Thursday, March 10, 2016 – 09:00 to 12:00 WET
ICANN55 | Marrakech, Morocco

(Meeting joined in progress)

THOMAS RICKERT: ...drafting process. I guess that's the first time the communique was drafted open to the whole community and I think that's awesome.

Kavouss, you would like to say something?

UNKNOWN SPEAKER: (Off microphone.)

UNKNOWN SPEAKER: Yes.

KAVOUSS ARASTEH: That was the biggest step that when the chair asked that should we open the communique, I said, "Yes. Why not? Everything should be open to everybody. The board is open, session is open, documents are open. This should be open," and everybody applauds for that. Thank you.

THOMAS RICKERT: You know, I'd like to quote somebody whose name I don't remember but you said something of a new season starting? So maybe we are seeing that.

[Laughter]

Next slide, please.

GNSO approved yesterday, after very intense discussions. And even there, the message was strong enough, you know, to -- there were just a few abstentions and againsts on individual recommendations, but we thought that some of the recommendations were in jeopardy, that they would be voted down by the council, and this didn't happen.

And so, you know, the GNSO also won a prize for the lengthiest approval letter, with 17 pages, I think it was.

And last, but not least, the ccNSO wanted to have a special role. You know they didn't want to be governed by our accountability group, and so they said, "Well, let the others go first and then we reserve the right to either bring it to fall or to support it," and they did, despite -- you know, we know there are some in the ccNSO that were really against the process, how we did things and so on and so forth, and I guess there was only one abstention --

UNKNOWN SPEAKER: (Off microphone.)

THOMAS RICKERT: -- two abstentions, two abstentions, but other than that, ccNSO was in full support of the report and I think that's very, very remarkable.

You know, look at this -- look at this graph. Isn't that awesome? You know, so let's give everyone a round of applause.

[Applause]

So we have prepared a letter collecting all the input from the various chartering organizations and we will send that on to the board.

It is, I think, verbatim the language that was used for the CWG, so, you know, no surprises. We would send everything as we got it on to the board, so we do not any -- or did not do any editing or filtering or blocking or what have you, so it will all be passed on. I think we don't have to go through this word by word, since you know the language already. Right?

UNKNOWN SPEAKER: (Off microphone.)

THOMAS RICKERT: Yeah. It's -- basically that went out by email.

So we would like to learn from ICG how they did their part, because, as you know, ICG has finished its work quite a while back. Nonetheless, they -- they courtesy waited a little bit, and Alissa, would you like to give us a quick update?

ALISSA COOPER: Sure. Thank you.

First question is: Are you done?

UNKNOWN SPEAKER: (Off microphone.)

ALISSA COOPER: Yeah. Are you done? You ready to send your proposal? You're sure?

[Laughter]

You're super-duper sure?

Okay. So I just hit the button and I sent the ICG proposal to Steve Crocker.

[Cheers and applause]

Woohoo!

[Applause]

So I think, as you said, people know that we've been waiting patiently for a while, and at the beginning of the ICG process, there were -- and throughout, I think, there were some people who didn't know why we were waiting, didn't think that we needed to wait, but I think in the end, all of our communities are -- should be very proud of what we achieved together, and it was absolutely worth the wait to achieve a complete package that everyone believes in and can get behind and that has the consensus of the communities.

So I'm really proud of all of us and everyone in this room and who participated remotely and is participating on an ongoing basis.

I think -- we thought that our process was hard. In the operational communities that we asked to produce a proposal, they thought their processes were hard. But honestly, I think your process was the hardest.

And as an engineer, I think I can say the more lawyers involved in a process, the harder it is, and you guys definitely had more lawyers, so huge congratulations to all of you and all of us. It's a day to celebrate. Thanks.

THOMAS RICKERT: Thanks so much, Alissa.

[Applause]

And can those that are active in the ICG -- I see Alissa, Patrik, Mohamed -- stand up so we would like to give you a round of applause to all the hard workers in the ICG.

[Applause]

Kavouss. Keith. Is Keith there? Kavouss. You've been -- Kavouss, you've been in the ICG as well, so why don't you stand up for a moment.

[Applause]

So meeting is over.

[Laughter]

No. Athina?

ATHINA FRAGKOULI: Something very quick just to say from the ASO.

