how you might do your work with the group and your intended participation and also how the board sees this - is the board going to expect to receive the charter and endorse it in some way as a chartering

organization will? Any thoughts you have or - at this stage - will be welcome and interesting.

Alan Greenberg: Jonathan, there's two comments in the chat, Asha said she'd be delighted to participate in the chartering process and Erika can't speak.

Jonathan Robinson: Alan, it's good to record that so we'll note that for the moment, but - so we'll take you as active participants in the process and work with you on that. Maybe as something we can take as an initial action out of this, is to go back to your board colleagues and talk amongst yourselves as to how you anticipate dealing with the charter, for example, if you'll just, you know, whether or not you will endorse it formally in any way, or whether you'll just observe - so that will be interesting to hear where you, you know, any thoughts you have on that.

As I understand it, (James) will draft a response to the letter you see in front of you from Steve Crocker and I think - has this been shared - Marika, can you confirm if this letter has been shared with this group? Go ahead Marika.

Marika Konings: Yes, this is Marika, the letter was attached to the agenda, so everyone should have - had an opportunity to review it.

Jonathan Robinson: Well you may or may not have had - hopefully, I mean, one of the things that we talk about in preparing for this call was making sure that everyone had some good background reading and you should have seen that, you know, there's a discussion paper, there are some comments on the original discussion paper, report of public comments, and so on and, you know, Steve Crocker certainly and I assume to some extent the ICANN board has some quite strong views about all the power that this might work and so starting with reading that and using that as any information and input as you see fit as we start to work on the drafting team work and get into the work of the team. (Tony), go ahead.

(Tony): Yes, I was just rereading the end of the letter where there are some bullet points which are included and it would seem to me that these would be - let's see - guidelines that Steve is very interested in, they should be factored into the charter we have to develop.

Jonathan Robinson: (Tony), that's a good point and important to note, that they should be tested within the drafting team and you're right, if say they make sense and given especially the board's very active interest in this, it may well be that those find their way into the charter, that's something good. Asha.

Asha Hemrajani: This Asha Hemrajani, so thanks Jonathan, so I was just going to say the same thing that (Tony) mentioned, these bullets at the end we hope are the initial comments and input for the charter, for example, a goal of overhead of no more than 5%, that means don't - not spend more than 5% on the administration of the fund. That's just an example, I wanted to ask about the action point that was typed earlier, board representative to confirm how the board is expected to deal with the charter - can you just elaborate again Jonathan, is that something - what exactly would you like us to do? Can you just elaborate again? I may have missed what you said, thank you.

Jonathan Robinson: (Unintelligible) of finding our way with all of this because there's sort of the historic or the anticipated practice might be that the chartering organization has come together and they've said we'll put some volunteers in, those people that you see on lines on the call and we'll pull together and draft the charter, we'll send that back out to our chartering organizations once we're ready to seek their endorsement and essentially their approval of the charter at which point we will then be in a position to commission the work of the CWG and defined by that charter. I think it's - we haven't got historic experience of having board members participate in this way and so the board is not technically a chartering organization, and so it's a question of really how will the board deal with the charter? What will the board do? Will it simply say okay great, we know this happened and we've had satisfactory input or will the board go a step further and say we endorse that charter with - what

do they expect to behave in a way that's analogous to a charter organization or in some other way?

So it's really asking what are the expectations of the board in relation to the charter? Russ, go ahead.

Russ Mundy: Thank you Jonathan, I wanted to just raise something here at this point, especially as it relates to one of the points in Steve's letter or the email that - to engage widely and beyond the standard SOs and ACs, one of the things that was discussed and, you know, at this point it's completely and totally a group of individuals that happen to be ASAC members that we're talking about this, but as we discussed it, one of the fairly strongly sounding suggestions that relates to this was that as - if indeed a foundation of some nature is set up, and that is the eventual end result - that it would possibly be worth considering that other organizations and foundations could similarly participate. In other words, this would not be set up and possibly should not be set up as if you will - an ICANN exclusive type of organization. And I wasn't sure if this was really a drafting team issue or something more to the CCWG but I just wanted to point it out so that the drafting team could consider it and if it was reasonable not outlaw that as a possibility and give others a chance to think about the concept and on that and some of the other comments that came in on the initial proposals, sort of loosely alluded to it, but I wanted to just bring it to the forefront for people to think about.

