MARRAKECH – CCWG-Accountability Face-to-Face Meeting – Morning Session
Friday, March 04, 2016 – 08:00 to 17:00 WET
ICANN55 | Marrakech, Morocco

LEON SANCHEZ: Good morning, everyone. Could we get started?

Could you please kindly take your seats?

Good morning, everyone, and congratulations on surviving (indiscernible), almost.

And welcome to this face-to-face meeting from the CCWG Accountability, Marrakech.

And as usual, we will be going -- doing the roll call with those attending the AC room as well, so please log into the room. Remember, we use the room to handle the queue, so it is important that even if you are presently here that you log into the AC room so we can handle the queue.

And also, I remind you to kindly state your name before speaking, which I didn't. I am Leon Sanchez. So I remind you to state your name before speaking for transcript records and also, I believe, it's important for everyone to actually get to know who is speaking.

We might have, of course, remote participation, so at this point I would like to call for anyone the phone bridge that is not in the Adobe Connect room to please say their name so we can add them to the roll call.

Okay. So it doesn't seem the case. We have no one on the phone bridge that is not in the Adobe Connect room, although I see many people here that are not in the Adobe Connect room. So please log into the Adobe Connect room.

Are we having problems with -- -- Okay. So some seem to be having problems with the Adobe Connect room. And could we please paste the URL for the Adobe Connect room so that anyone has it handy at the top of the agenda.

Thank you.

UNKNOWN SPEAKER: (Off microphone).

LEON SANCHEZ: Okay. So one important thing for this day is that we are not engaging in any substantive discussion on our final report. The word "final" is exactly that, it's final. So please let us not get into discussions about the final report as it has already been sent to the chartering organizations, and we are just expecting

authorization and approval from each of the chartering organizations.

We remind you that we have a long-established rule of maximum two interventions per person per topic, and we also have a clock, and we know how to use it. So if participations begin to be excessive, as has been leveled, we will begin using this two-minute timer to manage the queue and interventions from participants and members, of course.

And our main goal is to have a party by the end of this meeting, of course, but we also want to have a clear view on how we're going to implement our Work Stream 1 recommendations and how we are going to plan our work forward for Work Stream 2.

So with no further delay, I would like to hand over the floor to my co-chair Thomas.

THOMAS RICKERT: Thanks very much, Leon, and good morning to all of you on this ICANN meeting in Marrakech. And there has been a lot of complaint about transparency over the last couple of months, and I think at the moment, the only thing that's not transparent is the sky. And hopefully that's going to change. But our report is all done. That's excellent news, so let me also use this opportunity to thank you all for your constructive discussions

over the last couple of weeks. It has been a painful process at times. We understand that. We've all been suffering, I guess. But I think that the work product that we now have in front of us and that hopefully will be approved by the chartering organizations in the next couple of days is really something that we should all be proud of.

And we certainly haven't managed to make everyone happy, but I think -- and that's part of the exercise. We've managed to make everyone equally unhappy. And so if you frown or your groups frown upon certain recommendations, look at the package. Look at what we've done in order to make ICANN a better place, to make ICANN a role model for the multistakeholder model. And try to convince those that don't like individual aspects of the set of recommendations to look at the whole package that we've brought together; and that others are unhappy on other aspects of the proposal, and let's all just say yes to what we have on the table.

So the main purpose of this hour is to prepare for this week. As Leon said, this is not the place to relitigate or re-open debates on substance, but we would like to discuss with you how to best engage with the community.

We are all knee deep in all this, but we need to make sure that we take the whole community along with us. And I'm not sure

whether we have the slide deck to be used in the engagement session ready. There have been some issues because Hillary, who is the master of all this, had some problems get to go Marrakech. So I'm virtually looking or physically looking at staff, whether we should -- or whether we can bring that up. Otherwise, we're going to save that for later.

UNKNOWN SPEAKER: (Off microphone).

THOMAS RICKERT: Okay. So what I suggest we do, then, is do a quick tour de table for representatives of the chartering organizations to see if there's anything they would like to bring up with respect to their approval process so that all of us are on the same page with respect to what to expect and when to expect breaking news during the week.

So if I may, I would like to start with the ccNSO. So do we have a ccNSO member in the room that could potentially --

MATHIEU WEILL: I can do that.

THOMAS RICKERT: So Mathieu, conveniently sitting to my left. So you're going to decide that amongst you're, but Mathieu, you get the first bite of the apple.

MATHIEU WEILL: So thank you very much, Thomas. Mathieu Weill speaking, ccNSO appointed co-chair.

The ccNSO is planning two or three sessions on the IANA stewardship transition during its regular face-to-face member meeting, so it's on Tuesday and Wednesday.

The first session is on the Tuesday morning. And it's going to include an update on the report, but also each of the ccNSO appointed member is going to provide a very summarized view of whether or not they recommend approval. There will be some question and answers and debates. And another session on Wednesday about the next steps.

As the ccNSO has the practice of taking the temperature of the members before going to the council meeting where decision is to be made upon supporting our recommendations, and the council meeting where that will take place is scheduled on Wednesday at the end of the day. I think it's around 5:00 p.m. local time.

So that's the plan for ccNSO.

THOMAS RICKERT: Thanks very much, Mathieu.

Let's hear SSAC, and let's all congratulate SSAC for being the first ones to send --

[Applause]

-- letter of -- letter of approval to us. I guess that's excellent. If you look at the CCWG Wiki page, we have a visualization of the approval status of the respective groups and you have a check mark on it, so let others follow that excellent example.

So I'm not sure whether you want to say a few words. I didn't want to skip but you, but just shout out that you've been great.

JULIE HAMMER: Thank you, Thomas. Julie Hammer speaking. Just on behalf of SSAC, this wasn't rushed through by any means. Lyman and I have been keeping SSAC up-to-date with what has been happening within the CCWG, the various proposals, and we've certainly considered the issues that affect SSAC in some detail, and in reality, that is only a few of the issues. Many of the issues, as you well know, we believe are not within our remit. So when the final report did come out, we explained the changes. We put it through our normal, quite extensive SSAC approval process,

and all the members were quite comfortable with our recommendation that we approve it.

So thank you for that. But it was not rushed through. It was certainly put through our normal, very deliberate process.

THOMAS RICKERT: Thank you. No one expects you to rush the process. Over the last year, we know you actively followed the process. But I think we've all been very impressed with you being the first one to lead on the approval process.

So RSSAC. Someone from RSSAC in the room? I shouldn't have asked RSSAC in the first place, because they're not chartering.

UNKNOWN SPEAKER: There is someone from RSSAC wondering why you asked that question.

THOMAS RICKERT: This is just a test to see whether you pay attention to what I'm saying.

UNKNOWN SPEAKER: Does RSSAC want to become a chartering organization right now? You can take all the glory.

CHRIS DISSPAIN: Can we discuss that? I think we can talk about that for three hours.

THOMAS RICKERT: I apologize for this hiccup. Let's move to the GNSO then. Steve, do you want to speak?

STEVE DELBIANCO: Yeah. I don't see James in the room at this point. This is Steve DelBianco. The GNSO working session over the weekend has two hours dedicated tomorrow from 1:00 to 3:00 p.m. for the discussion. The GNSO has posted a draft motion. And the motion, while it is only a draft, suggests adopting and lists all 12 recommendations. But I'm sure there will be a full-throated discussion tomorrow between 1:00 and 3:00 p.m. in GNSO leading towards their Wednesday consideration of the motion.

THOMAS RICKERT: Thanks very much, Steve.

Is there someone from the GAC in the room? I know this is a rhetorical question. But -- I saw -- who would like to speak on behalf of the -- Olga.

OLGA CAVALLI: Good morning, everyone. I don't know if our chair is in the room. No? Okay.

Thank you for giving me the floor.

The GAC is planning five sessions to review the document. And we would finish by Tuesday. That's the idea. We still have some issues to talk about and discuss.

You know? But we -- that's the plan. I don't know if you have further questions. Thank you.

THOMAS RICKERT: Thanks very much, Olga.

ASO. I saw Izumi. Whoever wants to speak.

ATHINA FRAGKOULI: Good morning. Athina Fragkouli on behalf of the ASO. So the ASO had no issues with the third proposal. Also we shared the supplementary or final report. And we don't see any issues also with the community. We shared it.

The only issue we had was explained in our minority opinion but had nothing to do with the substance of the report. It was just a matter of the implementation because our accountability we based pretty much on the SLA for the numbering function.

So we don't expect any issues. We have given our positive feedback as ASO liaisons. And it's just a procedural matter to have a final approval by the end. We expect it around the 6th of March. Thank you.

THOMAS RICKERT: Thanks very much. That's very helpful. And last, but not least, ALAC. Alan.

ALAN GREENBERG: Thank you very much. Before the ALAC's statement, I'll suggest the GNSO representative arrange for the transcript to be changed.   There was a minor typographical error in the transcript that described your motion as a daft motion. Or it could be left alone.

The ALAC has been working hard on this. We had four hours of two 2-hour briefing sessions for ALAC and other at-large members over the last week. We have an extensive amount of time allocated, which I dearly hope we will not need, over the weekend. And we hope to finish our process this weekend. Should something come up, it will be done -- finished at our wrapup on Wednesday. But we're optimistic that it will be done prior to that. At least I am optimistic.

I have a question. There are some people who are suggesting that, in addition to ratification, should we ratify, that we may provide a statement. What would be done if we did such a thing? It's not a minority statement. It's too late for that. But statement along with the ratification. Obviously, if we don't ratify, we'll provide a statement.

THOMAS RICKERT: Yes. We wanted to speak to that anyway. I guess the answer is this. We have our report. Ideally, we would expect a "yes" or "no" to the whole package.

We would strongly disencourage you to combine your approval with conditions. That would put us in a very bad situation.

We know that some are considering explanatory notes or clarifications on their understanding of certain aspects of the report. Certainly, there's no way for us to prevent that from happening. But let's just say that each and every language that you add to your approval might add ambiguity and cause confusion as to whether approval is conditional or not. So we'd like to encourage you to be conservative with any additional language that you might consider.

Tijani, your hand is up.

TIJANI BEN JEMAA: Thank you, Thomas. I don't think they would be conditions. But there might be remarks about the implementation and the bylaw drafting. So I think it is useful to have something like this.

THOMAS RICKERT: It's certainly a thin line.   If you speak to matters of implementation, we know that there's always an issue between implementation and policy. So, if you are requesting things to be done during implementation, that might change the policy recommendations that we're making. So I would just advise to be conservative with any additional language that might cause frictions.

Just imagine we have all the chartering organizations. The first has set a precedent by sending an unconditional, very straightforward approval letter.

But, if everyone else comes back to us with additional narratives on how they understand and construe the recommendations and how they want them to be implemented, that might cause some issues for the process to come and the approval as such.

Mathieu.

MATHIEU WEILL: Thank you, Thomas. Mathieu Weill speaking. I think I'm very much in line with Thomas. Interpretation -- even statements that would be felt in good faith as purely implementation run the risk of creating some conflicting interpretations between different chartering organizations. And we would be in a very bad situation if we had to resolve this between, basically, Wednesday 7:00 p.m. and Thursday 1:00 a.m. Something like this. Right?

So I understand the need for also providing some flesh to the rationale for approving. But maybe this flesh is better if it's considered as internal to the chartering organization, the rationale for ALAC or any other chartering organization in its analysis of whether or not the report -- the recommendations can be approved and not sent back as a statement or a position to the chartering organization itself.

So it can help the ALAC or other organizations in the way it will oversee the implementation later. It certainly is useful context element. But I think it's best if it's separate from the -- what is being considered in our charter, which is the approval or rejection of the recommendations.

And I hope this helps and finds a way to accommodate your concern, Tijani. Thank you.

THOMAS RICKERT: Leon.

LEON SANCHEZ: This is Leon Sanchez. Tijani, one of our main objectives today is just to know how we're going to go forward and how we're going to implement things. So, hopefully, by the end of today, we won't be needing to make any kind of clarification statements or side statements along with the chartering organization's approval. Because, hopefully, we'll find out how this is all going to work by the end of the day. So let's not anticipate any conclusions. Just let's wait for what we have prepared for you.

THOMAS RICKERT: So what I understand from the chartering organizations is that there is to be some discussion. It's good to have discussion, even in the inside -- inside the chartering organizations. Not everyone has been following our process so closely as we were forced to. So everyone should need to know exactly what they approve ultimately. But it looks like we don't see any dark clouds coming up. There are no major issues, which is a good sign. Otherwise, I think individuals that just smoke would reflect that. Kavouss, you've raised your hand.

KAVOUSS ARASTEH: Yes, it was. Good morning to all of you. As the representative, not as a member of the GAC and CCWG providing (indiscernible) is very good. I as a participant of CWG, CCWG want to add some complimentary information.

We have discussed in our last call, which took about two hours, all 12 recommendations. Preliminarily we made the statement that we have no difficulty with ten recommendations. That's the good news. There are two recommendations, because of the complexity, sensitivity, and delicacy, we have to further discuss and several meeting has been envisaged and you know that many of the government, due to several reasons, may not have been actively participated or followed all the discussions. So we need to discuss these two recommendations in our physical meeting and we do always.

One thing more (indiscernible) that, we should look into the word as it is but not as it should be. We should understand each other. There is no question on the table who is right, who is wrong. The question is that people should agree with each other. So that is very, very important. You have to buy and you have to sell. You have to sell our ideas. If there are buyers, so far, so good. If there are no buyers, we have to try to make it in a way that could be bought by others. Never we should look into any idealistic. Never into any perfections.

One thing in the law is that letter and esprit. Associated with the esprit of law is circumstances and environment under which that has been agreed. When you have something it takes a lot of discussion took place and the result of those is that is that. Does not mean it is perfect in language, but it is what is outcome of that meeting. Thank you.

THOMAS RICKERT: Thanks very much, Kavouss. That's very helpful. After this walk through the different chartering organizations I would like to invite Kavouss maybe again to speak to the process that's going to be used by ICG, because delivery to the U.S. government also has the component work done by ICG, and then I would like to turn to a board representative to speak to the process that the board envisages to follow during the week in order to achieve our goal of handing over the proposal on next Thursday. So Kavouss, if I may put you on the spot.

KAVOUSS ARASTEH: Yes, with the agreement of Keith Drazek who is the liaison of the ICG. Our task in the last call that we had was quite simple, how to send our information to the NTIA. This was discussed at whether you send it to the NTIA or how do you send it. We said that we send it to the ICANN board and ask them to send it to NTIA within some period of time, 14 days. If they have any

comment, they could add to that. If they don't have comment, but they don't change the text. We didn't have any other information in the ICG because we were prepared about six months ago, so we're just waiting.