We are very pleased to see this approval and we are very proud to be part in this process. It has been a great example of bottom-up process and open process. It was a great opportunity for us, also, to see the other communities' perspective and way of working and thinking. We look forward

to the next steps, of course, where we look forward to the approval by the board of the ICG proposal, together with the -- you know, the -- the accountability proposal. And of course accountability efforts are ongoing, so we also look forward to the implementation and we'll be there for Work Stream 2, and congratulations to everyone. Thank you.

[Applause]

THOMAS RICKERT: Thank you so much. And I think we're going to say this publicly later during the day, but, you know, that's certainly due to the sequence of finishing the different bits that were required for the proposal, but, you know, we are getting a lot of applause as CCWG chairs, but let's also think about the CWG chairs and the other hard-working people for the technical proposal. So, you know, they shouldn't be forgotten in all this and we will make this publicly clear so that, you know, it's on the record that it wasn't only an effort of the CCWG. We were just taking long enough so that we get special attention with this.

Okay. So Mathieu, it's your turn for the next agenda item. Thank you.

MATHIEU WEILL: Thank you very much, Thomas. Mathieu Weill speaking.

A couple of information points about what's going to happen later today, actually.

So as we are speaking, obviously we are -- we have submitted the report to the board. The ICANN board will pass a resolution at its meeting this afternoon.

After this -- during this meeting, I understand that the chairs of the ICG and CCWG will be provided an opportunity for a few words, so we'll be there. And after the ICANN board concludes, there will be a press conference attended by the -- so there's the ICG, the -- a number of organizations, including ICG, so Alissa, I think you will there. Not all the co-chairs will be on the table but we'll be there as well.

And at the same time, we strongly encourage all of you to join the cocktail which will take place after the board meeting closes, where I understand basically the point will be to celebrate this week's achievements and these two years that we've been spending making this transition one step closer.

In terms of messaging, I think it's important to stress two things.

First, the transition has not happened yet.

[Laughter]

MATHIEU WEILL: So strongly encourage every one of you, in terms of messaging -- because we are all the ambassadors of this process -- to make it clear that this is a very important milestone but that this is not the end of the road.

Also, we are going to be now in the process which is much more united. You will remember the two-track graphics about the ICG, the CWG, the various communities. This is all united now. And this is going to be a significant change for us as a group as well to communicate to our respective communities that this is now a united process that has to go through implementation with some respect to roles of various recommendations and then will go through a NTIA assessment process which does not necessarily make a distinction between accountability or naming or numbering. It's a whole. It's the whole because it's one set of decisions that need to be made by the NTIA while consulting Congress and so on. So that's going to be a significant change for us and strongly encourage all of you to make sure this messaging is what is rightly conveyed to your communities because we've been working very hard on this. Once the decision -- one our report is approved, number one, we have an implementation challenge; number two, we have a responsibility to make it clear that it's understood. Not everyone will understand the first time. So we need to really be ambassadors of what we've been doing here from the other

world because that's a very significant step to actually move out of the ICANN circles and have this proposal approved. So strongly encourage you to use the communication material that will be circulated around this announcement and, as I said, be ambassadors about this.

Any questions? I'm looking at the AC room. No questions.

So with that, I think we can move to work stream 1 implementation. Take off our jackets, roll up our sleeves, as someone, who shall remain unnamed would say.

And I turn back to Leon for the first item.

LEON SANCHEZ: Thank you very much, Mathieu. So the party's over. Let's begin working.

For this budget implementation part, I would like to invite Jordan Carter to tell us about the implementation plan and how we will be carrying this forward.

So, Jordan, could you, please?

JORDAN CARTER: Thanks, Leon. Good morning, everyone. I think it's morning. I think it's still ICANN. Really briefly, I'm just going to update you on the work that the budget implementation group has done in

this meeting and, I guess, to invite anyone else who is interested in following this work to keep following it in the way that you have, through reports back to the list.

We had an informal (indiscernible) of people from the CWG, the CCWG, and the ICANN staff and board to start teasing out what this caretaker budget concept looks like. And we think the implementation process is about fleshing that out and supporting the CWG to flesh out the planning process for the PTI and IANA functions budget.