Jonathan Robinson: Thanks Russ, it's useful to have that - possibly a little ahead of where we are now - but never the less, useful to have that and I think we should keep a hold of that point - that's probably some response or some other comments in any event, so let me hand it over to Alan next.

Alan Greenberg: Thank you very much, I was going to comment on your first thing, but I'll comment on Russ's question or statement also - as you point out, having board members actually work with us is new territory, so clearly if the board is going to ultimately honor the outcome of the CWG that will make

recommendations on auction funds or at least seriously consider it, then implicitly they are blessing the charter. Whether they formally become a chartering organization, which is an interesting concept, or simply passively accept it, clearly they have to have some say in that process.

It will be interesting if they were a chartering organization - not quite sure what it would mean - but it certainly would be interesting. In terms of Russ's comment, normally CCWG, CWGs are open to anyone to participate. Sometimes we have this differentiation between members representing chartering organizations and others, sometimes we don't. In the case of the CWG stewardship, we explicitly reached out to some other organizations but we certainly didn't limit participation to those organizations. So I think we have a lot of flexibility going forward, I'm a little bit reluctant to go out to, you know, other foundations and things like that, although there may be lessons to be learned from them, I wouldn't want sort of them trying to take control of the overall process and I have a little bit of fear of that when I look at some other not unrelated examples, but some other examples of others coming in and then trying to, you know, steer things very directly and very targeted ways.

So I have a little bit of concern, but certainly we have a lot of flexibility in deciding what we want to do, thank you.

Jonathan Robinson: Thanks Alan, Sylvia.

Sylvia Cadena: I hope you can hear me now.

Alan Greenberg: Yes.

Sylvia Cadena: Okay, thank you Jonathan, just a couple of comments, first I think that taking into consideration that the technical retreat (unintelligible) will be about (unintelligible) I think that's the normal system and then the members and partners that are, you know, care what we develop (unintelligible). And I think

that's the case where that the letter saying that we should (unintelligible) and I guess that applies to - with only the board how we endorse the process. And that will be very, very important because when money is involved then it's very different, the whole - and I think it's also very important that we on the charter work - we try to concentrate also to be as clear as possible about how to handle the (unintelligible) which I think is one of the main key points that we will encounter when dealing with this and (unintelligible) main group more and more, that's something for us to ask later on and I think that's one of the main issues that we should address on the charter, thank you.

Jonathan Robinson: Thanks Sylvia, those are good points, agreed, so what if we move on then to pull up the charter, the template charter in front of us and just get a collective feel for the structure of the document. Because what I'm - what I think we'll do is then go away and start to flesh out content on this where we see fit and where it's appropriate. So you should have independent magnification and scrolling rights on the document and - but essentially you'll start to see how it's structured, my sense is that it's not this similar to something like a project scoping document or even a software certification document and you've got a, you know, a project statement, a set of goals and objectives and a scope under section two. Marika go ahead.

Marika Konings: Yes, this is Marika, I just wanted to note and I think as you stated in the beginning as well, that this document derives from the work that has been done by the CWG on CWG principles, and basically tries to bring together some of the best practices or lessons learned from other recent CWGs. As such you'll see that in some of the areas, some pamphlet language has been provided. This does not mean that, you know, that is in stone, it just kind of demonstrated that it is some language that seems to have been stable in relation to recent CWGs and as such has been provided as a starting point. I think similarly with some of the other sections, some guidance has been provided as what is typically included but especially the first few sections which at least from my experience, typically provides the heart of a CWG, really what it is the scope, what are they expected to work on, what are their

expected deliverables - those are probably though the areas that will require most of your attention, but even for those and maybe words and staff helping to - happy to assist with that - if we share with you some of the recent CWG charters so that you can actually have a look and see how it has been done in other efforts.