Our important point was that now we have a confirmation of CWG that all conditions and requirements of the CWG were met by the CCWG accountability. That was important for us. And we have that guarantee from the CWG co-chairs that conditions are met. So for us, that is important. We are not dealing with the result of the CCWG, whether there would be any addition or not, because our main condition was CWG requirement must be met and it has been convened well met. So ICG has no problem to send the information, and we have already prepared a draft letter and authorized the chair of the ICG to sent it on the 10th of March to the NTIA to ICANN or to ICANN to be sent to the NTIA. Thank you. If Keith wants to add something.

THOMAS RICKERT: Yeah, I just wanted to invite Keith to add to that, if you want to. No?

KEITH DRAZEK: Okay. Thank you, Thomas and Kavouss. Keith Drazek. No, Kavouss summarized it perfectly well. I would just add that

there was some discussion in the ICG about the possibility that it could send its report prior to the completion of the CCWG work because the CWG had, in fact, indicated that the key dependencies had been met. But the consensus agreement within the ICG was to wait until the CCWG work was, in fact, complete, approved by the chartering organizations, and ready to be transmitted as well as a package. So thank you.

THOMAS RICKERT: And let me just personally add that I very much welcome the wisdom of the ICG to wait. I think it makes the whole proposal look more cohesive if delivery occurs at the same time. So thank you for that. Thanks, Kavouss. Thanks, Keith. I'm not sure who wants to speak on behalf of the board. Bruce, do you want to speak as board liaison?

BRUCE TONKIN: I'm happy to speak as board liaison. What would you like me to speak about?

[Laughter]

THOMAS RICKERT: Happy to do that. Bruce, after we've heard from the chartering organizations as to what their process is going to be towards

approval during the week to come, we would also like to hear from the Board what the next steps will be. You know there are transition facilitation calls where the Board has gone on record that they would appreciate a cool-down period between finalization approval of the proposal and passing it on to NTIA. Now things look like the chartering organizations will formally approve on Wednesday, at least some of them. Are we going to see issues with the timeline? Are there any other pieces of information that you would like to convey from the Board in our journey towards submission to NTIA?

BRUCE TONKIN: Yeah, thank you, Thomas. Certainly the Board's been keeping -- or having regular information calls. There was an all-day meeting yesterday of the Board with -- where recommendations were discussed. Certainly the recommendations, as drafted in the current draft that came out a few days ago, there's no issues from the Board so, you know, as long as things don't change, I think we're on board. And so more of the discussion is now about implementation. So we're assuming that if the chartering organizations sign off and we get the final report from the CCWG that we would be able to process that report fairly quickly and now focus is changing towards what are the critical path elements to get the process complete.

One of those is bylaws drafting. So we've formed a team on the Board that will work closely with the CCWG team to try and get those bylaws completed. And the aim obviously is to try and get all the bylaws published and reviewed by the community and then approved by the Board within the next three months or so.

THOMAS RICKERT: Thanks very much, Bruce. That's helpful. So it looks like everything is on track. All the groups are working hard to make possible what some have thought would be impossible for this community to achieve. So that's great news. I think that the -- the slide deck for the engagement session is not yet ready, which is why I would suggest that we skip this particular point for the moment and get back to it later. The -- I guess what's important, though, is to speak a little bit to the expectations for the week. The slide deck that I've planned to show to you is the slide deck for the engagement session, to ensure that we take the community along with us and explain -- explain the -- the recommendations to the community. We have a Town Hall session on Monday that's going to be used for that purpose.

Our group also has work to do on Work Stream 1 implementation and Work Stream 2. So by the end of this week hopefully we'll all have a clearer view on how we're going to organize our work, for both of these areas. Right? So even

though the work will not have been kicked off in substantive discussions, we will start the discussion here and try to frame a straw man work approach for all the subject areas that need to be worked on in the months to come.

So hopefully we're going to have that by next Thursday, before we have our big party. Hopefully there's something to celebrate. And then I would suggest that we move to the next agenda item on Work Stream 2, and Leon, you're going to take over.

LEON SANCHEZ: Thank you very much, Thomas. This is Leon Sanchez. And our next agenda item is planning for Work Stream 1 implementation, right? So I sent you an email yesterday on behalf of my co-chairs trying to kickstart the discussion on how we see our work going forward, not only in regard to implementation of Work Stream 1 but also as to planning our work for Work Stream 2.

So in regard to planning our work for Work Stream 1, we have been discussing our way forward. And this way forward could be that we have two teams that would be working on implementation, the first one being the IRP team, which I believe would be led by Becky, hopefully. I'm volunteering you. Well, of course, this is subject to discussion and approval by the group, but I think that it will be great if you led that.

And the other one would be an implementation oversight team, and this implementation oversight team would be comprised of the co-chairs and the rapporteurs so far. And the object of this agenda item is to, of course, discuss with you whether you agree on this way forward, whether you have any suggestions on how we could proceed with implementation of Work Stream 1. And of course planning our path for Work Stream 2.

So in the mail that I sent you yesterday, I proposed a way forward, which we would be breaking the different items for Work Stream 2 into small subgroups that would plan their work. They would schedule their calls, et cetera, and we would be establishing a coordination with this implementation oversight team that would be coordinating the efforts of all the different groups and would, in turn, be reporting to the wider CCWG.

So this is the starting point for discussion, as I said, and we would very much like to hear from you whether this is a viable proposal or whether you have any ideas that you could share with the rest of the group as to how we can move forward on implementation of Work Stream 1 and, of course, our work in Work Stream 2.

So I would like to open the floor for any comments on, firstly, how do we want to proceed with implementation. Let's remember we are proposing to establish an oversight team, and

we are also proposing IRP implementation team at this point. Should there be a need to establish more teams, we are open, of course, to set up other teams that would implement other parts of our proposal, but so far, these are the two main teams that we are envisioning.

So the floor is open, and I see a hand up.

PAUL TWOMEY: It's Paul Twomey. A clarification about the oversight process. If I can take a specific example, the subgroup I'm interested in is the human rights one.

How do you see the approval of any -- of any language that will emerge working through that process? Do you see -- I'm just thinking through, how does the bottom-up work here? Does the subgroup work with language? Does the oversight team have the opportunity to change that language? Does the CCWG as a whole get to see the language? I mean, how do you see the approval processes working.

LEON SANCHEZ: Thank you, Paul. I think we are going to go into details when we discuss implementation of -- I mean, our work plan for Work Stream 2. So I wouldn't want to go into details at this point, and

I would ask for your understanding so we can get back to this when we are at that agenda item.

Thank you.

Any other comments?

Yes, Kavouss.

KAVOUSS ARASTEH: Thank you, Leon. Are you referring to your email dealing with the working method strategy, so on and so forth? I heard you talking about one group, when you call them a small group or whatever group or reflection group, they did what they have to do and based on that we establish other small group with dedicated subject, and so on. Is that also something you refer to that or is it different from these two you are talking about? Thank you.

LEON SANCHEZ: Well, I think they are linked to each other. One thing is the implementation oversight team, and the other one is, of course, the IRP team, and we will also be breaking down all of our Work Stream 2 subjects into different small groups that will coordinate along with the implementation oversight team. So they are linked; they are not the same. And they are not

completely independent as we will be, of course, interacting and coordinating the different groups among them.

And we have a queue on the AC room, and first on the queue Alan Greenberg.

ALAN GREENBERG: Apparently in face-to-face meetings, only physical hands count.

What you describe as the two subteams is generally acceptable to me, and I'm certainly not volunteering to take on one of those roles. However, the drafting of the bylaws, and certainly in my personal case, a number -- a specific number of the bylaws, is going to be really critical. We've made statements along the way saying we'll take this into account when we draft the bylaws.

If the first time that I, as a regular member of the CCWG, see the draft bylaws is after we've gone through the whole process and they're presented to this group in a large swath, if not all of them, it's really too late to make changes. The inertia that goes along with this kind of thing, my standing up from the floor and saying, "I have a problem with the wording of that thing" is a voice in the wilderness.

So it's really important for those of us who care about the detailed wording of the bylaws to have an opportunity, as they're being drafted, to point out that there's something wrong,

that it doesn't meet what our intent was or what we thought -- said our intent was.

So although I'm not volunteering to help draft all of them, there really needs to be some involvement, some way to get in part into the loop before they are presented as an almost fait accompli for ratification by this group. If not, I think we're going to have a lot of trouble. Certainly you're going to have some from me.

LEON SANCHEZ: Thank you.

Mathieu.

MATHIEU WEILL: I think Alan's point is a very good one. There are some areas where direction will need to be provided, questions will be asked. But -- and we've had a good discussion with our lawyers on that a few days ago. I don't think the notes have been circulated yet because of the travels, but it will be. And the strong recommendation is, what they're saying is it's going to be more efficient and easier to discuss with the group if you give us some time to -- the wording was in the initial drafting work in a dark cave. Go into a dark cave, draft the whole set of

documents, ask for some questions and have an initial check with the small group, and then go for the full group.

We need to make that process open and transparent for -- so that everyone can see the different questions that are raised by the lawyers, the different answers that the small groups are providing and how they're -- so that we can track what's been done in this process. But they are strongly cautioning us against a process that would be too iterative initially because in the drafting they're really cautioning us about the time it will take, the cost, and for them, the confusion that might stem from it.

So I think that's the balance we're trying to see here. And the openness and transparency of the review by this implementation team here is critical. Many in this room have some topics or many topics they really care about in terms of implementation, and I think it's good to write them down for each of us and know exactly what we're going to check, but it's compliance check we're talking about. We're not here to open any new question. And I think letting the lawyers draft initially is certainly the best way to avoid that a group starts discussing actually new questions when -- when the drafting occurs. So that's why we're trying to find this balance. But transparency, yes, yes, yes.

LEON SANCHEZ: Thank you very much, Mathieu.

Next on the queue I have Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you, Leon.

If we could have the groups displayed here because I heard something about the implementation team, about oversight team. I would like to see all those groups displayed with the composition you propose and with the mission they would have.

LEON SANCHEZ: Thank you very much, Tijani.

Thomas.

THOMAS RICKERT: Yes, just to be perfectly clear, in Work Stream 1, we're only having two tasks, two groups. That's the IRP and implementation oversight. All the other work areas are Work Stream 2. We're going to discuss that soon.

So let's just focus on these two areas now.

LEON SANCHEZ: Thank you very much, Thomas.

Next is Steve DelBianco.

STEVE DELBIANCO: Thanks, Leon.

The process you have on the slide up here speaks to what Alan was getting at in that when the bylaws come from our lawyers, the first task is to compare them to the written proposal we're approving. And that includes comparing it to the clarifications, all those notes that we added between the third draft and the final.

The purpose of that is to make sure that the bylaws have reconciled potentially conflicting clarification notes and understand that then would release them to the full CCWG for ratification. And hopefully, Alan, to your point about timing, I think one lump-sum distribution would be difficult to digest and could potentially slow the timing down. So I would say that if we can, as we get chunks of the bylaw from lawyers, we would quickly reconcile them with recommendations and the clarification notes, and then turn that around for CCWG approval as each section comes along.

The prior slide up there had said AoC bylaws, but AoC is just one recommendation. It's recommendation 9. What you're really saying is that all of the bylaws other than IRP, because IRP has

its own Work Stream 1 implementation, it's so complex and it's really the crown jewels of what we're proposing, so the IRP gets its own path, but the other recommendations, ten of them that affect the bylaws, mean that there are ten chunks of drafting we'll get from our lawyers. We want to reconcile those and then publish them to the CCWG.

So I want to clarify and support your notion of keeping it simple and streamlined; at the same time acknowledging Alan's points about whether one lump sum is the right way to digest it.

Thank you.

LEON SANCHEZ: Thank you very much, Steve. And, yes, the way you have described it is exactly how we are trying to drive this. So thanks for helping us clarify our way forward.

Next on the queue, I have Malcolm Hutty.

MALCOLM HUTTY: Thank you, yes.

I share most of the views in the comments that were just placed both by Alan and by Steve by way of clarification. I think the label that you have on the slide there, CCWG approval, rather than exacerbates the concern that I think Alan was raising and

rather tickles me as well, the idea that this would be presented too much as a fait accompli and there will be no opportunity for the plenary as a whole to check that they really owned the way that this was being implemented.

If it said something like "review and approval," I think it would give more of an indication that this was -- it was understood that there would be an opportunity for the group to consider whether or not they were satisfied that the text had implemented what we had decided.

At the same time, I also feel very strongly in agreement with Steve's comment there. This is not an opportunity for the group to re-open issues that have already been decided. The criteria for checking is whether or not the wording adequately implementation what has been decided and not whether it does what is right. The objective has been decided in our report and supplemental report.

So I think it will be very important for the chairs there, really, to both ensure that there is a proper opportunity for review rather than bouncing this group through the terms, but at the same time holding us very strictly to ensure that we don't re-open issues of principle that have now been decided and agreed upon and approved by the chartering organizations which will have happened by this point, we hope.

I do have one other question regarding composition. Leon, you skipped rather quickly past the issue of composition of the review teams. In particular, the IRP implementation review team.

We had already chartered such group, and it has had a composition selected and it has met once. Are you proposing to close that group and replace it with a new composition or are you referring to that group as being this?

LEON SANCHEZ: Thank you very much, Malcolm. I am referring to that group, and we will also be calling for volunteers later on the agenda. We have an open item for call for volunteers at some point.

THOMAS RICKERT: Not for -- the IRP group is set. We have our participants there.

LEON SANCHEZ: The other groups. The other groups.

But I am speaking about that group, Malcolm. And, yes, I think that maybe we should relevel CCWG approval with CCWG review. That seems quite reasonable. And one point that I really like from your intervention is that this shouldn't mean -- or this shouldn't lead us to re-open any agreed issues but just rather

check that what is in the bylaws does match with what we have -- with what we have agreed.

Thank you, Malcolm.

MALCOLM HUTTY: Thank you for that clarification. I'm satisfied with that answer.

LEON SANCHEZ: Thank you very much, Malcolm. Next on the queue I have Jordyn, Jordan Carter.

JORDAN CARTER: Thanks, Jordan Carter, dot NZ.

We have one is the general bylaws drafting project and the other is the IRP implementation. IRP implementation group is largely sorted out already.

We're talking about an iterative process for doing the bylaws, and us suckers who have been stupid enough to be volunteers, rapporteurs and co-chairs, helping make sure the initial draft of those bylaws is consistent with the report. As long as all that is done transparently, so there is an open archive list, and as long as there is substantive time for the group to review, identify any other areas, areas that can be changed -- so in other words, as

long as it's not fait accompli style stuff, I'm comfortable with that.

I don't really see it as an implementation oversight team. That sounds too grand. It's more a kind of review function that we're doing for the group.

LEON SANCHEZ: Thank you very much, Jordan. We can always adjust the wording and the language that we're using in the slide. So yes. I think we are in line with what you just raised.

Next on the queue, I have Kavouss.

KAVOUSS ARASTEH: Yes. I think the parting with the written -- writing the bylaw is a very delicate part and you said that this should be compliance with recommendation. So we should be quite careful about that.