So the group that got together -- I'll just read the list so it's in the record. From our group, we had myself, Jonathan Zuck and Giovanni Seppia, Chuck Gomes from CWG, Mary Uduma -- I can't recall whether a CCW participant but she's involved -- and Cherine and Asha from the ICANN board and Xavier, the CFO.

And so we had a meeting on Sunday where we just talked through the process there. Xavier is doing some work on what the caretaker budget framework should look like, and he's going to chuck that to that group first. We'll iron out anything in it that needs ironing out and respectively take it back to design team -- what's the letter, Cheryl -- design team O in the CWG and to our broader group to get feedback on it.

So it's an important but relatively limited scale, group. The only decisions it's making are interim decisions and discussions with

staff to prepare materials to bring through to the full CWG and CCWG design teams to consider. So that's kind of the update on the work.

Were you looking for anything else on that, Leon?

LEON SANCHEZ: I guess not. I guess just maybe if we have some feedback from the group. I see Steve is raising his hand. So could we please hand a microphone to Steve?

STEVE DelBIANCO: Jordan, one quick question. Would any of that design team work or the ongoing discussions, will they lead to bylaws changes? Or can we proceed with the bylaws that were already there?

JORDAN CARTER: I'm pretty sure our proposal says that we want to put into the bylaws the existing consultation processes around the ICANN budget process. And you make a good point. That group hasn't got an action yet on working with counsel to do the bylaws.

And what I am anticipating is that in our bylaws discussion session that's coming up in this meeting, we'll be clear that the bylaws that the team are going to draft need to include a

comprehensive sweep of the report. And I would expect that that budget group will take a specific look at the budget-related aspects of the draft bylaws.

But I don't think we're going to start commissioning lawyers to do a separate project on bylaws writing and so on. And we're relying on the staff in the first instance to start drafting the caretaker budget framework which will then come back to us as a group, as a whole group, for scrutiny and changing, if needed.

STEVE DelBIANCO: And the caretaker procedures won't live in the bylaws in the future? They will be in some separate procedural document?

JORDAN CARTER: The way the report sets it out is that the high-level framework for the caretaker approach will be in the bylaws, and the detail of it will be in some other type of document.

STEVE DelBIANCO: That's great. So design team O is not on critical path for the actual bylaws completion and adoption.

JORDAN CARTER: I can't speak for design team O from the CWG. If there's anyone here who can, they should speak up. But I don't think our part of

it is on the critical path for bylaws changes outside the work we're already doing.

LEON SANCHEZ: Thank you very much, Steve and Jordan.

Any other questions or comments in regard to budget implementation group? Okay. I see none.

So with that, I would turn to Mathieu for our next agenda item. It's bylaws drafting and processes.

MATHIEU WEILL: And I will turn to my fellow co-chair Thomas.

THOMAS RICKERT: This is about how we get the bylaws drafted. You are surely aware of the fact that all we have in our report needs to be transformed into bylaws. And the language that we have in our report is just -- Oh, look at this. Is that a lark?

So do you have a statement of interest?

[Laughter]

So we need to work on the bylaws drafting, and we need to do it very quickly. Maybe we can see the next slide, please.

This is counting backwards in order to allow for the IANA functions contract to expire at the end of September. Don't question the dates. We can go into much more detail on how we get to this calculation. But, basically, it's on the basis of what we heard from NTIA.

As we mentioned to you during the Friday session, we had a meeting with some board members and Larry and Fiona and, basically, these are -- this is what comes up when you take the target date that Larry indicated. And he said made it absolutely clear that there's no wiggle room to move things.

If we don't want to allow -- if we don't want the contract to be extended, which as you know is possible. It might be politically challenging. But since we originally targeted for the end of September date, this is what we've been working on.

These are tentative dates, so we will try to get the set of bylaws ready by April 8th. And after that, the board would approve the bylaws for public comment. The public comment period for the bylaws changing process is a board process. We indicated this earlier, that this is not a matter for the CCWG to do. But in the process of changing bylaws, the board publishes the new bylaws prior to adoption.

And then we will -- or the Board will open a public comment period on April 14 -- or April 15. It will close on May 15. We will

then include or discuss changes, if any, and sign off so that the board can approve the new bylaws on May 31.