And again, that may provide some guidance in starting work on specifically these sections as next steps.

Jonathan Robinson: Okay, thanks Marika for reiterating some of the earlier points and helpfully expanding on others and that's useful and I think it will be very helpful. So let's do that, let's circulate two or three to capture that as an action item, just circulate two or three recent cross-community working group charters so we've got something directly comparable to look at. And as outlined by Marika, therefore there's some kind of initial content or structure to the different sections and we - I guess the one thing which we haven't talked about as we develop this document is what the mechanics of filling that are.

Do we do this on a Google document or do we post changes by simply modifying it and give staff the pen to update it? I'm pretty open minded on how to do it, whether we have a kind of online shared document that we edit, that seems to be working well in a couple of other groups I'm working on at the moment, or whether we get staff to, you know, keep updating as we provide red lines to the current document. Marika do you have any preference? Do you have a preferred way of working? Erika, go ahead. Go ahead with the audio Erika and it seems like Marika is open to whatever we decide. So let's see how we go with that, we can essentially - I don't have a strong preference - let's try it with an online document as Sylvia suggested, let's get started - so let's start with an online document.

Marika, my suggestion for that is to cut out some of the fancy formatting on this and go back to sort of a pared down document, because really what we care about is the substance in the different sections rather than the formatting

and it should be a lot easier to edit. So if you could create a less sort of colorful document that just contains the basic structure - okay - so there's a point there from Marika with a concern about there's not a single pen holder, that's true but there's different ways in which you can edit and I think others may - let's try and see and if it works - you've got a bit of support there from Asha and others for an online document - let's see if we can work with it Marika and we'll try and do that.

We can always update it and clear it, you know, we can use it as we come to the meetings we can always clear it down to a clean version of the document. Yes, certainly Asha to your point in the chat, we'll start off with tracking the changes and we'll send out some basic instruction to make sure we're working on the same - by the same method, but essentially you end up with editing rights and so called suggestions I think - you make suggestions and then we can use the final pen with start to say rights have been - these are suggestions and we'll work through it at the different meetings and then produce clean updates as we go and I think we can probably find the mechanics to work in that way.

So I guess highlighting mindful a little of time here, there does seem to be quite some support for the online doc so we'll go with that, we'll work with the online document. Let's talk through a couple of the other sections, so we've got the, you know, clearly setting out the problem statement and the sub-sections to that - the scope - we then go on to in section three talk about the specific deliverables and reporting. So under reporting, you have an example there where we talk about in status form saying the chairs of the CCWG will brief the chartering organizations on a regular basis. And so, you know, to the extent that anyone thinks there should be something added to that for example, you know, quite clearly here you might - it might say that chairs of the CCWG will brief the charter organizations on a regular basis and the board when required or something like that. So feel free to suggest any edits that you think make sense, like I said, this is the sort of starting point based on some established experience to date.

Some important points here as we go on to things like the mission criteria, and this really touches on what Alan referred to earlier, so we, you know, a., what we might expect from people if they had expertise and willingness to commit and so on and in particular here if you note, we offer the chartering organizations the opportunity to appoint at the minimum and maximum number and I guess in doing this we start to look at - we start to touch on that area of inclusion and whether or not we have members - and as Alan said earlier - normally there would be no restriction on participants - so I think read through this carefully and either suggest on line edits or comment on the mailing list with concerns or questions.

Of course by all means, comment now if you have anything as well but that's the kind of thing we'll need to settle, the square bracketing in here that we either need to say we - let's remove the square bracketing accepted or if it's - there's serious concerns of issues and so on.