One thing that I have to also emphasize, that we need to enter the logistic that's required for the work, the number of the call or any physical meeting or need for the legal counsel. And in that, we should also look into the availability of project that we have. And the other thing is the way that we have organized the

meeting in the past was criticized by people. So many meetings in haste and not very well ---

My queue wasn't refreshing, and I may have altered the order in the queue. And, as things stand, I have next on the queue Sebastien Bachollet.

SEBASTIEN BACHOLLET: Thank you. No need to apologize. It's already very difficult to run those meetings. And that's okay.

I have a few points here. And, by your introduction, you talk about Work Stream 1 and Work Stream 2.

I know that when the OIT -- sorry -- I don't know what it means for -- but in French it's (speaking French.)

And you were elected for a mandate of three, four, five years? Then you will stay on the job for this time. It's great. I thank you for that. Because it's a very heavy job you were taking 1 1/2 year ago.

But, joke aside, we need to have -- we have two streams. And I understand fully that the first stream needs to be taken care by the current stream. I have no doubt about that. I have some reflection on why the OIT taking care and not a specific group who will be in charge of the bylaw, because there are some

people with eventually some knowledge or willing to be part of that specifically.

But my point is that we need to have this group with some breaths, respiration, whatever you want to call that, and to see if those chartering organizations or people participating want to stay on board or it's time to have new people. And I have the impression that, for the moment, as we are doing two in parallel, we are assuming that the same will play again. And, if so, thank you very much. But, if not, I think we need to ask the chartering organization and each participant, each member, if they are willing to stay and if it's not time to change a few of them eventually. Thank you very much.

LEON SANCHEZ: Thank you very much, Sebastien. Mathieu.

MATHIEU WEILL: Thank you, Sebastien. In your introduction you said there was Work Stream 1 and Work Stream 2. And, indeed, this was just designed for the finalization, implementation of Work Stream 1 recommendations. And, certainly, when we come to discuss Work Stream 2, we'll have to discuss exactly how we organize work. And, yes, it is a probability that the team that was so involved -- and, once again, I think we had tremendous efforts

from our rapporteurs in Work Stream 1 -- might need to breathe. And maybe new people might come up and take the work one step further with renewed energy.

And at the same -- so that's going to be discussed in -- when we discuss Work Stream 2.

The second point you're raising was the relationship with the chartering organizations. And I think Leon went over this item quite quickly. But it's certainly our intent, just like the CWG did, to write to the chartering organizations at this important point in our work to ask for confirmation or maybe renewal of members, if they find it appropriate, and also to have confirmation of the role that a group is planning to play in terms of implementation. Because that's not specifically written in the charter. It was not in the CWG stewardship charter either.

So I think there's an opportunity to use this meeting in Marrakech to also liaise with the chartering organization on this aspect. And that would be, if the group agrees, one of the action items we would take out of this meeting so that they have this on their tables and can discuss it during the Marrakech meeting or in the few weeks after Marrakech.

So thank you for raising these points, Sebastien.

LEON SANCHEZ: Thank you very much, Mathieu. We have some people in the queue that are not in the Adobe Connect room just so everyone knows.

Next we have Eberhard. And then I will go to Chris Disspain. And then I will go to Jonathan Zuck and then Alan Greenberg. So, if you don't see your hand, it's not because you're not in the queue. We're not jumping anyone. We're just trying to set the record straight. So next in the queue is Eberhard.

EBERHARD LISSE: Eberhard Lisse from .NA, for the record. I'm not in the Adobe queue. I have heard what Alan says and Steve says. And, as you have noticed from some of my posts, I find it difficult to read 385 pages preferably as pdf. I need to study them in depth.

On the other hand, I realize we don't want to interfere with the legal team doing the actual work. But I find it very helpful if they publish often, they publish incremental, and they publish into a list observers cannot post to. So whoever's interested can subscribe as an observer to the list, can read this earlier. And, if we have issues, we can refer it to the co-chairs. And then you can take it -- sort of certify it and vet this so that we don't interfere with 20,000 emails like we have done this time.

LEON SANCHEZ: Thank you very much, Eberhard.   Sounds quite reasonable. Thomas, you want to add something?

THOMAS RICKERT: We will do exactly that, Eberhard.

LEON SANCHEZ: Thank you, Thomas.

Next in the queue I have Chris Disspain.

CHRIS DISSPAIN: Thanks, Leon. Chris Disspain. Good morning, everybody. I want to talk briefly about the implementation of Work Stream 1 and talk as a lawyer. I've just got a little bell ringing in the back of my head that what I'm hearing or at least what I think I'm hearing may lead to an issue.

If you let the lawyers draft the bylaws and then you say we're not sure that this does what we want, that's going to be a problem. The way around to do it is to make sure that the lawyers understand exactly what you want and then let them draft it. And, if they tell you it gives you what you want, it gives you what you want.

The concept of having lots of different people in this group judging whether or not what the lawyers have drafted provides

you with what you want is very, very dangerous. Because they'll be using different reference points, different legal systems, et cetera, et cetera, different meanings of different words. So I'd encourage you all to make sure that the key is to let -- make sure the lawyers understand what you want and then let them do the drafting. Don't start wordsmithing their bylaws. That just won't work. Thanks.

LEON SANCHEZ: Thank you very much, Chris. I think that we couldn't agree more with you. That is precisely why we're trying to go with our lawyers to have them understand perfectly what we want them to reflect in that -- in those bylaws. And then run the drafting process. So I think we're pretty much in line.

Next is Jonathan Zuck.

JONATHAN ZUCK: Thanks, Leon. Jonathan Zuck here, for the record. I would concur, Chris. Wordsmithing the work of lawyers is the best way to guarantee a good college education for their children.

I see the way this is divided one of the questions that occurred to me is the budget for which there is, in fact, a bylaws portion. But there's another part of the implementation as well that has to do with coordination with CWG that has to do with the draft --

the maintenance budget outline, what that would look like, et cetera. It's more of a detailed part of the implementation. But it's part of Work Stream 1 implementation. We've got to make sure we don't let it fall on the floor.

LEON SANCHEZ: Thanks, Jonathan.

Next in the queue is Alan Greenberg.

ALAN GREENBERG: Thank you very much. I think it was Jordan or somebody who made reference to the implementation group's email archive will be open. Eberhard made a comment. And Thomas said, "Yes, we'll do it." But I'm not quite sure what the "it" was. So I would like some clarification. Is the "it" saying there will be observers on this mailing email list?

THOMAS RICKERT: The idea is that this interaction with the lawyers will follow highest principles of transparency. So calls will be recorded, potentially transcribed. The mailing list is going to be archived. But what we want to avoid -- and this is what the lawyers have explicitly cautioned us not to do -- is have the lawyers interact with hundreds of people. So everyone can know what's being

discussed. No problem about that. But we should channel the input to the lawyers through a few individuals. That's the idea.

ALAN GREENBERG: I'm requesting that you use push technology, not pull technology. I don't want to have to go to an archive to read it. I'd like to be on the mailing list to receive even if I can't send messages. Thank you.

THOMAS RICKERT: Let me just say that we've discussed this quite a bit when we prepared for this meeting. We want to make sure to keep the workload for all of you as low as possible.

At the same time, we do know that this group is very, very sensitive that bylaws are not being drafted in a cave. You know, someone comes out, "Eureka! This is what we have. Now you take it or leave it."

So everyone who takes an interest in this, whatever technology we deploy to make that possible should be able to get all information on what has been discussed, to flag issues -- and I think we need you guys to flag issues should there be any.

But we have volunteered to accept the workload, to do sanity checks. That is not, as Chris said, to have a wordsmithing

contest with the lawyers. You know, they're the experts. But we can check whether the requirements established by our group make their way into the bylaws. So I hope that answers the question.

LEON SANCHEZ: Thank you, Thomas. Thank you, Alan. I see a question at the back of -- it's Mike.

MIKE CHARTIER: Yep. Thank you. Just for clarification, when you say "our lawyers," are you talking about CCWG? Because I heard Bruce mention that the Board also has a team. So is it going to be the case that our lawyers are going to do something and then it goes to the Board's team and then Jones Day looks at it and we might get some lawyer-type thing? Or are they going to be working together? How is that going to work?

THOMAS RICKERT: Thanks for the question, Mike. The exact flow between the teams involved is yet to be determined. There's going to be a kickoff meeting that we've accepted to hold on Monday evening. After that we'll be able to shed more light on that. But this is certainly a collaborative effort between our group, our lawyers, the Board, and the Board's lawyers. So let's be clear on that. I

think what we're now trying to establish who's going to be on this implementation oversight team to agree with this group. And there seems to be a lot of agreement in this group that we can do as suggested by Leon.

And I think that maybe by Thursday next week, even when we reconvene, we can give you more detailed -- more specific information how exactly that's going to work.

LEON SANCHEZ: Thank you very much, Thomas. Bruce?

BRUCE TONKIN: Just a quick follow-up on that on the Board side. The Board has selected a subset of board directors to help be involved in facilitating the process, particularly with respect to communication with the wider board and making sure that, from our perspective, the bylaws reflect what's in the report.

There's no shortage of lawyers. So on the Board directors' team, several -- maybe a majority of those board directors are lawyers. I will be on that team, and I can assure you I'm not a lawyer. So sometimes it helps to not have lawyers there.

And then we will be using the ICANN corporate counsel, which is Jones Day, to help provide advice to the Board. And, certainly,

our direction as a board is directing our legal counsel to work collaboratively with the CCWG lawyers. We don't want a conflict situation. We actually want a collaborative situation.

So the goal of both groups is to come up with bylaws that reflect the report. That's the common goal.

LEON SANCHEZ: Thank you very much, Bruce. Thomas.

THOMAS RICKERT: Thank you for these helpful recommendations. Let me go on the record by saying the role of the board and what this group has done doesn't change during the implementation. So this is still the process that needs to be community-led with ICANN being the facilitator of the community exercise. And then the Board certainly has its fiduciary role to exercise when it comes to bylaw drafting. And, therefore, we need to make this truly a collaborative effort that maintains the spirit of the work that we've conducted over the past 15 months.

LEON SANCHEZ: Thank you very much, Thomas. Mathieu, did you want to add something?

MATHIEU WEILL: I appreciate Bruce's statement and the fact that you're highlighting that we all share the same goal, which is to provide a set of bylaws that adequately reflect the report and recommendations.

And I just -- a question came to my mind when you were speaking about if the Board already has clarity about the process towards bylaw approval and some timelines that would be already considered so that this can take place in a time frame that is consistent with the INS stewardship transition. I think it would be extremely helpful for the group if we can have this in mind.

As mentioned on the slide, we were operating under the assumption that a public comment might be needed on the bylaws. So, if there's a plan -- a project plan for that, we really need to work on this very early on so that we ensure we have -- we're all consistent with that. And we respect the duty of the Board to go through public comment on the bylaws, and we can fit this all together.

It's not to be done here, but certainly an area where further discussions need to take place and transparency with the whole CCWG and the chartering organizations as well.

BRUCE TONKIN: I think that's right. To give it a timetable with locked in dates is difficult until we actually know that the chartering organizations have signed off and the Board actually receives a report.

But, certainly, Mathieu, I think by the end of the week we would aim to give some sort of timetable which we would work on, you know, with your group as well. It's really got to be a shared timetable. I don't think we can direct it. But you are correct. My feeling is that the -- you know, our normal process for approving bylaws is that the bylaws are a bylaw for the whole community to review before the Board finally approves them.

LEON SANCHEZ: Thank you very much, Bruce. Thank you very much, Mathieu. And so, just to recap our discussion, we will be setting up a list so that everyone can observe this process. And we have agreed to this. We have some refinements. And we will be also having the IRP group plus the leadership group that would be coordinating the efforts between the different groups.

And I see, Kavouss, you raised your hand.

KAVOUSS ARASTEH: Yes. I have one small question. In the first box we are preparing a bylaw or draft a bylaw. We said that asking directions. What

do we mean by "directions"? Is it advice? Is it clarifications? From whom we ask this advice or directions? Thank you.

LEON SANCHEZ: I think that asking for directions means what we were just discussing, that we need to tell our lawyers what we exactly need to be reflected into the bylaws, according to our proposals. So that is what we meant by asking for directions, if need be. If the lawyers have some doubts on what they are drafting, they should come, of course, back to the CCWG and ask for that direction whether they are reflecting what we're actually meaning to be reflected in the bylaws. So that is meaning for them.

Mathieu, you wanted to add something.

Okay. So does that answer your question, Kavouss? Okay.

Anyone else? No? Okay. So Mathieu.

MATHIEU WEILL: Just to take stock of this discussion.

The overall process set out here is going to be our direction, with some refinements to the CCWG approval which will be review and ratification rather. So the initial drafting is going to be directed to the CCWG independent counsel primarily but

working in a collaborative manner with ICANN legal. We are going to continue with the IRP group that had been set up so far and use the current rapporteurs and co-chairs as the small group overseeing the drafting for the rest of the bylaws. And both of these groups will operate under the same standards that were already set up for the IRP group actually which is a transparent mailing list. People can subscribe and it's archiving and everything. Okay? And we know that what is at stake here is ensuring we have compliance between the report and the bylaws and no new issue is to be opened.

And finally, we heard from Bruce that we'll get some key milestones from the process that the Board is drafting for the final approval obviously and that is going to certainly drive our project plan as well, and that's going to be a subject of discussions in the next few days. Maybe if we have -- we have a meeting on Thursday, so maybe we'll have more details by then, but if -- if not, it doesn't matter. It can be a few days later. So that's the stock we can take from this discussion, which has been very productive because I think we now have a way forward to deliver as soon as the chartering organizations have approved the Work Stream 1 recommendations. And with that, I think the next -- you're next.

The composition of IRP, I don't have it by heart, but I know Becky is the -- is the lead and I think an answer is coming your

way, Avri, with probably even the documentation. I think there's a wiki page on it. There's always a wiki page on something. So we'll find it. We'll find it.

Becky, would you like to say a few words on the IRP group?

BECKY BURR: Yes. The IRP group that we have up here includes Chris Disspain, David McAuley, David Post, Greg Shatan, Malcolm Hutty, Robin Gross, Samantha Eisner, Tijani, Arun, Marianne Georgelin. I don't know if I pronounced her last name right. Avri. Sorry, Avri. Olga Cavalli, Kavouss Arasteh, and then a variety of liaisons. So it includes lawyers and non-lawyers. And Avri, if you didn't know you were on it, my apologies.