Now, these are dates that look nice on paper. I guess the question that you're asking yourself is, how do we -- how do we get the job done. And the idea is that we make this a truly collaborative effort. So there's a team consisting of our law firms, the representatives of ICANN legal, and they will -- you know, there will be Bernie from staff who we've invited to be part of our first core group to kick this off as well as Becky Burr and Chris Disspain. So they will sit together and work on a first rough draft which is going to be passed on to the implementation oversight team. We will, if we can, do this in an iterative fashion. So the original plan was actually to take individual portions of the bylaws, push them through the implementation oversight team, and send them on to the CCWG for its review. But we've been strongly advised by Holly and Rosemary and their teams that this might not be the best way to do things, because of all the dependencies between the different sections of the bylaws. So if we did it truly iteratively, then we might end up all of you asking an awful lot of questions because you're missing certain links to other -- other bylaw articles.

So we haven't given up on the iterative approach, but we want to make sure that the parts that we're releasing to the CCWG for

inspection are good to go so that there's no ambiguity and that you get a working product that's worthwhile spending time on.

So again, we're trying to do that in tranches. We can't make any promises. So it's possible that you will only see the full text of the amended bylaws, but we want to make it as easy as possible for you. But we think that, you know, since we don't have any wiggle room for mistakes, we'd rather get it right or very close to right rather than making you spend time on something that is not really fine.

I should also say that we want to make this as inclusive as possible. So we will announce to the community, through the communications channels that we have, once the draft or portions of the draft bylaws are coming out of the implementation oversight team, right? So that will not then be a formal public comment period but it will -- you know, the comment that we're solicitating from this group shall not be the only comments that we're asking for.

So we want to make this publicly available so that the whole community can provide feedback and follow the process very closely. Right? And it will only be the -- on April 15 when we're doing the formal public consultation on the bylaw process.

So I think that's it in a nutshell. We can go into more detail. I see the first questions are coming up. Padmini.

PADMINI BARUAH: Thank you. Padmini Baruah, Center for Internet and Society India, for the record. I'm sure CCWG has its own participation statistics and the diversity aspect is well-known to all of us, that the community itself and the people who participate in the public comment process tend to be heavily from Western Europe and mail and technical communities and so forth. So while we fully appreciate that the comment process is made open and completely transparent and public notices are given out, I was wondering if you would also consider proactively reaching out to groups from whom public comments have not been heard before on the basis of your own diversity analysis, which I do think I've found in a couple of instances on the ICANN Web site, your own diversity and a list of the public comments.

So, for example, if maybe you went back to the diversity analysis of your third draft public comment, maybe you would see that from certain sectors of the world or from certain sectors of some -- of some communities there's been less input that has been put into the process. So I was wondering if apart from making the information publicly available and the information ICANN makes publicly available sometimes gets lost because there's so much of it, would there be proactive outreach. Thank you.

THOMAS RICKERT: Thanks, Padmini. I think this is something that can be discussed certainly. What I think is far more important than looking at the bylaws is looking at the report. I think we have to be very clear that the bylaw drafting process is nothing for amateurs in the area to comment on because they might easily be misleading. This is something that, you know, it should be left to the experts. So we can't have a community exercise on wordsmithing the bylaws, but I think it's for us, for the community, to double-check whether the spirit of the report is in there. Whether all the features that we've been working on for the last 15 months are in the report.

So I think we need to take back your suggestion and discuss it further. I think we should be transparent and raise awareness for this process going on, but we need to be very clear that this is not an opportunity to ask for additional features or for relegating any parts of the report. But thanks for your comment. Next is Kavouss, please.

KAVOUSS ARASTEH: Yes. We are now entering into the most critical part of our work. You said at the beginning that we transform the final report into the bylaw or translate in legal term with all caution. However, the covering letter of public comment should be very clear and very precise. The question raised to the public is to check the

consistency of the final report to the bylaw which is put for comment. It's not for the fresh comment and fresh proposals. So it is very, very important that very carefully crafted in order that the public knows what they are asked to comment. Consistency of the work of one and a half years to the draft which is put to public comment.

So that is the request either the co-chair should assist with the board when preparing that draft or any other mechanism. But the question would be quite clear. This is the first point I would like to make.