So we talk about things like membership and, you know, openness of participation, appointment of chairs and there's a couple of alternative mechanisms there, I've worked in the CWG on the (IANNA) stewardship with one culture of the last year or so and that's been very effective, just the two of us, on the other hand that's seeing the CCWG working with all co-chairs, this one nominated and essentially appointed from the chartering organization and they seem to have done a good and credible job with the team. So, you know, that's something we'll need to think about how we handle the set-up of the chairing of the group, what the charter says about that, whether or not we'll need any expert advice. I mean to some extent we've been already offered a form of expertise with Sam Eisner participating from ICANN legal and that's one area - one of the earlier - the workshop we held at the previous ICANN meeting we looked at - we had input from - and that in fact is covered I think to some extent in the discussion document - we had input from some of the CC TLDs who themselves have set up funds and some of their learning

experiences and then we go on to deal with staffing and resources is the last point in section four.

So just raise a hand if you have any comments or points, that has been a very high level walk through of the charter so we're aware because I'm hoping what will happen is we'll all go away now and start to read this, think about it and contribute to expanding and developing the content or critiquing it as it exists. Go ahead Sylvia.

Sylvia Cadena: Hi again, I just wanted to say that is one way to go through the document might be if we start to move up, if we can use parts of the text to then lend it to say okay, I don't know, on the paragraph about modification of the charter for example, if they need for any specific advice that any of the members actually move (unintelligible) so they can ask the question and get the information about this so we need more about that or to understand it, like, kind of like paragraph by paragraph. I think if we do that and look at the complications (unintelligible) of those three issues might help us to go to collect our comments and our, you know, have like a - in the right place to be able to - because I see some of the text in the same place that was there and might raise some issues with legal or regarding for example you ask what financial transaction or - there are some pieces and might be very hard to have all the knowledge to be able to (unintelligible) and make sure that we highlight when we don't have enough information (unintelligible).

Jonathan Robinson: Thanks Sylvia, the audio was good at first and then went to the dogs, if I understand you correctly, I think certainly that can be done and what I would - I guess I envisioned what we should do is go away, look at this document and then there's really two ways of dealing with it and they - they're not exclusive, they can - we can - those that feel comfortable can edit the online version, those that would like to propose or suggest or discuss things going on with the elements of it can raise those by email on the email list and in fact, to the extent that's appropriate, we can ask for help to incorporate those edits or changes that seem to be agreed, can go into the document and leads to

proposed changes and then we can walk through that section by section as we go, you know, for example at the next call we can make some of the key changes. Russ go ahead.

Russ Mundy: Thank you Jonathan, one of the things that I recall from the leadership training workshop that I participated in, I think it was before the Dublin meeting, although it could have been the Buenos Aires meeting, I have forgotten for sure, one of the concerns that was raised there in a very broad way with respect to the ICANN processes had to do with the whole result of if you end up with disruptive participants and the standards of - the expected standards of behavior generally give guidance as far as what are the expectations but the results of how much power chair or co-chairs have as far as handling disruptive behaviors is not well defined. So I guess I would urge members of the drafting team to think about other scenarios in which perhaps a CCWG one flavor or another had a very disruptive behavior or even general ICANN groups have very disruptive behavior and how we think it would make sense to deal with that issue potentially here because when we're dealing with large amounts of money and I don't think anyone would argue - this is large amounts of money - the chances of getting some disruptive behavior I think are pretty high. So please folks think about that, I hadn't encountered it myself but many other people in that workshop had and it is a serious problem sometimes, thank you.

Jonathan Robinson: Thanks Russ for that intervention which I don't think we can consider disruptive, it was very constructive, and they are - if you look - I looked as you were talking, I was thinking about that and then I pulled up the problem issue escalation and resolution process and it does here in the chart talk about the chairs being empowered to restrict participation of someone who has seriously disrupted the working group so yes, I think it's a very good point and have a look at that and see if it's - and I suspect what's happened is that that kind of workshop that you've been involved with has perhaps influenced the work of the CWG on these groups so hopefully we are making progress down

the road, but check that, it's a very good point and thanks for raising that.
Alan go ahead.