[Laughter]

THOMAS RICKERT: So can I ask staff to bring up the slides for the engagement session. We had skipped those earlier today. Just give me an indication. If it's not handy at the moment, we can do something else. Okay. So what you see in the remote participation room is the slide deck that we plan to use for the engagement session, the Town Hall session on Monday. And again, this is a slide deck meant to educate or to inform the community as such about what we've been doing. So I'm not

going to deliver this presentation to you because that's all information that you are already aware of. But I would suggest that we go through that briefly. So maybe staff can just slide through those. So that's an overview of the process and where we are. Then we talk about, you know, some statistics, composition of this group, the volume of emails exchanged, Work Stream 1, Work Stream 2. Then an overview of the proposal, you know, how it's structured with the core document and the appendices. We will speak to the CWG dependencies. And then we're going to go through the recommendations. And as expected, we will speak to the changes from the third draft. So that's basically a quick run-through of the recommendations. And the timeline and next steps. So, I mean, that's something we can -- you can digest, if you want to, once it's been sent to the list, but that's just to let you know that, you know, there won't be any surprises or any new facts but that's basically what we have in our report. With the specific focus on the changes to the third report that's been put out for public comment.

Okay. Are there any questions on that or do you have any suggestions in terms of topics that might be of special or of particular interest to the community? Doesn't seem to be the case. Which allows us to move on with the agenda. Actually we're ahead of time. I think this is the first time in the CCWG's history that we are ahead of time.

[Applause]

 But that doesn't mean that there is a lot of work to come. So can we go back to the face-to-face slide deck, please. And to the -- skip that. Yeah. So this is to discuss Work Stream 2. As you know, this is a kick-off. We have requested travel support for this extra day, and we would like to thank ICANN, again, for making it possible for us to meet on Friday, you know, because that wasn't so easy. That took some debate because there's enormous costs involved with that. Also, it's an administrative nightmare to add a day to the ICANN meeting. So thanks so much to ICANN staff, and I'm not sure whether Nancy's in the room. Nancy, can you stand up for a moment? So ...

[Applause]

So I guess we should in return evidence to ICANN and the rest of the community that this money is well -- is worth spending, and we would like to kick off the Work Stream 2 discussions.

As you know, we have a couple of topics to be discussed during Work Stream 2 that's -- just to refresh your memory, that's diversity, that's human rights, that's jurisdiction, that's SO/AC accountability, staff accountability, we have transparency, and this is going to be covered by an interim bylaw and the subject of the ombudsman. Do we have Chris LaHatte in the room with us today? Not yet. So we will try to reach out to Chris because he

has scheduled a session during this meeting to discuss the role of the ombudsman and the post-transition ICANN and certainly that will be relevant to our Work Stream 2 discussions.

You will see here -- and that's just by way of introduction -- that there are certain links between the items to be discussed in Work Stream 2. And I think we need your wisdom to make sure that we organize our work in a way that avoids friction, duplication, contradiction between the outcomes. Also -- and we will speak to that later when staff gives the quick introduction to how ICANN has dealt with other implementation-related projects. We should discussion what aspects of our work would potentially fit in nicely with the ATRT2 reviews because those are related topics. And we need to make a decision as a group whether we want to try to combine efforts with work underway in ATRT. Let me be very specific that there have been concerns in this group that if we add things to ATRT that this could be putting them on the back burner and burying them, deprioritizing them. That is not the intention. Let's be very, very clear on that. This is under our control. We're just trying to inform the group about synergies that could be used, volunteer resources, professional resources, staff resources -- not that staff is not professional, but you know what I'm saying. We might need legal advice on those efforts as well. So we want to make the best out of the resources we have, and

we need to discuss whether some of the items can maybe be combined amongst themselves, maybe we can put something into the ATRT effort without giving a signal to the community that this is not going to be prioritized. And we have a wealth of ATRT expertise in this room that we would like to hear from when we organize our work.

So the projects that we need to work on are on the screen. You might, in your imagination, add time to that. So ideally, what we would do is we would work on all these seven projects in parallel. Work Stream 1 implementation we must do so that the transition can take place. So this is something that is on our plate for 2016. So those two bars, if you say that beginning of 2016 is on the left and end of 2016 is on the right or end of the IANA functions contract is on the right, that's something we must do. Question is, what can, want, and must we squeeze in for Work Stream 2 at the same time? Is there a topic or are there topics that you want to let go first? Do you want to work on all those topics in parallel? Do you want to work on them sequentially, which I think would not be a good idea. Do we do a combination of sequential and parallel? So I would -- I would suggest that before continuing we hear some views on that. Maybe someone has an idea. We're going to have another session in the afternoon where we're going to have like 10 to 15 minutes per Work Stream 2 item collecting ideas on what needs

to be done. Maybe that will help this group get more clarity on how big the tasks are. Take jurisdiction as an example. That's so multi-faceted. You can have different subteams working on that only. And the same would go for other areas of work.

So I think we need to understand collectively what's involved with these tasks for Work Stream 2 and then be wise about how we allocate our resources, how we allocate time. How we help our lawyers plan their time in supporting us. We might not need lawyers for all of this. But when we had our call with the lawyers a couple of days back, and you can go read the transcript, they say it will add to cost if we want to do too many things at a time. Because they need to have big teams fully up to speed with what we're doing and that -- that incurs costs.

Also, if we crunch our work and force them to work 24/7 during weekends and what have you, that will add to costs. So ideally, after this week, we would like to have an agreement with you where we have a straw man project plan and we think that we can pretty much tap on what we've done with the CCWG. Just thinking out loudly, but that could be first phase of work regardless of what the topic is, is create an inventory of what we have already. As we did with the CCWG. Then you would establish requirements of what should go into a report of these -- of the subteam. Then you would put the lawyers to work to help you produce a first draft. Then you would do two feedback

loops to get towards the final report. Maybe you want to do a public comment period somewhere in the middle. Maybe you just want to do one at the end. Maybe the group wants to deliver one cohesive report on all Work Stream 2 aspects. Maybe we want to throw them out as they get ready to make it easier for the community to -- to respond to solicitation of public comment. This is all up to us to define now. But I think we would be well advised to have a straw man to say okay, you need to come up with your inventory, with your requirements, with the first draft, within, let's say, three months. Then we're going to have a phase for lawyers to review so we can phase out the work, irrespectively of when it starts in a comparable manner for all these work items and thereby help spread the workload over, let's say, a 12-month period of time or a 15-month period of time. Are there any views on that? So let me just go to my Adobe and see whether there are hands raised. And in fact there are. There's a big queue forming. Olga, you're first.

OLGA CAVALLI: Thank you, Thomas. I have many questions, but some comments. I think these different issues in Work Stream 2 are very important. The fact that a single group could follow all of them is very improbable. We would focus on different things. So my comment would be, you made a point about having public

comments, for example, every now and then. So that would be important to have a vision at plenary level say. For example, if some people is focusing in diversity and jurisdiction and then not focusing so much in human rights, it could be good at a point to all of us have a view of what each of the different groups are doing. This is a comment just from my own impression. Sometimes I have seen in this process groups doing some text and then it's written in stone and nobody else can ever put it down. So that, for the GAC especially that we have to consult in capitals and it takes some time, it's very important to have a vision at a plenary level of the different -- what each group is doing in each of the subjects. Thank you.

THOMAS RICKERT: Thanks, Olga. Good questions and it's up for us to find answers. Certainly not everyone can work on everything. So we need to form subteams. And that goes hand-in-hand with a note that Leon sent out yesterday. It goes for the leadership team. We can't possibly work as hands on as we did for all these topics as we move on. So we need to find caretakers, people that want to take responsibility, maybe jointly with others on those topics. So next in line is Sebastien.

SEBASTIEN BACHOLLET: Thank you, Thomas. Yeah, first of all, I think it's very important that we do that with taking into account what has already done within ICANN on those topics. That's, for example, jurisdiction, we have already a large amount of documents from the Presidential review team to some other discussion within ICANN. Then it's important to take that into account. And maybe to ask the people who were participating into those discussions at that time are still participating the ICANN work to help with bringing to the memory what they have done at that moment. And maybe we can also ask the president at that time who is in this room today to help us with that specifically.

The second point is that yes, subgroup is a must, and I hope that subgroup will be real subgroup, not the same people shooting again in the seven or six or seven or eight or whatever subgroup. We need to have here also diversity in each group and diversity in all areas.

The third point is that we need to take into account, for example, what ATRT is doing and what are the current remit of the ATRT because maybe we want to change those remits to add them some possible items to do the work. For the moment it's just 9.1, 9.2, 9.3 on the AoC with a limit of the ART and that's a question we need to take into account.

And my fourth point is that do we want to -- to outsource to another group some work? To take two examples, there is already a human rights working group. Do we want to give them the work or do we want to have this group embedded within the CCWG framework.

And the second, it's as you say, the ombudsman is already organizing some consultation on the -- what he will do in the future. It is right way to go? It is not the CCWG to do this work. I am a little bit puzzled to have the ombudsman who is working on this future work definition. But nevertheless, we need to take that into account. Do we want to ask him to do the work with a group of people or do we want to take that as -- in our responsibilities. And having him included in this working group and not the reverse. That's a few comments. Thank you very much.

THOMAS RICKERT: Thanks very much. And I suggest we not speculate what the intentions by Chris were for this group. I think we've all been surprised to see the announcement on the list but I guess it's excellent that he reaches out to the community to discuss what community expectations are. But nevertheless this is a Work Stream 2 area for this group and not necessarily only for the ombudsman himself. Next in line is Tijani.

TIJANI BEN JAMAA: Thank you, Thomas. As you know, we need to finish the IRP implementation and the bylaw drafting by -- in six months maximum so that the transition can happen. So I think that this work has the absolute priority. I am not saying that anything about Work Stream 2 must -- must be put aside, but at any time and in any case, if we have to choose between those two works, the Work Stream 2 compilation has the absolute priority. Thank you. Work Stream 1. Yeah.

THOMAS RICKERT: Understood, Tijani. Thank you. Next in line is Steve.

STEVE DelBIANCO: Thanks, Thomas. Steve DelBianco with the CSG. In the very beginning when you introduced this slide I believe you did mention the ATRT or Accountability and Transparency Review Team in the context of some of these Work Stream 2 measures, and I wanted to just sort of pick at that because I'm guessing that we need to start the next Accountability and Transparency Review Team, probably a year from now, beginning of 2017. And it looks to me like on the Work Stream 2 items, the last four look as if they address items that are pretty close to the remit of an ATRT. And that -- that could be good, right? It could be a logical

way of organizing things. And timing-wise it might even be fortunate, if they were able to get Work Stream 2 recommendations through the process so that they could be handed to the next ATRT or seeded into the process.

And then on regarding working methods, I realize there's been some discussion on list after Leon circulated an email, and in a -- in a normative way of what we should do to organize our work, I would ask us to step back for a minute and be descriptive and remember how we did organize our work 15 months ago. November of 2014. That's when we started. And we started with a bang before there was much staff support, if you recall. And instantly we had work area 1. Do you remember we used to call it work area 1, work area 2. We did an inventory of all the comments and quickly distilled where there was the most support for accountability measures that would improve the community. I mean, it's too full back in the archives for anyone to remember, but if you were to dig back to November of 2014 you'll see that we had already start surfacing the idea of IRP and reviewing bylaws and budget.

That work occurred without any significant discussion of working methods. And I love working methods, but we actually had a method of just doing the work.

The working method was get the work done. And there was about 25 folks who volunteered. Staff supported us on a few calls but we did an awful lot of our document prep through emails and that is by the middle of December of 2014, we had already compiled a seven or eight page inventory, organized by area of accountability, and I realize we've had to build on that substantially since then, building upon it in terms of consensus and details. But a lot of the working methods can be -- let's not debate too much about how it is we're going to get it done and spend a little bit more diving in and getting the work started. And those documents, I think, will suggest the working methods that could emerge.

THOMAS RICKERT: Thanks, Steve.

                       Kavouss.

KAVOUSS ARASTEH: Yes, thank you, Thomas. I have a few points to make if you allow me. Perhaps I missed the point, the timeline of doing this work, taking into account that at the beginning there was no favorable consideration by ICANN Board with respect to this work, it seemed to. But finally, they agree to some sort of compromise. So timelines.

Then estimation of the required resources. This is what I said before I want to put it in particular to what this work is seen to.

And then what no one has referred to is membership from the chartering organization. Perhaps you ask them if they retain the same membership or different membership, different block, ditch ideas, so on and so forth. So we have to also look at that one. And working methods. I think there are some comments about the working methods. We have to review this working method.

Another issue is that we have to avoid totally the applications. We have to use available information, available documents, available practices, so on and so forth. And we have to also see to what extent we want to go to the things so deeply or whatever is really required. So we have to minimize the number of the things that we have to do. So these are the things that have not been yet discussed and we would like to discuss. In particular, estimation of resources for doing this work.

Thank you.

THOMAS RICKERT: Thanks, Kavouss.

On timeline, there is none at the moment. We know that we need to deliver on Work Stream 1. We know that we had in our

planning that we would commence work on Work Stream 2 as soon as Work Stream 1 recommendations are ready, but we need to organize exactly that. So I guess that's the point that hopefully we get more clarity on during this week.

Erika.

ERIKA MANN: Thank you so much, Thomas. I have a few points on my list.

I think it will be relevant this time that we have maybe from the very early phase a clear understanding about the budget ceiling, because I think there are two things which will frame -- or three things which will frame, probably, Work Stream 2. So one would be the budget limitations. And we have to get an understanding together as early as possible about this.

The second is the timing. I think everything we do, we will have to count back from the end point when we want to deliver Work Stream 2 results.

And the third would be probably the process and how we organize it and legal limitations related to it.

So my hope is that we have -- together that, we can identify maybe a process which will make it as easy as possible for everybody engaged to organize their own workload and

whatever we have to do, which is already immense, in such a way that it's as easy as possible to follow and to influence the debate and discussion.

And my last point, coming back to the legal, what I would love us to have a little bit more systematic approach this time with regard to the topics so that in an ideal -- sorry. Again, I have to say, I'm German so I apologize for this for cease these obvious systematic ways of recommending to have a systematic approach. But that we each time clearly identify the current situation, the current legal situation, and that we then from there expand what we want to achieve. So this will frame, then, our debate, probably, in a more systematic way.

Thank you very much.

THOMAS RICKERT: Erika, it's good to see you trying to be systematic for once. Thanks for that.

[Laughter]

Next is Eberhard.

EBERHARD LISSE: Eberhard Lisse from .NA For the record.

I am, from a professional -- from my profession, a firm believer you cannot divide your attention when do you important things. It's also difficult to divide responsibilities but that's a separate measure. We have no time limit as far as Work Stream 2 is concerned.

We need to deliver Work Stream 1, and when that's -- and that means the implementation, and when that's done, I think then we should start with Work Stream 2.

Erika -- I do not agree with Erika that we should work backwards from a fixed date when we have to deliver because the charter, it's clear these items can wait. I agree with her on one thing, we can do systematic. We can do one at a time. Sort it out, get it done, get it approved and put it in place. Then we can work on the next up with. I agree with Steve DelBianco, we can -- the sort of the other way around. Maybe we need to feed in what the ATRT says. Maybe we could take what the ATRT team says and take this into our consideration so we don't have so much background.