And the second point, that when the reply or comment is received by public, it is another critical moment to carefully examine and -- those comments which are coherent and consistent with what we have asked will be taken into account. I'm not saying that those comments which are valid. We are not checking the validity of public comments and so on and so forth. Consistent and coherent to the question that we have raised. So there might be some other comments. Everybody is free to say whatever he wants or she wants, but this is a too important issue. We should not forget that we are dealing with the consistency of what we have prepared in the final report and what the draft is. That is very, very critical issue, and we would like to draw the attention of the co-chairs and the ICANN board how this text will be drafted. Thank you.

THOMAS RICKERT: Thanks very much, Kavouss. We have -- I'm not exactly sure about the sequence, but Brett and Jordan have raised their hands in the Adobe. I saw Mike Chartier and Leonid. Brett was the first one. Okay, you go first.

MIKE CHARTIER: Quick question. Is Sidley -- is Sidley and Jones Day going to work together from the beginning rather than a serial fashion that they did during the proposal?

MATHIEU WEILL: Thank you, Mike. That's a good question. Sidley Adler and ICANN legal will work collaboratively on producing the draft. There might be some occasions where ICANN legal might need Jones Day for some things, but they're not in the group. Jones Day is not in this group that will be drafting. It's Sidley Adler and ICANN legal because obviously they're the ones who know the bylaws at this point, and we want -- and it's going to be a joint effort which goes beyond the CCWG because it will also include the CWG-related bylaw changes. I mean all the ICG-related bylaw changes and, of course, there's a need for ensuring consistency across all the ICANN bylaws, and so there might be some tweaks that ICANN legal needs to provide for the rest of

the ICANN bylaws. But that's -- and yes, the process that is being designed, it's a very short time frame. It's a collaborative time frame. We've wrote them, all of them -- we've had a conference call earlier this week with all of them, with the ICANN board and us, and this is -- the group was described by Thomas but it's putting everyone into the same room and no one is allowed to leave before we have the bylaws drafted.

THOMAS RICKERT: Thanks very much, Mathieu. And I should mention that the question in the transcript was attributed to Brett, but it was actually a question by Mike Chartier. And I just get a question from Mathieu, or a point I should speak to. The 8th of April is the finishing date for the CCWG. We're not entirely sure on what precise date the CCWG will see the draft. But you can rest assured that the drafting process is going to be sequenced so that the implementation oversight team is taking a first look to ensure that, you know, to our satisfaction everything is incorporated so that we don't waste the wider group's time. But then we'll give the CCWG an opportunity to review, and only after that we will close this initial drafting phase and move to the next step. Brett.

UNKNOWN SPEAKER: So here is 8 of April, that's a (indiscernible) plan. But if you look the week before, basically, we would probably get the bylaw drafts at the end of March, around the end of March. I mean to the group. And then we would have the week before 8 of April two calls dedicated to ensuring consistency, that the bylaws reflect the report, no more, no less. And that's -- that's going to be what -- the type of work plan we're contemplating on that. So now Brett.

BRETT SCHAEFER: Thank you. I admire your optimism that the lawyers can do this in about two and a half weeks. But I did have a question, and then perhaps two suggestions for the process. First is, why do you need a week between Friday the 8th and Friday the 15th for the board to approve the draft if ICANN legal and the board are actually going to have members involved intimately in this process. The comments were, in terms of the report, I understand that there's a lot of interlinkages between the different recommendations and so when you adopt the bylaws, it's helpful to have them all together. But some people in the CCWG don't pay attention with the same fervor to all the recommendations. They focus on one or two or perhaps just a handful of them. I think it would also be helpful to have the bylaws attachment. The bylaws to specific recommendations also provided to help those individuals focused on those

recommendations to make sure that their concerns and attention is drawn specifically to that. Otherwise, they may get lost in a very detailed red line of the bylaws. So I think it would be helpful to have both those available to those reviewing this document.

And at the end, I'm just talking about the public comment period, there's not going to be a second public comment period. So I think it would be very helpful if at the end of that process either the board or the CCWG or both issue a letter detailing what changes were made to respect the public comments so that those going through that and submitting those comments understand exactly how those were taken into account. Thank you

THOMAS RICKERT: Thanks, Brett. All good points. We will explore the -- further the dates between April 8 and 15. We will share with the group a map that indicates which recommendations affect which parts of the bylaws so that those who take a special interest in certain aspects of the report are pointed precisely to the articles of the bylaws that they should be looking at.