Alan Greenberg: Thank you, that reminded of something, if you go back to Steve's letter and the first bullet point of controlling costs, as some of us have discussed in terms of cost from the CWG, kind of the stewardship and CCWG accountability, traditionally that is not a chair's responsibility. To sort of make decisions that have a cost basis and in fact, the chairs typically of a working group within ICANN be it cross-community or not, have absolutely no clue as to what the costs are or what the budgets might be if indeed there is a budget. Now I'm not envisioning this group having huge legal costs or in fact the kind of number of face to face meetings that we have seen in the other recent groups, but I think we also need to consider and over the next couple of weeks I suspect we're going to see some evolution of just how the CCWG will manage to - in work stream to control costs given the fact that the culture that, you know, normally the chairs or co-chairs do not have a lot of discretion to actually make decisions on behalf of the group. So I think as we're drafting this, we're going to have to factor that in. We may have to leave some blanks because the world is changing around us very quickly. But I think we have to make sure that we allow for a future which is quite different from the past and the issue of disruptive participants falls right into that category. Because essentially we're saying the chairs have more discretion and authority than they might have had in the past, thank you.

Jonathan Robinson: Good point, Alan, and yes, that's sort of a work in progress and for those of you who haven't been exposed to this issue, mindful a little as we're heading out of time but there is - there has been quite some significant costs run up through the whole work on the IANNA transition, more than the cost they've ended up exceeding comfortably the previously allocated budget amounts and so it's created the early part of the discussion about how to deal with costs - cost management in this type of work. Now I suppose it's worth highlighting in that context but the transition has been unique in this case in that there was the recruitment and deployment of outside expertise and

particularly expensive outside expertise which is unprecedented in our history. So it's a - in my opinion - it's a very good point to raise and as you say Alan, it's something that may well need to be in there but it's work in progress and it's not necessarily going to be relevant in quite the same way in other areas, but never the less, it is something to consider and I see Asha has responded and I think Asha, you're a co-chair of the finance committee so come in Asha and let's hear from you.

Asha Hemrajani: Thank you Jonathan, so I just want to echo what - a little bit of what Alan was saying and what I have typed in the chat window, in this project - in this charter I was just, you know, suggesting perhaps we could add sections on project schedule and timing for - I just wanted to understand both from a perspective of the chartering team as well as adding into the future reference for the CCWG itself that there should be a project timing schedule that they think of in advance and they draw up in advance. So there's two parts to the project timing and schedule that I'm referring to, then the second point is as you mentioned Jonathan very well, you were very articulate about that, we have to look at - put something into the charter to make reference to the charter about cost management from the start. So this has to be not an afterthought but something that is designed into the process from the beginning, thank you.

Jonathan Robinson: Thanks Asha, that's the kind of thing that I would hope and expect we can discuss online and propose real content for elements of the charter as we start to do our work and I guess there is some elements on expert advisors and staffing and resources already in the document that may well be that we need to - but it's almost certain that we will likely want to be set up a little as well. Alan, did you want to add something?

Alan Greenberg: Yes, thank you, I want to put some of this in perspective, in terms of timing and work plans, that always has been - traditionally has been the first major step of the working group, be it CCWG or just standard working group and I'm not sure that we will be able to analyze it or do we want to analyze it to

predict exactly what the work plan is going to be, you know, for us to design a work plan and a time schedule and then walk away and presume somebody else is going to have to work to it, I just don't think is appropriate. But if you look at any of the work we've done over the last several years, we've always had schedules and work plans, sometimes we need it, sometimes we don't because the world doesn't always unfold as we imagine.

In terms of costs, I would dare say that other than the CWG and CCWG, ICANN could not even tell us what another working group or CCWG has cost because we've never explicitly budgeted for it, we've never managed it as such and in fact, probably could not even accumulate the various bits and pieces to put together so I - although I'm sensitive to making sure that we don't end up with another fiasco, we want to make sure that we're not over reacting to the previous case unless we really believe there is going to be some component of significant extra costs in this one such as basically a lot of face to face meetings or external costs, you know, the whole concept of face to face meetings for instance in work groups and CCWGs has largely not existed before. So we're - let's not over react too much to the transition working groups unless we really believe this is going to be another one or have components that are anywhere similar, thank you.