The process that we have done so far suffered a lot from this events workload and from doing too many things at the same time. I have always advocated that we should do one at a time and do it right. Work Stream 2 has no limit on this. We can -- We can start with diversity, approve it, write the bylaws, and then

we can start with (indiscernible) frameworks, or in whatever order we want, because it can wait until the transition has happened.

So I would really urge strongly to get Work Stream 1 totally finished, and then start on Work Stream 1, and then do this, take one or two topics at a time, not more than this, so we can do them right, get them done, get them sealed and delivered and then we start until we have fixed this.

THOMAS RICKERT: Thanks, Eberhard. I guess that those are the questions that we as a group should try to find answers to. Are we working from a delivery date for one package of Work Stream 2 reports or are going to roll those out as individual projects? I guess those excellent points, and I hope you will discuss those during the coffee break so we can then try to reach agreement on those.

Next is Olga, then Jordan and then Sebastien.

Old hand? Thanks.

Jordan.

JORDAN CARTER: Thanks.   Jordan here.   I sort of agree and disagree with Eberhard, which is as usual.

EBERHARD LISSE: Red would be a first.

JORDAN CARTER: It's more common than you might think.

As much as I love working with you all, I won't be that upset when this group is finished, so I don't think we should necessarily try and spin it out.

I also don't think -- Where there are other really clear community-driven processes that are happening, so like ATRT would seem possibly a natural home for transparency stuff, accountability, SO/AC accountability, I don't think that we should hesitate to take an approach that might be something almost like a submission or a set of thoughts about those topic areas being our work output as a transmission, a letter, a submission, if you like, to the ATRT, bringing the CCWG's thoughts on those topics.

I don't think we should assume, in other words, that the work output in all of these threads is going to be bylaws changes or something huge and dramatic.

And the only other thought I'd offer is I don't mind if we start this stuff a bit later to allow us to complete Work Stream 1. But I

don't want us to have an open-ended process. And I don't want us to be using our lawyers as inefficiently and ineffectively as we did at times in Work Stream 1 work.

THOMAS RICKERT: Thanks, Jordan.

Sebastien.

SEBASTIEN BACHOLLET: Thank you, Thomas. Agree with Jordan that not all the working group will deliver bylaw changes. It might deliver some new way of doing things, and that's not embedded in the law or in bylaws but in the way we are working.

I think that some of the items, from my point of view, are more important than Work Stream 1, but Work Stream 1 was a mandatory step to go there because it was for the transition to be done and that was a time frame. But some of the issue of Work Stream 2 are very important for the whole community and for ICANN in general.

I really that SO/AC accountability, now that we try to fix accountability of this organization, we talk about the Board and some other part but not really on each and every SO and AC, and that's a topic we need to take into account right now.

For the question of the ombudsman, also it's important because we put in the Work Stream 1 that the ombudsman will play certain role, and we need to define that, I guess, quite quickly. I'm not saying we need to rush, but at the same time we need to have some idea when we want to deliver.

As idea to have some of those work delivered for the next ATRT team could be a good -- a good idea to take into account. And as you know, last but not least, the first year, I really think diversity must be taken into account, and we need to find a way to have that done. It seems that we need to have some discussions. And if we can handle that quickly, because it's important for each part of the other work to embed diversity in what we deliver.

Thank you.

THOMAS RICKERT: Thanks very much, Sebastien.

Alan and Roelof.

ALAN GREENBERG: Thank you very much.

In the real world, it's sometimes useful to have competing groups working against each other to see who comes up with a

better plan or a better project or things like that. I'm not sure we can afford it or want it here.

So things like let's do human rights and have a human rights group working in parallel with us may be self-defeating. On the other hand, it's not clear that we have the right to delegate to some other group and force them to do something. Specifically with the ATRT, when it is convened, the ATRT and the CCWG may want to get together and decide to have an allocation, but we're certainly not in a position to mandate to some future ATRT that they must deliver some work products. So as we go forward, we don't want to replicate a lot, I think, but we want to be very careful in how we do any subdivision, if, indeed, we do it.

Thank you.

THOMAS RICKERT: Thanks very much, Alan.

ALAN GREENBERG: And I support doing it, but we have to do it carefully.

THOMAS RICKERT: Thank you.

Roelof.

ROELOF MEIJER: Thanks, Thomas. I think it's crucial that we finish the work on Work Stream 1 first before we start working on Work Stream 2. And then I -- I kind of agree with Eberhard that there is no real time pressure. And I think we all would agree that some of our work in the first phase suffered sometimes from time constraints.

So I would say that we should divide this work in subgroups but have no more than two or maximum three subgroups working at the same time and set a deadline just for internal purposes, because we also know that as soon as we move the deadline forward, we used all the time that we created for ourselves. And this will also happen if we don't set a deadline or set deadlines very far away from us.

So I think before a subgroup starts, we should agree on when it delivers its work, just to make sure we don't consume too much time. But on the other hand, I don't think it would be good if we have all the subgroups working on all the themes at the same time. That's just putting a lot of pressure on ourselves and it's not necessary and it will have a negative influence on the quality.

THOMAS RICKERT: Thanks very much, Roelof.

                        So the queue is clear.

                        Jan.

UNKNOWN SPEAKER: Sorry. I said he must stop agreeing with me.

JAN SCHOLTE: Jan Scholte. Sorry; I'm having trouble with the Adobe list. I'm
                        reminding -- it's not necessarily to say this is right, but I'm just
                        reminding that at earlier stages of these discussions people said
                        there should be a 12-month limit on Work Stream 2 in order to
                        make sure the issues were addressed and that they were given a
                        seriousness and not strung out and let go on for ages and ages
                        because they had an urgency to them that they need to be
                        addressed with the same kind of priority as some of the Work
                        Stream 1 issues. I'm not saying that we have to, that we can't
                        change that position, but I think that was the agreement at an
                        earlier time.

                        The other, this is not a special pleading in my own direction
                        because I'm not necessarily signing up for this, but I think a
                        number of these Work Stream 2 issues are ones where some
                        advice from people with experience from other settings could be

helpful. So, for example, on the human rights framework, there's been a lot of work on incorporating human rights right now into other global governance frameworks and there's no need for this group to invent things that other people have spent years already developing in other settings. So I think on things like human rights, transparency, SO/AC accountability, there's a lot of expertise outside there that could be helpful here.

Thanks.

THOMAS RICKERT: Thanks very much, Jan. That's very helpful.

We're still ahead of time, and I think the ideas that some of you have shared with the group are great.

What we suggest doing is break for coffee now, do a 30-minute coffee break instead of 15 minutes, and ask all of you to discuss these questions so that we can come to an agreement in this group on some basic questions such as do we want a joint delivery date for all the work area two items? Are we going to work sequentially? Are we going to work in parallel on some of these items?

Eberhard, your hand is up.

EBERHARD LISSE: Can we have a two-hour coffee break and then report back to chair?

[Laughter]

MATHIEU WEILL: I second that proposition.

THOMAS RICKERT: So please also discuss whether you want to count backwards from a delivery date; whether we are going to start working on Work Stream 2 items now in parallel with implementation of Work Stream 2 or, as suggested by Roelof, pause, starting working on Work Stream 2 until we have finished Work Stream 1. These are fundamental things that we should try to get an agreement on as a group. And before we break for lunch, there's -- for coffee, there's breaking news. Some of you have read it in the chat already. ASO has sent its approval letter. So let's give them a round of applause.

[Applause]

And we will reconvene at 10:30 for the remote participants. Thank you for being with us, and talk to you soon again.

[Coffee break]

LEON SANCHEZ: So thanks, everyone, for taking your seats. And this thanks is limited to those who took their seats. Can we get the recording started again, please. So, actually, I'm Leon Sanchez, for the transcript now, which is good so I can say nasty things.

Okay. So we would like to reconvene our discussion on how to conduct our Work Stream 2 work.

We had started our discussion on this before the coffee break. And we got some very good questions and suggestions from you.

Ideally, we would like to take stock and get answers out of this group that we can record on how we're going to go about with Work Stream 2.

Nonetheless, we think that we should offer more information to this group on how we could use other working methods that have been deployed in the ICANN community previously on ATRT, on design teams by the CWG. So why reinvent the wheel if we have things that we can build on?

And, in order to give us some insight on what can be found in terms of working approaches in the ICANN world, we have invited three ladies to the table whom all of you know. It's Larisa, Margie, and Glen. No, Karen. And we would -- I think that, Larisa, you will go first, won't you? And Grace has also joined. So we're going to hear from them. And then after that

we're going to discuss and see how much of their insights we can incorporate into our thinking. So over to you.

LARISA GURNICK: Good morning, everybody.

I'm Larisa Gurnick, director of strategic initiatives or multistakeholder strategy and strategic initiatives department working with Theresa and Margie and others.

My involvement and the reason that I'm excited to be talking to all of you today had started with ATRT2. So I was one of the staff facilitators for that process. And since then I've done several other review-related activities, specifically, the GNSO review and kicking off the at-large review. So my frame of reference comes from both AoC reviews as well as organizational reviews.

So I thought that we would start by sharing some lessons learned, information that we've observed through the review process. ATRT2 and the various other reviews, areas that might be useful for all of you to consider as you're tackling these topics.

So, to start, the topics that are outlined in Work Stream 2 are really the essence of continuous improvement in accountability and transparency. And, from our view, that work does not have an end point. So it continuous improvement, because we're

always striving to get better. And that in itself is not a project. It's a mission, if you will.

Having said that, how we do that really contains discrete projects, such as implementation work from ATRT2 and various other projects, that tend to have a direct scope, a start, a middle, and a finish.

So that's an important consideration that, while improvements are ongoing, the way we get there is through discrete projects and tasks that end. And then it's important to evaluate to what extent that work has been effective.

So, additionally, as we learned from ATRT2 and other reviews, it would be very helpful to have a shared understanding between the Board, community, and staff of what exactly the desired outcome should be and how to measure whether that outcome is being accomplished.

A good example of how that's being implemented as a process improvement as we speak is in the work of the GNSO review working party who went through a very extensive process of analyzing recommendations, prioritizing them, considering feasibility, and has generously committed to volunteer their time to work with staff to define what a successful outcome would be or at least how we should think about what that

successful outcome will be before the implementation process gets kicked off.

I also think it's helpful to consider what constitutes a useful recommendation. And there's certain parameters that we look at as a measure of a recommendation that can proceed successfully through the process, clarity being at the top of the list. Is it clear from everyone's perspective what the intention of the recommendation or the initiative is?

Another attribute is prioritization. As I mentioned, the GNSO working party is applying that as we speak. And that's really useful to understand in order of priorities what is more important than other things given that resources are limited.

Actionable. Is the recommendation something that can be acted upon where project plans and timelines and action items deliverables can be decked against other recommendations?

As well as measurable; because another important lesson learned certainly is that, in order for improvements and implementation work to have the buy-in from everybody that pitches in to do the work, there has to be some direct and clear outcomes that can be quantified and communicated to the community. In order for that to take place, the recommendation itself has to be measurable. There has to be a way to measure whether it's being successful or not down the line.

And, of course, another attribute of a successful recommendation is one that considers resources. And by "resources" I certainly mean hard dollars required to implement as well as volunteer time as well as staff time. So all resources combined.

So that -- I would say that highlights the important lessons learned. As we look at the future of this work, a couple of questions came to mind that I'd like to share with you and see if, perhaps, these questions would be something that would be helpful for you to consider.

One is how should a shared understanding of what constitutes a successful outcome be reached? So thoughts and ideas on how to frame that would be very helpful.

And another one is what frameworks or tools would be useful for framing the desired outcomes? How should the various teams, including Work Stream 2, look at that and define what constitutes a successful outcome so that it can be measured and can be implemented?

So I know that you had discussion before the break about how all this relates to various other work and specifically ATRT3. So I think it may be helpful to bring up on the screen the next slide, please.

So this is a picture that you probably have seen and will see a great deal of throughout this meeting. It's a bit of a busy slide. But what you see kind of in the middle of it is ATRT3, which is scheduled to kick off in January of 2017. And, of course, everything else that you see on this slide, the blue is the AoC mandated reviews. And the orange is the organizational reviews that are mandated by the bylaws.

And this is the current schedule. So it's a busy schedule indeed on top of the GNSO, the second GNSO review still wrapping up, CCT being -- having just started, and at-large review about to get kicked off in April.

So, with this in mind, the process would be that ATRT3 would get kicked off in January 2017 and then would start with a call for volunteers. Similar process that transpired for CCT just recently.

So there would be an outreach, a broad outreach to get people interested in participating in the review, collect the applications, and go through the process of selecting the review team, which generally takes three to four months until the review team has been appointed. And then the review team spends time on planning out their work. And that generally takes a month or two. And then the work begins.

We've been using a framework of a 12-month review process as a starting point. So the review from the time that it gets kicked off -- from the time that the review team is assembled, actually, generally, would last for a period of 12 months. When the review is finished, final report and recommendations are issued.

And, according to the AoC mandate as it stands currently, the Board has up to six months to take action on the recommendations, which also means that, after the final recommendations are published, there's also a public comment period that goes out for the community to offer another opportunity, another opportunity to provide feedback on the final recommendations. And this is in addition to at least one or two other rounds of community feedback through public comments and various other interactions that the review team would normally have with the community throughout the review process.

Once the Board takes action on the recommendations, then the implementation work begins. And one of the process improvements that we've been discussing for the past year or so is to have some continuity from the review team, several members of the review team to participate with staff and board in the framing of the implementation work, the projects for implementation, to ensure clarity, to ensure that shared

understanding and to help get started with the implementation such that it takes care of the intent of the recommendations.

So I will pause at this point and let my colleagues add whatever I may have missed.

MARGIE MILAM: This is Margie Milam. I'm senior director in the department with Larisa. I'm responsible for the AoC reviews generally, and in particular I'm leading off the CCT review right now.

One of the things you might want to think about as we look at what's going on with the CCT review is that there was a lot of preparation work that went in before the CCT team actually kicked off. And, for the last two years or so as many of you have been involved, there was a concerted community effort in identifying what issues they wanted to be addressed in the review team so that there would be sufficient metrics and data that would support the review team effort.

So, even though we've just kicked off the process, we've convened the review team for the very first time, you know, they had their face-to-face meeting in February, they're starting their work with a tremendous amount of data and information and issues to address. And that's something that was -- you know, came from the community.

And, as you think about what you can do in terms of some of the issues that are crossed over between what you're looking at and what could be looked at in ATRT3, you might think about that as helping feed into the preparation process for ATRT3. I just thought that might be something for you to think about.

And also Karen on my right is going to be responsible for the SSR2 review team. So, Karen, I don't know if you want to share some of the preparation you're doing for that.

KAREN MULBERRY: Good morning. Karen Mulberry. I'm the director of strategic initiatives. And one of my key responsibilities right now is kind of doing the preparation for the SSR2 review, looking at what has happened in the first SSR review, the recommendations where we stand with implementation, and then using that as kind of a guide for how I want to frame what needs to happen in terms of preplanning for the, in essence, my timeline.