You can expect, although the public comment analysis is only partially in our hands, but I guess we will do public comment analysis and issue a report on what has been done with the

reports as we move on, in order to put concerns at rest of those that think that their criticism hasn't been reflected. You know, so that's going to -- going to happen.

I think I've addressed your points. Hopefully I have. Next in line is Leonid and then Jordan.

LEONID TODOROV: Thomas, Leonid Todorov. Just a very quick question. You referred to the project implementation oversight -- project implementation oversight team. If you could just elaborate a little bit on its composition, mission, you know, and how it's institutionalized in the process. Thank you.

THOMAS RICKERT: Thank you very much, Leonid.

When it comes to implementation oversight, we can certainly only speak to the implementation oversight that's going to be done by the CCWG.

The CWG will also take a look at whether their parts of the bylaws are adequately reflecting their recommendations and are consistent with those.

Our group has decided, on last Friday, that the implementation oversight team would consist of the rapporteurs and co-chairs.

This is to take away some of the workload from the wider group, but also since we have been at the core of the drafting process and holding the pen on the report, pretty much, that we thought we would be in a good position to check for accuracy before checking with -- before passing on to the wider group.

Next in line is Jordan, please.

JORDAN CARTER: Thanks, Thomas. As some of you have pointed out, this is a modestly tight time frame, and it is clear that this timetable depends on the lawyers working together cooperatively and constructively and on them hitting the ball out of the park in terms of getting this absolutely right the first time.

And the only role of the implementation oversight team is to do that first check of that, and we'll have a sense quickly, I think, of whether it's just about there or whether we've got a problem, Houston. And if we've got a problem, this timetable is going to draw out. And that's one of the reasons for that buffer week between the 8th and the 15th, Brett. You know, there is -- this is a complicated and tricky job.

The other thing I'd say is that as the lawyers draft, they may find that there are some modular parts, so it may be possible that

the group will see a consolidated chunk that deals with some of the recommendations earlier.

And the other point is that assuming that it does all go to plan and we get a draft towards the end of March that we can forward to the group, that helps make this slightly-shorter-than-usual public comment period acceptable because it means the substantive draft will have been out for public review and comment for around about 45 days.

So none of this is easy. None of this is ideal. But what isn't is on this slide is that the USG does want to give some time for Congressional scrutiny of its report, and the U.S. Congress arises for its summer recess on the 15th of April -- July, and so if NTIA can finish the report by early June, that gives a month for Congressional scrutiny, and short of that period, the more likely problems are to emerge in the D.C. context, which as we all know is a part of this transition, whether we wished it was or not.

So I think it's doable. I mean, as a rapporteur and someone who's involved in the oversight, my commitment is that if there are slippages, something that will not vanish is the chance for the CCWG to thoroughly review these bylaws, but what also won't vanish is that this is a translation exercise, and so new ideas or trying to re-litigate decisions that have been done to

death in the four reports isn't going to happen. Leonid, it won't be accepted, and that is really important to the integrity of this process and not slipping away from what we've all approved this week.

THOMAS RICKERT: Thanks very much, Jordan. And if you could please introduce yourself, I'm so sorry I do not know your name.

AMRITA CHOUDHURY: My name is Amrita. My name is Amrita. I'm from CCUI, India. I support Padmini's point of diversity. I do understand that the making of bylaws is for specialized people -- you know, lawyers -- and there is a tight time frame.

However, the group has to look at a process wherein more people can be included, if we are really looking for, you know, bottom-up multistakeholder model, wherein there are more people in the decision-making team, a divergent team, which is very -- you know, it would give more value to the entire thing. Because there are certain sections who at this point think that they are unrepresented. Thank you.

THOMAS RICKERT: Thanks very much, Amrita, and we will talk to the coms team on opportunities for us to spread the word in multiple languages so that we can hopefully reach out to regions that we didn't get hold of as much as we would like to.

Next is Malcolm, please.

