

## **Transcription ICANN Buenos Aires New gTLD Auction Proceeds CWG Drafting Team Update**

**Saturday 20 June 2015**

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Jonathan Robinson: Okay, good. So we - are we good to go with the next session?

Man: (Unintelligible).

Jonathan Robinson: Yes, so we're recording for the next session. So the next session is an opportunity to have a brief discussion and update on the proposed CWG drafting team on new gTLD the auction proceeds. Just to give you a reminder, a little bit of background on this. We - this was something we started to think about and discuss at the council level and indeed we decided that we would initiate the initial or at least look for - call - put out a call for expressions of interest in a cross community Working Group to look into the work - to look into the process to deal with the new GTO the auction proceeds and we put up a port for special of interest and we got back some quite significant expressions of interest from across the community which led to then a call for volunteers.

Actually the call for volunteers hasn't been quite as productive as I might have expected given the high profile and interest in the topic but I suspect that's probably as much because of general saturation across the community

-- so that's one thing I'd like us to have to think about and just discuss a little bit. I - it's the timing of this work given everything else that is going on.

It was then a letter or a note from Steve Crocker, Chairman of the ICANN board who raised some questions and issues around the use of a CWG and how inclusive this was. And in fact I ended up with a couple of personals or follow-up calls with Steve to talk this through with him and where we ended up at is we've - the call for volunteers remains out and what we've set up in conjunction with the so-called "Community Leaders" -- the SO and AC leaders in discussion with staff is the new gTLD auction proceeds are a topic in the high interest session on Monday at this meeting --- so there's a high profile, high interest session at which there is going to be a discussion on new gTLD auction proceeds.

And then in addition to that there's a separate meeting which is essentially our initiative but have talked with a couple of others on this and we've got there is quite an interesting agenda where we've got at that Wednesday meeting a bit of background from staff, where do these auction proceeds come from, what's the background, what's the commitment, what's the sum, and what might be the predicted total followed by -- let me put from Steve Crocker as to where the boards thinking might be on this -- and then some inputs from some of the ccTLD's who generated funds and how they've dealt with this.

So I guess where we're at is that in terms of the overall process we're nominally sort of "half pregnant" with the formation of a CWG but we haven't quite gone through with that because there's - the - for a variety of reasons and we're sort of halfway down that road and we've got a couple of interesting sessions which we'll provide input.

So my expectation is that following these two sessions in Buenos Aires there is - and subject to any discussions that take place now and in those sessions. We are still on track to perform a CWG but perhaps the CWG that's better

informed by these two preliminary set of discussions, if you like. One thing we might think of and that that's been mooted is the possibility of some kind of paper prepared by staff that tries to encapsulate whatever comes out of these two sessions because there's no point in having two high value sessions that get a lot of community input and then that lasts along the way and not fit into the work of the CWG.

So I guess I've outlined in my mind where I think we're at. I think the CWG is still alive but needs an injection of enthusiasm and something we probably want to pick up after Buenos Aires but we've got a couple of decent sessions which will like in all likelihood be very helpful to the CWG and preliminary discussion so that's the position.

Any thoughts, comments, or input in relation to that? And I think Frédéric put his card sideways first so I'll go to him and I see a queue forming in the Adobe Connect Room. So go ahead Frédéric and then let's - we'll work our way through the queue.

Frédéric Guillemaut: Yes, I was just raising my hand to read out a statement from Amr in the chat who will comment on that there was a limit on how many people from each group could join the chatted draft team and the volunteer number might have been higher if the limited exist. I will comment, but I think Marika wanted to respond to that.

Marika Konings: Oh, yes.

Jonathan Robinson: Go ahead Marika.

Marika Konings: This is Marika. I believe Jonathan's comments wasn't necessary related to the number of overall volunteers but more the groups that had put forward volunteers because indeed we did indicated that volunteers should be limited to maximum, I think, two per group to keep the group manager involved but I think the only volunteer - oh there are a number of (unintelligible).

We actually didn't get any volunteers yet from while for some others we actually got more than the two and where the group may want to consider and need restricted to ensure that the focus is really on the (unintelligible) of the charter as a substitute of discussion which presumably is what most people are really interested in or why they're joining happens actually in the subsequent phase of that project.

Jonathan Robinson: Thanks. So yes, there wasn't an indication that that was the reason why we had a limit. So I've got a (unintelligible). (McKaley), (Amera), Marília, and Chuck. So (McKaley), go ahead.

(McKaley Valem): Yes, (McKaley Valem) for the record speaking as Chair of the registrar's we have one of our members who will be on this high interest panel on Monday and I think just - so people are aware I think the people who will be speaking at thus will probably be speaking more on their own behalf rather than on behalf of whichever group they're from so in our case the (unintelligible) will be speaking on Monday since he - since I felt that he'd more to say on the matter than I did but there is definitely a lot of interest from within the registrar's stakeholder group as to what happens with us so it's something we're going to following quite closely and I'm not sure if - Marika, I can probably confirm, did you get more than your quota of registrar's on that one or are we - will the groups you didn't get enough from, I mean, I can't remember. Okay, thanks.