We're going to announce a call for volunteers in June. And what does that mean? And then from there, hopefully, all of you will consider volunteering and then tying in to some of the work that the CCWG has done on security and stability of the DNS into the work of that review team.

THOMAS RICKERT: Thank you so much.   Any clarifying questions on the presentation? We have a queue forming. Erika, is that an old hand or a new hand? Old hand. No worries. Roelof, that was an old hand, too, right?

Sebastien.

SEBASTIEN BACHOLLET: That's a new hand, even if I am old.

It's a clarifying question or -- in the work of the CCWG we talked about those reviews.   And we discussed about some new framework or new timeline for those reviews.   Does it change something in this presentation if we take them into account for the future? Thank you.

THOMAS RICKERT: Larisa.

LARISA GURNICK: So the scheduling that you see, the slide is based on the current mandate.   As you may recall in last year, there was a board action and a resolution in July that -- in response to community's concern about bandwidth and a very busy schedule, some of the reviews had been pushed out.

So what you see here is the schedule as it's currently mandated by the AoC as well as by the organizational reviews, certainly with the recognition that, as the work of CCWG continues, that may have an impact on the schedule. But, at the current moment based on the current mandates, this is the schedule that we're looking at. Does that address your question, Sebastien?

SEBASTIEN BACHOLLET: I guess it would be interesting to take into account the input of the CCWG and to see what change it will bring to the schedule. Because I guess we talked about not doing it each three years but each five years. And we talked about who will be selecting and when it will be done. And there is some ongoing work even if we are not yet with the new bylaws. We need to take that into account at least to show what will be the difference between the current situation with opening Work Stream 1 because it's dependent SO and AC join this meeting. But, if we take as it will be done, how it will be done. Thank you.

THOMAS RICKERT: Thanks very much, Sebastien. Kavouss?

KAVOUSS ARASTEH: Yes. Thank you very much for the presentations. I agree in many instances what you said. We can improve another. Some years ago one top world economic said I am developing country. You are developing? Yes, because every day I developed. So that's all. You cannot exclude me from developing country. It was one of the most developed countries. So improvement, enhance, and all of these things is continued things.

One thing that I said -- I once again repeat it here -- we should avoid any duplications. That is one of the important issues. And, second, we should look at the resources. We don't have unlimited resources. Resources are very limited.

Excuse me to say that ICANN was very generous, ICANN board, putting so much energy and so much money on the first work stream. It may not be available in the second one. So those are the limitations.

Third and most important is that the ongoing activities that they will go and they will improve the situation. We do not need to repeat that. However, if in the work stream 2 we find there are areas need more -- let us say improvement or something that is missing or some shortcoming, if we are able to identify and after listening to the reasoning given that, still it is a shortcoming we have to put the finger on that. Otherwise we should avoid anything as an ongoing activities. So on and so forth. We should

concentrate on those things. We are not in the ongoing activities. Thank you.

THOMAS RICKERT: Thanks very much, Kavouss. I'd like to highlight two points you made. Avoid duplication and be careful of resources. I think that's something we need to take to heart when discussing how we move on. Steve.

STEVE DelBIANCO: Thanks. Steve Del Bianco. Sebastien asked about the impact of the bylaws changes we would make per recommendation 9. Recommendation 9 provides the Affirmation of Commitment reviews. And I think Sebastien gets to a key distinction. If, in fact, those bylaws for AoC are nearly done -- I think the lawyers did them first -- we could have those bubble up through our process of CCWG review long before SSR begins in June, potentially. We did call for four major areas where the AoC reviews were changed. The first, as Sebastien indicated, is a five-year interval instead of a three, right? And that may -- I know the Board has already delayed by one year. But it may make it possible that, if those bylaws are taken into account or respected by that, there could be a delay of as much as a year on something like an SSR2. And if, in fact, that would benefit the community overload and volunteer burnout as well as staff

burnout, we'd be sensitive to that. We could consider that. So this is a parallel track. And let's be flexible about where we are in those bylaws. Because, if they're ready, they would give you the opportunity to delay one review or two reviews for as much as a year. Second is review teams are opened up to accommodate more from each AC and SO. So up to 21. Not a fixed number of 21 but up to 21. That's a small increase from where you ended up on the current review. It was 17.

Another is document access. We've written an entire paragraph of how each AoC team, particularly ATRT, would have access to internal ICANN documents that it can use in doing its ATRT work without publishing the actual documents outside of the review team.

And, finally, there's new parameters. ATRT we've added two or three small areas in which their scope is different from what the affirmation in 2009 was. So you're all aware of that, right? What the changes are. It's easy to the changes in recommendation 9. I can focus you to that. As you're doing your scheduling, it's key to understand where we are. Because, if we're close to having those bylaws ready to go and they could be adopted about the same time you're ready to start, it's great if you can start early. But you may have the opportunity to delay for up to a year.

THOMAS RICKERT: Thanks, Steve. Olivier.

OLIVIER CREPIN LA-BLOND: Olivier Crepin la-Blond speaking. In the previous cycle of reviews, SSR and WHOIS took place before ATRT2. And that enabled ATRT2 to review the implementation effectiveness of the previous two reviews. Now that they're working together or concurrently, does this mean that ATRT3 will not be reviewing the implementation of SSR2 and WHOIS 2?

STEVE DelBIANCO: Thomas, I could answer that. One of the changes in the AoC is that each team, Oliver, reviews the implementation of its prior team's recommendations. Instead of saddling one team, the ATRT, to do all of the four threads, we have made that change in recommendation nine. So if that's approved this week, as we hope it will be, then each team will look at the prior review as opposed to jamming it all on ATRT.

OLIVIER CREPIN-LEBLOND: Yeah, I'm not saying it's a bad thing, by the way, because ATRT was overstretched in what it had to do.

THOMAS RICKERT: Thanks, Olivia. I think we should -- you know, it's an interesting discussion, but we shouldn't go back too much in history to see what happened during the previous reviews. But I guess the question for us now is whether our group would like to link our work to the upcoming ATRT effort. As previously stated, there had been some concerns that referring work on some of the Work Stream 2 items would be putting -- would mean to put important items on the back burner, which certainly we don't want to do. Yet we need to ensure that we don't duplicate efforts and that we're sensitive to spending resources and volunteer time. So can we hear some views on what you think about, you know, linking our efforts to ATRT -- ATRT3 efforts? Is that something that this group would be open to, or are there concerns with it? I see Eberhard's hand is up. Kavouss, you wanted to speak, too. Olivier, I think that's an old hand, right? So let's hear some views and then try to take stock. Eberhard.

EBERHARD LISSE: My question is -- I don't have a concern, really -- do we wait for ATRT to finish or do we work -- do our work, give it to the ATRT or which way? My view is we should basically finish Work Stream 1 and then choose one or two items that we can do and get them -- see them to the end. So if we know the ATRT time is going to take some time, then we can say look, we can just agree on waiting for what they come up with and then discuss and it

make our own decision. If they -- it will take time for them, then we can give them our baseline as a base to work from. But in the end we have to make the decision for our group, not the ATRT team can make the decision.

THOMAS RICKERT: I guess that's an excellent point, Eberhard. And I guess that's exactly what we need to get clarity on. And I hope that we get this clarity as a group on how we want to go about with it. Do we want to feed and inform the work of the ATRT, which is only going to start in a couple of months' time, or are we going to let them do their thing, analyze the outcome, and see what needs to be added? So there are multi ways of potentially approaching this. Eberhard, do you have a follow-up?

EBERHARD LISSE: Or both.

THOMAS RICKERT: Or both. That's for us to decide. Kavouss, please.

KAVOUSS ARASTEH: Yes, in my view we don't need to feed ATRT. We should defer to the ATRT. It is a mechanism that has started to work. It's good mechanism. The third one will start. Should we identify any

shortcoming, we have to highlight that shortcoming. But we should not be a group feeding ATRT. We should not be a subgroup of ATRT or a boss of the ATRT. ATRT is the ATRT. The only thing to identify, whether there is any shortcoming, and we have to defer to that one. Thank you.

THOMAS RICKERT: Thanks, Kavouss. Maybe feeding sounds like spoon-feeding or a little too negative. What I meant, just by way of clarification, is that our group could establish requirements for improvements in the respective areas that should be taken into account in further work done by the ATRT. Alan is next.

ALAN GREENBERG: Thank you. ATRT2 -- 3 is going to start roughly 10 months from now or 22 months from now, depending on -- we're somewhere in between, depending on which schedule we adhere to. If that group was convened and we could be talking to them, I think it will be easy to decide whether something gets transferred to them or not. To transfer to a group that's not going to exist for a year that may have things on their schedule which are higher priority, I mean, the ATRTs face -- I won't say infinite but a large list of things that they can work on and have to pick and choose. They may or may not have the focus and desire to -- to work on the specific item that is on our list. So I don't think we can

simply say we will transfer to them whenever they get around to it.

If our timing is such that it is still on our table when they are coming closer to being formed, we can make a decision at that time. To make the decision today I think makes no sense whatsoever. Thank you.

THOMAS RICKERT: Thanks very much, Alan. Avri. So we see that folks are queuing that have some experience in ATRT. That's very good. Right? Avri, please.

AVRI DORIA: Thank you. Avri speaking. I have concern about trying to mix the work of ATRT3 with the work that is necessary for Work Stream 2. Largely because the ATRT is an evaluation group. It's looking at the report from ATRT2. It's looking at how the changes have been accepted, how they've been implemented. It's then doing a certain amount of review on the current state of accountability and transparency and making recommendations. That's an essentially different work basket than Work Stream 2's work basket of we need to do -- create these things. We need to create those. So while there may be some interaction between them, I actually see them as doing very different tasks. One is

reviewing whereas one is creating new structures, new requirements, new things to be reviewed in the future. So I'd be very careful about moving the work out of Work Stream 2 and putting it on the next ATRT. Thanks.

THOMAS RICKERT: Thanks very much, Avri. Sebastien, and I would like to close the queue on this very question after Kavouss.

SEBASTIEN BACHOLLET: Thank you, Thomas. Sebastien Bachollet. Yeah, my assertion was how we can have work done who can be useful for the ATRT3. Not too much that we will ask them to do something but they can, if they will, have the output of our working group ready to be taken into account. It's where I think it could take us to some agenda or schedule to take this work done prior or in priority or taking into account the fact that ATRT3 will be at the beginning of next year. Thank you.

THOMAS RICKERT: Thanks very much, Sebastien. Cheryl.

CHERYL LANGDON-ORR: Thank you. Cheryl Langdon-Orr for the transcript record. Perhaps it's a perspective of someone who served in ATRT1 and

only had a watching brief in ATRT2, but I think very much as Margie outlined the valuable and contributory groundwork that was being done over the last several years for the consumer trust and choice review team was at no point did we say thou shalt, review team, take this and do whatever with it. It was obvious, by any sort of reasonable project management, that it would be valuable to have this available well in advance of that review team starting. And I think that's exactly what we could look towards doing in this circumstance.

So whilst it is not being prescriptive or oversight or defining what the ATRT3 will do -- and I'll remind you ATRT1 did have very specific questions that it had to, from the get-go, look at and review, not go back and look at what previous reviews had done, so we do have two distinct ways of managing even those -- that specific project.

So I think there is opportunity for us to have some preparatory activity which will be of great value for ATRT3, and I don't think we should lose that opportunity.

THOMAS RICKERT: Thanks very much, Cheryl. Larisa.

LARISA GURNICK: Sorry. I couldn't hear you. As far as ATRT3, and for that matter any of the second cycle of the reviews, would have been different certainly for ATRT1 as Cheryl indicated, all of the other second cycles generally start with an assessment of prior review team's recommendations to see how those recommendations have been implemented and to what extent the outcome was effective and it's looking at -- at the current state at that time based on whatever else may have occurred of significance in the environment. So for ATRT3, as an example, it would be looking at ATRT2 recommendations and looking at the accountability and transparency landscape and how it has changed since ATRT2. Pretty clear how significant this effort is to that consideration. So that is a part of the standard process. And as a matter of fact, one of the suggestions from ATRT2, one of the recommendations, to make the future AoC reviews more effective was focused on how to get that analysis more timely, more measured, more indicative of progress and constraints and challenges encountered in the implementation to really help the effort of the next ATRT team with their starting point. So I just wanted to flag that as well. Thank you.

THOMAS RICKERT: Thanks very much, Larisa. Kavouss.

KAVOUSS ARASTEH: Yes.   Perhaps it is difficult to agree with those colleagues mentioning that ATRT3 is just dealing with the ATRT2. No. ATRT is for accountability and transparency. It's not only limited to checking the previous one. To look into the accountability and transparency. I don't think that CCWG is here to create a job for itself, (indiscernible) in what is going on already. So we have to indicate if there is any shortcoming, indicate that and leave it. That should be implemented in a way that we do not know. We should concentrate on something for which there is no mechanism available. Thank you.

THOMAS RICKERT: Thanks very much, Kavouss. And now it's the time for us to try to take stock on this very question, you know, what linkages could be with the ATRT effort that's coming up. And Mathieu has volunteered to take a first shot at that.

MATHIEU WEILL: So my understanding of the conversation and arguments is that -- and it's going to be a surprise. ATRT3 -- ATRT3 has not started and there will be a point in time where it will start. So far I think everyone is in line. And until then let's not make assumptions about this future exercise. Let's, however, be aware that it will take place and we can advance our work as we see fit. And I'm -- keep in mind that as soon as ATRT3 is convened there will be a

very importantly liaison to establish and coordination to establish to avoid any duplication of efforts and to optimize resource management, including volunteer time. And I'm stressing the volunteer time as what I think is a very scarce resource. And I have no doubt that whatever we can -- we will produce until then as a group will be useful and used by ATRT3 and the other way around, if -- if that comes to -- if that comes to mind. But certainly it would be premature to assume that ATRT3 is going to take a specific part of Work Stream 2 or anything else, but we need to be aware of this precise point in time where we'll have to liaise with ATRT3 to synchronize. That would be my take-away from this conversation, Thomas.

THOMAS RICKERT: Thank you very much, Mathieu. Let's see whether there are any objections to this proposed way forward. I see Jonathan Zuck's hand is up. So Jonathan.

JONATHAN ZUCK: And I don't have an objection to that way forward, per se. Just a general observation. Just as many now regret the notion of a round when it comes to new gTLDs, I believe this group will come to regret the incredible solidification of Work Stream 2. Because I think initially it was regarded as something that was going to be more abstract and take place almost indefinitely and

it's about identifying what the mechanisms for ongoing reform are going to be. And I think that ATRT is one of those mechanisms and that the more -- the degree to which it can begin to play that role as an ongoing reformer of the organization is a good one and it shouldn't be thought of as passing, you know, things over the transom for them to consider, et cetera. At some point they will have a distinct role in the ongoing reform of the organization, and that's in large measure what Work Stream 2 is really about. And so I think it is appropriate for them to have domains of decisional quality of recommendations that would be made that would otherwise be made by this group that was always meant to be temporary.