MALCOLM HUTTY: Thank you. First, a word of strong support for Jordan's last comment that this process can't be allowed to reopen and re-litigate issues that we have decided. This is only about implementation.

But implementation is extremely important. We think that we've achieved an enormous and incredibly important thing in coming together and agreeing the report that we have agreed, but these -- but the report is not the reforms that we are going to make. The implementation is the reforms that we are going to make. And it is essential that they are accurately and correctly implemented. Any error in there may significantly upset the fine balances that are constructed in that report. So it's really important that they're right.

Now, we've just been told that we're going to get -- we can expect, at most, a week to review the bylaws and satisfy ourselves that they do indeed accurately reflect what we have

decided, and we -- and there was not even a commitment that we will get that much. We were told, "Well, probably by the end of March," but there was no date offered.

A week to ensure that we are satisfied as a group that this is correct, at most, gives -- I think a week is not really sufficient to even review it individually. It is certainly not sufficient to have any discussion if anybody wishes to raise a concern that there is an inaccuracy or that there is a failure to implement something properly.

I -- I'm despairing that the co-chairs have, at every stage in this process, caused further delay in this process by choosing unrealistic dates that have caused us to have to go back and do it again.

We've had four reports. We are now really pushing up against it and we could really be facing, with this lack of adequate scrutiny from the CCWG, serious negative response in the open public comments that this does not implement what we have -- what the community as a whole has decided. There is a real risk that we are creating of that. It is very dangerous.

I really think that we need to create more time for the CCWG to review the bylaws that we've -- the bylaws in that stage. Certainly the stage between the 8th of April and the 15th of April seems possible to be squeezed, but also the date between the

15th of May and the 31st of May seems possible to be squeezed as well.

But even if the 31st of May date needs to slip, it is better to plan for it than to have it thrust upon us.

THOMAS RICKERT: Thank you, Malcolm.

I think we may not have emphasized enough where these dates are coming from.

I mean, I'm -- we are all fully with you that we need as much time as possible to review that, and that this is incredibly tight.

However, I think this -- we need to get -- as I said earlier, this is all a process now of handing over to NTIA, ensuring we get their support, and part of their requirements, the NTIA requirements, is that the bylaws are -- must be adopted before they are handed over to Congress.

Congress in the U.S. goes into recess 15th of July. It would be extremely unfortunate, and certainly not to the benefit of the process, that NTIA hands over to Congress on the 14th of July, although it's the date that I'm always good, but I mean, you can't just hand over to Congress a few days before they go into recess.

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: Hold on, hold on, hold on. Let me just finish.

So that's why the 15th of June is identified as the target date for NTIA to hand over to Congress with the report.

And the bylaws need to be adopted before that and NTIA needs to have just a few days to finalize this.

That is why you have this 31st of May target date for approving the draft bylaws. These are rough dates. There may be some wiggle room here and there. And I'm hearing completely and I'm totally with you that if we could get two weeks instead of one week to review as a group, that would significantly enhance our chances of success, but I think we need to be realistic as well that we are part now of a wider process, with also the CWG is going to be under pressure for reviewing the bylaws, the ICG, the other communities. We're all in the same boat and we're all going to make every effort to give the community opportunities to review as much as possible, but it's incredibly tight.

MALCOLM HUTTY: Mathieu, we've heard this argument time and again, and we have repeatedly had to go back and redo work. I am not arguing to go slower. I am arguing that your process will be slower if it fails. There is something even worse than giving it to Congress too late for them to consider in this session and that is giving it to Congress where there are demonstrable and provable discrepancies between the implementation and what we have decided as a community. That would really be a disaster for the process.

If we leave it too late for Congress to decide --

MATHIEU WEILL: We agree.

MALCOLM HUTTY: -- according to this timetable, we still have hope that it will -- they will commit to moving through it in the next session. If we go to Congress with something that does not implement what we have decided, we really risk them throwing it out completely.

MATHIEU WEILL: There's no disagreement. Just I just don't see any other way at this point.

THOMAS RICKERT: Thanks very much, Malcolm. I'll got Roelof --

UNKNOWN SPEAKER: (Off microphone.)

BECKY BURR: I mean, I -- I completely agree. There is nothing worse that could happen than we produce bylaws that do not reflect what the community has put together.