Jonathan Robinson: Thanks very much, that's a good point, I mean we should be - to date all of that is the exception rather than the rule and so we should be a little cautious about not doing so and in terms of our work and as a drafting team, I mean, you know, taking Asha's point about things like a schedule and a plan, you know, it feels to me and I don't want to pre-empt the outcome because we can do some more work on this offline but the kind of thing where we might want to say on the chart is we would require of the group that's derived from the charter to set up a schedule and work plan as the first part of their work or something like that. So while I wouldn't expect this group to set up a schedule and the work plan, it would seem to me reasonable that we require that the CWG does do that as an immediate point and then we might say and speak to identify where external costs would be and so on. So there's ways in

which we can handle that - a drafting team - we can essentially set up and appropriately constrain the work of the CWG.

Now we've come to the top of the hour, so I think - I'm just checking - and so it's allocated more than an hour, I haven't - I personally I haven't scheduled myself for more than an hour but I see it - I have a funny feeling that it was scheduled for likely longer, so let's see if we can't deal with what else we need to. Okay, so if you could just confirm for me Marika, the 60 minutes? That's what I was.

((Crosstalk))

Marika Konings: Yes, that is correct.

Jonathan Robinson: And we are at the top of the hour, I think that's been a useful.

((Crosstalk))

Jonathan Robinson: Marika.

((Crosstalk))

Marika Konings: I think there's a line open that needs to be muted, this is Marika, one thing before we close is I wanted to know on the item six, that staff is extracted from the public comments that were submitted to the discussion paper and the number of comments that maybe irrelevant but the drafting team could take into consideration, so we did circulate that with the agenda and we can circulate it again, and it may be helpful for you to look at that and see, you know, what aspects of those you want to reflect in the charter as those were specific comments that were provided by those that responded that focused on the charter part of the effort.

Jonathan Robinson: Sorry Marika, we - I don't think we heard any of that so if you could speak and try and be brief and repeat.

Marika Konings: Sorry about that, can you hear me better now?

((Crosstalk))

Marika Konings: I'll type my comment in the chat.

Alan Greenberg: Curious, I'm hearing Marika clearly.

Man: Me too.

Jonathan Robinson: Okay, some of us had a lot of background noise, it's not clear why that happened, I mean, I think Sylvia and I - I had it so for whatever reason we had - it sounded like heavy traffic noise. Okay, in any event, you know, we've set up the scope, we've - I think we understand one another on the objective of the drafting team, we have a plan for a chair and a vice-chair and we can rectify that at the next meeting, we have a letter from the ICANN board, a request back to the board to think a little more though it's not too much more about the role of the board in all of this, we've got a template charter which we can look at and agreement to review online. Also there's the various background documents and so we really just need to confirm how we're going to work and meet. We have the opportunity to meet in Marrakesh and I'm not sure how many of you are going to be there, you may want to put a check mark in the - that will be if you do plan to be in Marrakesh and we can meet there, we have a slot provision schedule for that, 10th of March from 7:30 am to 9:30 am, so in effect a breakfast meeting. I've got a couple of check marks from people in the chat, for the notes after the group and Sylvia, thank you, you won't be there but you could join us later, let's provisionally put that in if you have difficulties in general we will try and deal with - we had a request for rotating the slots and making sure - I wouldn't mind if staff can - I'm going to ask staff to expect a meeting for the drafting team if we could just

quickly get from everyone what time zone their principal time zone is, where they normally are located and that will help us with scheduling for rotation. Thanks to all, let's call it a day at this stage, we'll be in touch over email, Alan very brief last point and we've run out of time, go ahead.

Alan Greenberg: Yes, just to note, I will be in Marrakesh but I already have a 7:00 meeting that day.

Jonathan Robinson: We'll try and work with you and others too to optimize when we meet.

Alan Greenberg: Yes.

Jonathan Robinson: All right, great, thanks everyone, let's call it a day there and we'll be in touch over the next meeting and all the mechanics and we'll do some work on this document, thanks again for your input and look forward to working with you all.

Woman: Thanks all.

END