THOMAS RICKERT: Thanks very much, Jonathan. Kavouss, you've raised your hand.

KAVOUSS ARASTEH: Yes, I agree with Mathieu, provided that we put some qualifier to what he said. Should CCWG during the Work Stream 2 identify any area in which the ATRT activities must be emphasized on particular issues to improvement, they will take that and put in the conditional way but not the normal way that we always try to do or take any action in part of what they do. Should we find anything, we will take that and bring it to their attention. That is what I understand as coordination. But not doing the same job

and saying that this is what we do, please see whether it is okay or not. Thank you.

THOMAS RICKERT: Thanks, Kavouss. I guess that's common understanding on your remarks so that's -- that's a good clarification.   Any other concerns? That doesn't seem to be the case. So it looks like we have a way forward on how our group and the ATRT work is going to be interlinked or, you know, related. And at that point, you know, you're certainly welcome to stay here for the rest of the session. You can stay at this table if you want to, but let me just use the opportunity to thank you, and let's give them a round of applause.

[Applause]

Great. What we would like to do now is actually get back to the questions that we started discussing earlier and try to structure them a little bit and go through them one by one so that we can get some basic pillars of our work confirmed by this group.

Can I ask staff to bring up the questions that we've collected during the coffee break? Or would you rather --

UNKNOWN SPEAKER: (Off microphone).

THOMAS RICKERT: You know, it's of no consequence. We can -- you know, we've already answered one and that is the linkage to ATRT. The first question that I -- that I would like to ask is whether we should only start the work on Work Stream 2 after Work Stream 1 implementation has been finalized. That was a suggestion that's been brought up. So can we hear some views on that? It is my impression that some of you have favored starting with Work Stream 2 work more or less instantly so that -- that we get on the record making progress on these important items. We've always mentioned that we would not deprioritize Work Stream 2 items. So are there any views on that? Sebastien has raised his hand. Sebastien.

SEBASTIEN BACHOLLET: Yes, thank you, Thomas. I think the way you present the Work Stream 2/1 workload is decreasing the load for a lot of us; not for all of us, but for a lot of us. And maybe this time can be allocated to start Work Stream 2 now.

And I guess it's important to repeat what Jan say earlier in this meeting that we commit to do something in the one-year period. I guess it will be maybe extended.

But the second, the Work Stream 2 is part of the transition. Even if we don't need it for the decision of the U.S. government, we need it for ICANN. And, yes, I think that we need to start as soon as possible, but not rushing, but doing it quietly, ordinarily, but doing it now.

THOMAS RICKERT: Okay. We haven't yet asked the question on how we're going to structure the Work Stream 2 work. This was only a question on shall we wait until Work Stream 1 implementation is over.

I hear a signal from you that you would not like us to wait until Work Stream 1 implementation is over. Maybe we're -- we're going to hear a queue to argue to agree. So let me -- let me ask the question. Are there any objections to initiating the work on Work Stream 2 before Work Stream 1 implementation is finalized?

So Eberhard, that's an objection or you want to speak?

So then we have to go through the queue.

Kavouss is next.

KAVOUSS ARASTEH: Not objections but we should not start Work Stream 2 except areas that is extreme or major commitment in Work Stream 1,

for instance starting with the human rights. This is one of the very, very delicate issue we have hours and days and months of discussions, perhaps, but not the whole thing. We have to make a pause between many areas, but some of these I have no objection to start. It is better to wait a little bit up to mid-April but not immediately from this time, but if you want to start, we have to start on something which have an extreme commitment, and that was the human right number one and jurisdiction number two.

THOMAS RICKERT: Thanks, Kavouss. Just to be clear, this is a very binary question: Shall we wait until Work Stream 1 implementation is over and only then start Work Stream 2? We are not discussing what to prioritize, how to prioritize, whether we're going to work in parallel or sequentially. So this is quite a binary question, so let's try to get that.

I put you in the queue.

Andrew -- Steve is next. Andrew, Eberhard. Okay.

STEVE DELBIANCO: Thank you. Steve DelBianco, CSG -- Thomas, to answer your question I think it's a function of what the community members

most concerned with those topics feel is necessary to move the ball down the field on those issues.

I just want to remind everyone that Work Stream 1 and two in our charter were described as things that would happen prior to after the transition, and 14 months ago, we as the CCWG, adopted a rationale that said Work Stream 1 items are those for which we needed the leverage of the transition to get the corporation and Board to agree to rather dramatic improvements in accountability for the community, and anything else that didn't need that leverage could be deferred to Work Stream 2.

That rationale has served us well so far because we've discovered certain issues that the Board and legal team were uncomfortable with, and we've been able to work that out in Work Stream 1 while the leverage is still there. However, there are other items that got bumped to Work Stream 2 in the process of discussing. For instance we would talk about transparency, human rights and jurisdiction and suggested that those weren't items that needed the leverage of the transition to extract concessions from the corporation and its legal team. Instead, they were items that the community needs to work on as a whole.

So if the members of the community who reluctantly agreed to move certain transparency, human rights, and jurisdiction into Work Stream 2, if those people are in the room today, this is an opportunity for them to say, no, no, they are satisfied with waiting until Work Stream 1 is over or do they wish to have a parallel process to begin a discussion of, say, human rights, that is pressing for them and that they want to begin right away.

So, Thomas, honestly, it is up to the CCWG community members to indicate if they think they can wait on something that's pressing for them or not. But I think we've solved our dilemma over leverage between Work Stream 1 and Work Stream 2. The things that we needed to get into Work Stream 1 are already there.

THOMAS RICKERT: And obviously there is a huge interest to speak to that, I guess from those that are interested in the subject areas.

I wouldn't have expected that to be such a discussion, whether we start now or later. But let's hear the views. That's what we're hear for.

Next in line is Andrew.

ANDREW SULLIVAN: Thanks. Andrew Sullivan.

This is really a clarifying question, because the fact is I don't know how to answer your question because it seems to me that the Work Stream 1 stuff is on the critical path. Like, either that stuff gets done or the transition doesn't happen, and we've got this limited window.

So what I'm trying to understand is how you do this in parallel and keep enough energy to actually get Work Stream 1 done on time.

So I am most concerned, maybe most people have figured out by now that I am most concerned about getting the transition done on time, and that is really the question that I'd like answered. How do we ensure that that energy is kept there so that the things happen, so that we get things completed?

And if you have an idea about that, because I haven't figured it out from the conversation so far today, then that would help me sort of say, oh, yeah, then do this in parallel, or whatever. But I want to make sure that the necessary things happen.

Thanks.

THOMAS RICKERT: Sure. Andrew, let me try and answer. Getting Work Stream 1 implemented so that the transition can take place, according to our charter, is our highest priority. At the same time, we said that we need to sequence our work in order to accommodate Work Stream 1 and make the transition happen. But that doesn't mean that topics we've now put on the list for Work Stream 2 are of less importance. And, therefore, it's a question that we want to raise with the group, whether the group thinks it can find resources to work on those items in parallel.

So if there -- as Steve said, if those that are interested in Work Stream 2 items can be a different set of people, we need to do new calls for volunteers for these exercises. So if our CCWG, as the coordinating body, if you wish, thinks we can pull off taking on extra work before the implementation of Work Stream 1 is over, then we wouldn't want to stand in the way. But we think that our group needs to take this decision.

Do you have a follow-up?

ANDREW SULLIVAN: It's really -- Maybe I wasn't -- probably I wasn't clear enough because that's usually the case.

I guess what I'm trying to say is how do you make sure that if the energy moves to Work Stream 2 items, which are -- you know,

there's all kinds of sexy, fun things there, whereas, like, implementation is kind of dull; right? So what I'm worried about is that people get interested in hot things that allow them to, you know, have a lot of conversations about complicated problems like human rights whereas we don't just, you know, do the hard slogging thing of making sure the other stuff happens.

And I'm trying to understand how this group ensures that the energy doesn't all get sucked out from the implementation thing, which could be fatal for what I regard as the main goal.

That was really the force of what I was trying to ask.

THOMAS RICKERT: Certainly I can't speak to the effect that hot things coming by might have on people in this team, but certainly there is a strong co-chair commitment that Work Stream 1 and Work Stream 1 implementation is the highest priority. So we will do what we have to do in order to navigate the group's energy towards delivering on that task. That's priority number one.

So next in line is Eberhard.

EBERHARD LISSE: Eberhard Lisse, .NA.

So now I find myself in the strange position of supporting implementation.

[Laughter]

I think your question is not binary. It's not whether we must wait until implementation. It's we must wait until the work that we need to do for implementation is done. Whatever happens, how the -- and bylaws are then run through whatever administrative things with the Attorney General of the state where they must be filed or something, is not something that is (indiscernible).

I think we should concentrate on the important things that are important, get them done, get them done right and then move on to the next thing.

Since I'm the proposer of this initially, that's what I'm saying. We don't have to wait until it's implemented. I think we have to wait until the work is done, or the majority of the work is done, and we are happy, okay, the rest is -- we are just sorting out the casualties.

THOMAS RICKERT: Thanks, Eberhard.

The way I asked the question, the answer would be binary. You're coming up with a different suggestion, and that is make it

dependent on the work, and I am not opposing to that. But I wanted to get the question of, you know, are we by all means waiting until Work Stream 1 implementation is over, off the table.

I guess there's a preference in the group not to wait until Work Stream 1 implementation is entirely over. And then we need to talk about the variations. And one of that could be the suggestion that you just made.

Next in line is Roelof.

ROELOF MEIJER: Thank you, Thomas. Well, first of all, it's refreshing to hear somebody from the legal profession say that this is a binary question. I thought that only engineers like me thought that life was so simple. And, Eberhard, how ever can we continue to disagree with you if you say sensible things like we should focus on the important matters?

[Laughter]

EBERHARD LISSE: I will think about that.

ROELOF MEIJER: But that said, I am not in favor of doing two things at the same time here. I think we will have our hands full with the implementation. I think we will have our happened full also in our other ICANN-related jobs with the transition, and I think it's far better to wait until the transition is over before we start working on Work Stream 2.

Also because I think it's quite thinkable that in the transition, there will be some effect that will influence our work on Work Stream 2, maybe even reduce the work that we have to do on Work Stream 2.

THOMAS RICKERT: Thanks very much, Roelof. This is actually a quite interesting debate and to see how it evolves is fascinating.

Next in line is Jan.

JAN SCHOLTE: Thank you, yeah. Jan Scholte.

I guess when one starts is open. The bigger question, I think, for many people on the Work Stream 2 side of things is that it is not something that goes on for a long time; that it's something that's treated as urgent and that it's done within 12 months. That's what a lot of people -- why Work Stream 2 came up,

because people were not happy with the earlier proposals, and then they agreed for these things to be deferred, but on the understanding that it was going to be addressed within a reasonably short time. And if that short time starts now and one interprets the transition being finished in terms of the CCWG Work Stream 1 work is done, the proposal is done, or whether one says the 12 months start in whenever, September or whenever the implementation might be done, that may not be so important to the people on the Work Stream 2 side. My sense is what's important to them is that it's a 12-month sort of window and that the issues are dealt with in that time and that it's not put into the long grass.

Could it start now? Well, it maybe could start now if two things are met. One, if, as was said before, it doesn't -- by Andrew, it doesn't distract from the implementation schedule. So -- But if it's two different sets of people and they're not actually -- then it's not actually an issue. The other thing is are the people who are on the implementation teams, are they unhappy to be excluded from the Work Stream 2 work if it is starting now?

Now, if that's the case, then that's also a reason to stop. But if there's no conflict between Work Stream 1 and Work Stream 2 work, and no one is unhappy in the implementation teams not to be involved in Work Stream 2, then one could start now.

I'm not saying that's my view, but it seems to me, then it's not a problem.

THOMAS RICKERT: Thanks for sharing not your view with us.

[Laughter]

Kavouss.

KAVOUSS ARASTEH: Thomas, we need to have all good reasons why we should start Work Stream 2. If we do not have that convincing reason, we should not start. The reason should be that. The whole issue of the transition, (indiscernible) from one government to the multistakeholder accompanied with the Work Stream 1 accountability, if that work was not accepted or will not be accepted, why we need to start Work Stream 2? On what ground?

And we don't know what will be the reaction. Whether, if the report is not accepted, whether they say (indiscernible) or saying that we don't accept at all and we continue to do the whole things by the U.S. government.

So we have to wait until that replies come. So why we would like to invest in Work Stream 2 without doing what will happen

in Work Stream 1? If you want to do that, you should have all good reasons to do that.

Thank you.

THOMAS RICKERT: Thanks very much, Kavouss.

Tijani.

TIJANI BEN JEMAA: Thank you, Thomas. You asked a binary question that needs a binary answer. My answer would be no, I don't want it to be parallel. And I will tell you why. On Work Stream 2, there is a very sensitive questions, very sensitive issues that everyone will be discussing. And I am afraid that people will be -- how to say -- more (indiscernible) to work on this issue and don't discuss issues about Work Stream 1. And when we come to decide on Work Stream 1 final decision, they will be -- they will oppose and the discussion will be opened again and you will be late.

So please try to finish this work. We have only six months.

Thank you.

THOMAS RICKERT: Thanks very much, Tijani. And maybe it didn't get noticed, but I had closed the queue after Avri. Since we haven't heard Athina today, I will now close the queue after Athina. But I would like to ask you to keep your statements brief.

Next in line is Avri, I think.

AVRI DORIA: Thank you.

I guess I'm going to say that in terms of starting the Work Stream 2, I think there needs to be a continuity between the two. I don't think that going for six months of discontinuity while we just focus on Work Stream 1 would be helpful to the Work Stream 2 work.

I do think, though, that we should slow start it, and that we should be doing the background work and the research and the what have you that needs to be done so that when the implementation has actually been approved and gone ahead that that work can start in earnest and not be, oh, we haven't done anything for a while; now let's start thinking about Work Stream 2. I think that discontinuity would be bad for it. While talking, I also do not think it should be strictly time bounded. It should be content bounded but not time bounded, because one of the problems we've had in work stream 1 is we have been

driven on a schedule that we have managed to slip innumerable times, and that's partially because multistakeholder agreements and large consensus are hard to drive to a specific schedule. Work Stream 1 needed to do that. Work Stream 2 does not need to do that.

We should bound the work, we should work on strict scope, but I don't think we should do the time bounding in quite the same way.

Thanks.

THOMAS RICKERT: Thanks very much, Avri.

Sebastien.

SEBASTIEN BACHOLLET: Yes. I think we can start setting up the work party for the Work Stream 2 quite -- quite now or after this meeting, in a few weeks. And as Avri said, we need to do some background work. We don't need to start by having two call each week or each item next week.