Jonathan Robinson: Thanks (McKaley). And so that - just to be clear on that high interest panel on Monday that's not a GNSO initiative as such. That's the kind of cross community high interest - I mean, it typically ICANN has been running for the last couple of ICANN meetings so-called "high interest session" and it is recognized that this is a topic of high interest so it is going on in addition to and there's been some coordination with the organization of that to make sure we don't end up with a duplication. The procession that it is in a sense of

our initiative is the Wednesday session so - but the two do need to be linked up. (Summer), come in.

(Summer): Thanks Jonathan, this is (Summer). Yes, just again to comment on the number of volunteers for the charter drafting team at the cross community Working Group. I just wanted to say - to add that there weren't - there was significant interest within the NSCG to join us and I think we have a - quite a long list of people who volunteered but we did explain to our members that the (unintelligible) is only permitted to appoint two members to the charter drafting team.

If there is a problem with the number of a volunteers, if it is okay perhaps we can open up a - to more volunteers from each stakeholder we put in the GNSO. I think there would be - there would interest amongst NSG members to join. I'm also wondering why there is this sort of cap on numbers per group. It certainly isn't a common practice amongst GNSO Working Groups. GNSO Working Groups or GNSO PDP charter drafting teams are open to participation by anyone and there isn't usually a maximum number per group so I was just wondering where the thought came from or the needs or the idea of the need to be able to manage the group effectively, thanks.

Jonathan Robinson: I - it's been, I think it's been and I'd be interested to know if anyone's working on that - on the group if anyone can comment on who's working on the group to develop standardized processes for CWG so maybe we can come back to that but I think the principle at hand is one to balance the contributions from the different groups and two, to -- and I realize this is a subjective point to maintain the group at a manageable size such that is can productively and efficiently produce a charter -- and then the draft then once the charter is produced the Working Group is not restricted in number of total participants at least. But let's go to Marília and then we'll go to Chuck.

Marília Maciel: Thank you Jonathan, this is Marília Maciel speaking. Maybe I am jumping ahead then it's too early to raise a topic but I will just wondering since we

started to discuss and formally this scope of the work if the recommendations from the charts report of supporting applicants from developing regions is going to take into account in any way in the work of the group and maybe it would be interesting to involve other people that work in the (unintelligible) just to make the connection. I think that there is a connection there and specifically on financing and (unintelligible) recommendations that have to deal with the auctions. Thank you.

Jonathan Robinson: Yes, it's an interesting point to make that connection. Thanks Marília.  
Chuck?

Chuck Gomes: Thanks Jonathon. Is this working? Okay. Can't tell from here. Chuck Gomes from Verisign. Jonathan, one of the things that was interesting in Dr. Crocker's letter was - that I think a lot of us were puzzled by is the fact that they were worried about internet users that are not part of ICANN.

And yet, I was very puzzled by the fact that cross community Working Groups are open to everybody. They're not restricted to ICANN people so it's more amount of outreach. Did - where you ever able to get more clarity in terms of what the concern was there?

Jonathan Robinson: Yes, I can try to speak a little bit because I have talked with Steve Crocker about this a little bit. I - it also strikes me that this is an interesting one where - how we pick up this thread and we - and I'll just remind everyone that we have a session with the board tomorrow and we have some topics we could raise with them and it might be that this is something we want to open up a little.

I have some reservation about doing that given that we've got two other comprehensive sessions on this topic already so but my sense is that this - and so I think we'll hear more from Steve about this on Wednesday, Chuck, but I do think - what my sense was that is that ICANN has -- A. Received some expressions of interest in what ICANN might be doing with that funding

so some asking letters that may have come from outside of the ICANN community.

And second, that there's a concern that although Working Groups are nominally open we - which is to your point about outreach. We don't necessarily either make it sufficiently clear beyond the ICANN world and/or that -- and this is - I'm just reflecting what concerns might be there -- that in some way the way in which ICANN works is not necessarily receptive to participation to others outside of that. Now, that's not my view. I'm just expressing what I think is the concern that somehow it doesn't necessarily provide the pathways for involvement.

I don't quite understand that since we run things openly and we provide all the facilitation tools and so on so it may be as you suggested an issue of outreach as much as anything. Did you want to come back on that Chuck? Did that help at all?

Chuck Gomes      Thanks Jonathan, no that's helpful. I do think that we should keep in mind especially as the GNSO not that it should just be us on this. I do believe it should be fully open. But bottom-line, these funds came as a result of GNSO processes and GNSO participants and so forth so I think it's important not to forget that.

I'm sure there are people all over the world who'd like to spend the money -- that - that's not surprising at all -- but let's keep an active role as a GNSO.

Jonathan Robinson:      Thanks and I'll express then before going to James whose hand up the queue. Miss - as Stephanie. Sorry, as you - so is there's two issues here or at least two issues that we're going to have to have to face is it's - not before the "cart before the horse" it's the spending of the money needs to come off that or how the money gets allocated needs to come after a process to deal with it.