And when some people say that, yes, we need to start now, it's not to say that we need to start at full speed, but we need to really start the implementation of the work -- of how we will

work with the Work Stream 2, what are the teams, and so on and so forth. And it will take some time.

And I guess real work will start when we will have done with the Work Stream 1 implementation by this working group.

Thank you. .

THOMAS RICKERT: Thanks very much, Sebastien. And last in queue is Athina.

ATHINA FRAGKOULI: Yes, thanks very much, and, sorry. I didn't realize that the queue was closed.

So I'm very much in line with those that already suggested to finalize our work in Work Stream 1 first and then go on with Work Stream 2.

I'm just -- However, I would like to understand whether there is a particular reason to rush to Work Stream 2. And I heard Avri's point about the continuity. I just have the feeling that since Work Stream 2 hasn't started yet, I don't see the discontinuity. It will just start once Work Stream 1, our work in Work Stream 1 is finalized, and then we can start.

So if there is, like, another reason to -- If there is not a reason to rush for Work Stream 2, I would also suggest to first finalize our work in Work Stream 1 and then start Work Stream 2.

Thank you.

THOMAS RICKERT: Thanks very much, Athina. So I think we now have a good overview of the temperature in the room on what you would like to do. And so it's cold in here.

And Mathieu, as with the last question, would try to make an attempt at taking stock so that we can move forward.

MATHIEU WEILL: So we've heard different views, but I think a middle ground is sort of emerging if we say that, number one, Work Stream 1 discussions have the highest priority. There is no question about it. And in any agenda setting at the CCWG level or in terms of volunteer time, that needs to be our continued focus until the IANA stewardship transition can take place. And that must be renewed and renewed and renewed, and obviously we -- I think we got that message quite clearly at the co-chair level.

Secondly, I think there is no -- nothing that prevents us from slow starting Work Stream 2. And that is actually important to

many stakeholders who made clear that their support to Work Stream 1 recommendations was also linked to the understanding that Work Stream 2 was going to be taken very seriously and not delayed forever you or not underresourced. I think that's a very important point to remember that the Work Stream 2 recommendation is part of the Work Stream 1 recommendation. And we need to provide clearer demonstration that this is taken very seriously. And slow starting it is a good way, as Avri was saying, to start the background research, collect data, initiate some discussions, keep the -- base work on available volunteer time mostly.

And, of course, once we shift our focus to Work Stream 2, the groups might change. There might be some additional volunteer time, and the pace might change. But I think we need to -- we have this middle ground available for us. And that should balance the different views that we've heard so far. And I hope -- I think it would be great to check whether there's any objection to that approach.

THOMAS RICKERT: And for those who are participating remotely, you can make yourself heard with an objection by ticking red, by making a cross.

And, Siva, you were not in the A.C. room. So I apologize to you for not having put you in the queue. If you want to speak, certainly, you'll get the opportunity to do so. Please do.

SIVASUBRAMANIAN MUTHUSAMY: So this is on your question which required a binary answer. My answer is a little more complicated than binary, if you would permit me to.

First of all, I agree that Work Stream 2 should be a continuous process. But, at the same time, it's not started in a hurry. So that, if it's started in a hurry, then this is the same group of participants and members continuing the same thinking on the Work Stream 2. Work Stream 2 is supposed to have -- supposed to address much larger topics. So I feel that a rethinking should be done about the constitution of members and participants so that we bring in some fresh thinking.

And, secondly, as far as the implementation is concerned, I'm not sure if -- sure that the view that transition does not happen if Work Stream 1 implementation does not happen. So it's so dependent. Work Stream 2 is supposed to come up with larger recommendations which will give a much fuller picture. And, without having that fuller picture in view, if we are to implement some of the recommendations of Work Stream 1, it might not quite fit into the larger picture that is to emerge after some time.

So even work stream 1 implementation with that purpose could be a little more deliberated. Thank you.

THOMAS RICKERT: Thanks very much, Siva.

Kavouss, you've already spoken twice to this topic. Is that an old hand, old hand from you? Old hand?

KAVOUSS ARASTEH: No, I want to --

THOMAS RICKERT: Are you filing an objection?

KAVOUSS ARASTEH: Yeah.

THOMAS RICKERT: Okay. Thank you. Paul.

PAUL TWOMEY: Thank you. I'd like to reinforce Mathieu's comment, which I think in some respects was contrary to the whole previous conversation.

A number of issues that are on Work Stream 2 we agreed to put on Work Stream 2 because they were important, but we couldn't come to conclusions. One of those things in Work Stream 2 has proposed language in work stream 1 which says give us the answer within 12 months.

So, for those of us who pay for our own airfares who make the time available to go away from work to come to these meetings, to be then told when you arrive at the meeting, no, we're going to do that next, sorry, I find that very annoying. There are certain topics at least in Work Stream 2 I think should start now, not least because you've got wording in the bylaws you're representing that says it should be finished within 12 months.

So I'm happy to say you can call it preliminary work. You can give it any wording you want. I agree. Let's not get confused about getting Work Stream 1 completed. But let's not be insulting about some of the people who have made the effort to come here and talk about some of these topics. And we've got a limited time frame, so we can at least start discussions.

THOMAS RICKERT: Thanks very much, Paul. I guess that's well understood. Good.

The next question that we would like to discuss with you is the question which topics could potentially be combined? So are

there any views on maybe linking or merging even some of the Work Stream 2 items? Maybe we can bring back the slide that shows the Work Stream 2 items. That would be great. Eberhard, your hand is raised.

EBERHARD LISSE: Can't we first determine on which -- it appears none of us has read these 380 pages, other than Paul. Can we maybe determine which streams of Work Stream 2 have a deadline so that we know which -- so that's the one that we have to start with, no matter what we're discussing. So we should identify which one we need to do first according to our own Work Stream 1 proposals. And then we can decide what we do next.

THOMAS RICKERT: Thanks, Eberhard. We will talk about the prioritization of our work as we move on. For the moment, we would like to focus on which topics the group thinks can be maybe merged and worked on jointly. Because there are links between some of these topics. If there are none, that's fine. But the issue has been brought up. The question has been brought up earlier. So we would like to hear views on this question from you. And the first one to raise his hand is Alan, please.

ALAN GREENBERG: Yeah, thank you. Without trying to denigrate any of the items, I don't think there were any deadlines in the final version. There was a deadline at one point on human rights, but that was taken out. There are certainly targets, I believe. And we should try to honor them. But I don't believe there's anything we could refer to as a deadline.

THOMAS RICKERT: That is correct. Nonetheless, if targets are being mentioned, those shouldn't be -- we should try to aspire to them.

Any views on whether we should interlink, combine, or however structure the work by merging or otherwise combining the Work Stream 2 items? Any views on that? This is the opportunity to streamline the process, if you see the opportunity to do that.

If not, we will deal with those individually, which is fine. But we just want to make sure that no one comes in six months' time and says, well, you should have been looking at those two points or three points together. So, if you think that any of these topics should be worked on maybe in one team rather than in two teams, please do speak up.

If you think that staff accountability and SO/AC accountability should be dealt with by the same people, let us know. I'm not suggesting you should. But, Chris, you're hand is raised. I'm

sorry, Chris. There's a queue forming. So we have Steve, Kavouss, Alan, and Chris.

STEVE DelBIANCO: Thanks, Thomas. It's Steve DelBianco. I mentioned this prior to the coffee break. But the final four items listed here under Work Stream 2 -- SO/AC accountability, staff accountability, increased transparency, and ombudsman -- those all fit into accountability and transparency, which is in the purview of ATRT.

As a few of us suggested before the break, those four -- whether it feeds into ATRT3 or ATRT3 initiates it, those four could be done together to the extent of gathering the views of the CCWG and teeing them up for ATRT3. So, to answer your question, I think the bottom four could be done together.

THOMAS RICKERT: Let's hear more views on that. Kavouss.

KAVOUSS ARASTEH: Yes. We need to look at the aim to prioritization of the issues. When we discussed in the GAC call, I explained to the distinguished GAC colleagues recommendation 6 is agreed. They agreed to that because there is a commitment to do these human rights in the Work Stream 2.

So, at least, in order to maintain that agreement, we need to have prioritizations. And we need to put these two, human rights and jurisdiction, at the top of the list. Thank you.

THOMAS RICKERT: Thanks. The question in front of us at the moment is not the question of prioritization, although it's an important one. This is about what we can package, if any. Alan.

ALAN GREENBERG: First the question, on the previous slide which had a diagram, there was an 8th item that said interim bylaw. I don't know what that is.

THOMAS RICKERT: That was just to visualize that the topics in Work Stream 2 are going to be covered by an interim bylaw that ensures that there's a commitment from the Board to honor Work Stream 2 recommendations as they would work stream --

ALAN GREENBERG: Okay. We're not writing another interim bylaw. Okay.

I look at the items quite differently. The first three are items which very much need a lot of homework and preparation, ala what Cheryl was mentioning before.

I think embarking on items 1-3 -- diversity, human rights and jurisdiction -- without some good staff work being done ahead of time, giving us statistics, giving us information about what the possible issues are, I think would be foolish. It would generate a lot of talk but not necessarily talk leading somewhere.

So I think those items need several months worth of work. And that may well cover the implementation period of Work Stream 1.

So I think that's really important to do properly. When we enter into it, we enter it with real knowledge, not just random gut feelings. I don't see any opportunity to combine any of those items. I think they're all quite different. But I think the first three are probably the ones that we need to start thinking about soon. But I'm not sure it's time to convene groups to talk about them. Thank you.

THOMAS RICKERT: Thanks, Alan. We're going to talk about a strawman project plan. And maybe something along the lines of an issues report is something that we should bake into that. So that's well-noted.

I think we now had Chris, Eberhard, Robin, Sebastien. And after that the queue is closed

CHRIS LA HATTE: Thank you. Chris LaHatte, for the record. I don't think it was Chris Disspain in the queue.

THOMAS RICKERT: Nobody wants to be confused with Chris Disspain. I understand that.

CHRIS LA HATTE: Yes, I'm the better looking.

CHRIS DISSPAIN: Including myself.

CHRIS LA HATTE: I just wanted to talk about a couple of things. Because the role as the ombudsman does spread across a number of these topics. In particular, diversity and human rights. But I don't want to complicate things unduly.

When I first started in this role, which is nearly five years ago, it was immediately obvious that the bylaw and framework needed change. Every time I started an initiative, something happened which made it necessary to listen to what people had to say and put off the work of making those changes.

ATRT2, for example, has made a number of recommendations about the role of the ombudsman. And the new gTLD program has, I think, raised numbers of issues about the way that I'm able to look at issues. And, gradually, as we've moved along, issues like privacy also have started to become more important.

So there's a whole ragtag bundle of items which need to be reviewed in terms of the ombudsman.

Frankly, I had become a little bit impatient because I've wanted to address these issues for some time. And so I seized the initiative. And there is a session on Wednesday afternoon at 3:30, which is called "The Role of the Ombudsman Post-transition."

I don't believe it's appropriate for me as the ombudsman to tell you what I think I should be doing. I absolutely want the community to come together with a consensus view as to the sorts of things that I should be doing and any tweaking to the bylaw and to the framework which would enable me to continue on.

For completeness I should say that the ombudsman was established in around about 2003. So the atmosphere, the framework, all of those things in 2002, 2003, are very, very different from what we're doing now. The number of staff has multiplied by 10 times. The community has expanded

enormously. We're taking on all sorts of things which no one anticipated.

So my idea for having the session on next Wednesday was brainstorming.   This isn't where we're going to solve the problems. It's where we can start thinking about the issues. No more than that.

And so I invite anybody who's interested in the role of the ombudsman to that. I'll make a brief presentation to tell you about what I'm doing, the sorts of issues that I currently handle. And then I want to open it for people to start talking to me about that.

Now, I realize that this is running effectively in parallel to Work Stream 1. But it's not intended to be the process to change anything.   It's intended to be a conversation.   And I hope, carrying from what happens on Wednesday afternoon, people can then come at their leisure, depending on their commitments on other things, but having had that initial conversation so that we've got some direction on what people want from the ombudsman. Thank you.

THOMAS RICKERT: Thanks, Chris. I let you explain this because there were some questions surrounding your session earlier today before you

came to join us. Nonetheless, for the reminder of the queue, let me remember or remind everyone of what the question was. And that is whether you think that we can bundle items in Work Stream 2 to be worked on together. Next in queue is Eberhard.

EBERHARD LISSE: On the danger that Roelof accuses me again of saying something sensible or, even worse, agrees with me, I don't think we can lump too much together. I think we can lump together staff accountability and transparency. I don't think we can put SO/AC accountability with staff accountability, because it's entirely different issues.

I also think we should not forget that some things depend on each other. For example, I think the ombudsman should come last. Because the changes we make in the first six strings may affect what he's doing. And I must chastise the ombudsman for forgetting to mention that he's got a cocktail function on Tuesday.

THOMAS RICKERT: Thanks for this useful reminder.

Next in line is -- Alan, was that an old hand from you? Old hand? Robin.

ROBIN GROSS: Hi, this is Robin Gross, for the record. I just wanted to highlight the importance working on the issue of transparency in Work Stream 2, and I don't think it should be lumped in with other ones. And I think it should be moved towards the top of the list of Work Stream 2. I'll tell you why.

Many of the fixes that we have in Work Stream 1 are very much dependent upon transparency. We've switched from the -- we switched to the designator model depending upon Board recall in order to achieve many of our accountability fixes. So that means we need to know what the Board is doing. We need to -- we need to have more transparency in order to be able to effectively utilize the powers that we created in Work Stream 1.

And on the issue of transparency we've got a lot of subissues in there. We've got transparency of Board deliberations. We've got transparency with governments.   We've got transparency around the DIDP reforms. So we've got a huge chunk of work on that issue that is extremely important and critical to everything else that we're trying to build.   So I'd like to suggest that transparency be done not with -- not with the other group or not with the other issues and be moved to the top of the list. Thank you.

THOMAS RICKERT: Thanks, Robin.

Jan, you're between us and lunch. Your hand is still raised. That was an efficient threat, obviously.

Joking aside, thanks for the interesting discussion. What we learned from this is that, you know, a lot of you are keen on making certain items a priority. We learned something about prep work that needs to be done. We heard about some dependencies of the work in terms of sequencing them. We're going to talk about sequencing the work later today.

But I think the main topic is that the response to the binary question that I meant to ask, i.e., do you think we can bundle anything is no. So we're not going to bundle. We're going to treat them all differently. Being cognizant of the dependencies and making sure that, as we plan our work, that we would build certain items on the prep work that needs to be done in other areas.

With that, I think we can break for lunch. Quite conveniently, the sun has come through. I need to check with staff now. Is that our lunch outside here that's being prepared now?

UNKNOWN SPEAKER: This is the co-chair lunch.

THOMAS RICKERT: And you're going to go into the basement, right? Grace, can you help with this? That's our lunch. We're going to have a one-hour lunch break. Talk to you soon. And thanks to the remote participants.

[Lunch break]