I mean there's - we're very, very early in this whole thing and so which is why I find it attractive that we've got two sessions at this meeting to really start to hear more broadly before we dive into what the work of - that the charter team might be. So I'll go to Stephanie and then James.

Stephanie Perrin: Stephanie for the record, Perrin that is. Just - I think that Dr. Crocker's letter puts a finger on what is an issue. The minute you say there's money as Chuck just said there will be people around the world who will be happy to spend it for us and this may sound like a very partisan statement as a struggling volunteer in civil society but they're welcome to join our Working Groups and put their shoulders to the plow, as far as I'm concerned. I think that's balance of running a truly open organization and yet making sure that the hard work is adequately funded within those funds, I think is really important and I'll be noisy in the public session. Thank you.

Jonathan Robinson: Look forward to it. Thank you. James?

James Bladel: So probably -- James speaking for the transcript -- and probably similar to Chuck's last point and to Stephanie as well. You can say, "Spend". It's not a dirty word. I noticed you hesitated and said "allocate" -- "allocation of funds" -- but it's okay to say "spend".

You know, before we talk about how we should determine how to spend the money I think the first question which should be, "If we spend the money." And I think one of the things and perhaps this is fodder for the session on Wednesday is, "Why don't give it back to the applicants?" We know who they are. We know how many there were. We know how much they've ponied up. If we know how much we have at the end, it's a simple bit of arithmetic to say, "Here's your rebate from this program." I don't know why that should be such an outlandish idea just to give it back.

Jonathan Robinson: Yes, and so there are a massive series of options and questions here about how - whether it's a one-time distribution, whether it's back to



applicants, or out to needy and, you know, end applicants or for those funds to sort or whether this is some way some kind of perpetual foundation.

James Bladel: Can I jump in on that one?

Jonathan Robinson: Yes.

James Bladel: Real quickly Jonathan is I don't see that option as being a peer option with other spending or allocation choices. That should be a first gate is, "Do we spend it or do we give it back?" And then if the choices of community is, "We, well, we should not give it back," then we can have these other conversations. I think that should be the first question.

Jonathan Robinson: Thanks James and so I would just encourage us to - I'm not sure how much we want to go into that discussion because as I say there's a couple of from my point of view the critical point is here from a sort of a policy management point of view the GNSO initiated the prospect of a cross community Working Group.

We got some quite substantial expressions of interest. We haven't gone that far down the path. I think we need to understand why we haven't gone that far down the path and my sense is there's a combination of reasons. We've been busy. We didn't get - and there's been some other sort of noise generated where it's worth perhaps taking a step back and listening to what's going on.

But my sense at this stage and it will be helpful to have that reaffirmed by this group and any others who perspective chartering organizations is, "Are we still committed to going down the route to the CWG route?" And I would expect that that decision takes place as we've gone through this meeting probably in our wrap-up session just to recommit to that or not.

There's a queue which is - (Jane), is than an old hand? I think that's your old hand. And I've got Phil Corwin and Olivier and then we'll probably call it a day at that point. So Phil and then Olivier.

Philip Corwin: Yes, thanks very much. You know, there are presently 60 million reasons why we shouldn't address this and it could be well be 100 million reasons by the time the auction process is done. I've been asked to appear on behalf of the BC at the Monday high interest session on this. ICANN is a very open organization to participation by anyone from anywhere in the world.

I don't really understand the distinction between the ICANN community and the rest of the internet community since we are so open but want to affirm very strong support for a cross community Working Group going forward on this that welcomes participation by anyone whether they were involved in the ICANN process or not, I think the task before us initially is to design a process for considering what might be done with the auction proceeds and then when we grade that process and suggestions like the one James just made would be in order but first we need to create the process by which we're going to consider the various options.

My own personal view is that we'd be better off in the end restricting the use to -- and again, this just personal -- to one or few purposes rather than dividing it into a multitude of different suggestions and I'll - I'm sure we'll get many when the process gets going and kind of further it away a little bit here, a little bit there.

But let's start the process first. Let's figure out what the responsible way to address the use of it this very considerable funds should be. Thank you very much.

Jonathan Robinson: So thanks for that. Just to reiterate -- I mean, I'm reluctant to get into how and whether we might use the fund. It's really a question for us as to whether we remain committed to the CWG and so I think that's what I'd be asking

people to think about as we hear the different inputs through the high interest session and through the session on Wednesday. Olivier?

Olivier Crepin-LeBlond: Thank you very much Jonathon, Olivier Crepin-LeBlond speaking on behalf of (unintelligible) and (unintelligible) on this issue would like to express its strong interest and a preference for a cross community Working Group and we do apologize for not being able to have anyone on the charter drafting team, but I've personally volunteered just now to be on the list. I might not be able to contribute much, but at least will be part of it. Thank you.

Jonathan Robinson: Okay, so I think that probably puts us in a position where we can we understand the "Lie of the Land" which is what the purpose of this update session is. We've got a couple of pretty substantial sessions over the course of the next few days and it will be incumbent and us to then come back after those and either recommit or adjust our plans accordingly. Okay, let's take a 15 minute break to the top of hour and close that session for now.

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