The report is a spec, and it is going to be incredibly difficult to do that, but just -- I think every single person involved acknowledges that.

So the question I have is: Let's not -- I mean, let's not fight about something we totally agree with. If you have a better idea for process, let us hear it.

UNKNOWN SPEAKER: (Off microphone.)

THOMAS RICKERT: Where do we find it? Where do we find it?

UNKNOWN SPEAKER: (Off microphone.)

THOMAS RICKERT: Okay. So -- so you're looking to the buffer week. Okay.

MALCOLM HUTTY: You could squeeze that buffer week. You could squeeze the time that the board has to approve the final bylaws at the end, and ultimately, you could slip the 31st of May, because slipping the 31st of May is better than giving Congress something that doesn't work, that it doesn't match.

THOMAS RICKERT: We'll look into that. Understood. Great.

                    So next is Matthew.

UNKNOWN SPEAKER: (Off microphone.)

THOMAS RICKERT: No, but we have a queue, Roelof. You're not next.

UNKNOWN SPEAKER: (Off microphone.)

MATTHEW SHEARS: Matthew Shears, for the transcript. Sorry Roelof.

So I think we can -- I think there are some things we can do, as we've been suggesting.

I share the concerns about the time line, as everybody else does. We -- we're working to a deadline that we really can't mix -- mess with. So Brett's made some suggestions, Malcolm made some suggestions as to how we can use some of the dates and perhaps push some forwards and backwards a little bit.

I would -- I would like to suggest -- and I know some -- I think, Thomas, you mentioned doing this on an iterative basis.

If, as much as possible, we can cluster the recommendations when they've been redlined and forward them to the CCWG to review, prefer -- ideally, it would be a recommendation-by-recommendation basis and I recognize that the time line may not work in that case, but I think it would certainly help us in terms of our review if we could cluster the recommendations in redlined versions so that we see it more on a rolling basis than in one great batch at the end. Thanks.

THOMAS RICKERT: Thanks, Matthew. And that -- you know, we will try as much as we can to do that, but we have to follow a little bit the advice from the lawyers and also the CWG.

I should say also you may remember that when the CWG sent its letter confirming that the requirements had been met, they had that letter drafted by the lawyers, so the lawyers checked our report, checked the CWG requirements, and confirmed consistency.

So we will do exactly the same exercise with this.

So we will have our lawyers confirm that the bylaws contain what we had in our -- in our proposal, you know. So we -- we will try to establish as many levels of reassurance as possible.

Next is Andrew, please.

ANDREW SULLIVAN: Thanks. I am Andrew Sullivan, and much to my chagrin, I am not a lawyer, and one of the things that I have learned as a humble geek is that when you give your lawyers a specification and ask them, "Please implement this" and they tell you, "This is how you implement this thing," then what you have to do more or less is take their advice.

Now, I think this CCWG really does need to go over those bylaws carefully, but we have the dates here and we have absolutely no flexibility of the time line.

So while I, just as much as the rest of you, am uncomfortable with these dates -- for instance, the 8th of April is the end of the IETF meeting and I will not really have a lot of energy to do this, I'm going to do it anyway, because the fact of the matter is we cannot mess with these dates. And I think that this is a critical thing.

I appreciate how uncomfortable it is to have this kind of time line with such complicated things, but we don't have any choice, and since we have the dates now, I'd just urge everybody to reserve the time and put it aside because we've got to do it given this -- given this schedule. Thank you very much.

THOMAS RICKERT: Thanks very much, Andrew.

Alan is next.

ALAN GREENBERG: Thank you very much.

We had a confirmation on Friday and again in the chat today that the list for the oversight group would be a public -- would be publically readable and one could subscribe so it could be pushed.

I'm presuming there will not be private -- private chat -- a private oversight list in addition to that. Therefore, the oversight list will be the vehicle by which the oversight people get pointers to the draft bylaws as they come from the lawyers. Anyone can start reading them at the same time, given that.

So that -- well, it looks like I'm wrong but I'll -- let me finish and then you can correct me.

We also have the opportunity of the public comment to point out egregious errors.

UNKNOWN SPEAKER: (Off microphone.)

ALAN GREENBERG: Now, it would be nice if we don't have any at this point but that is a window. Thank you.

THOMAS RICKERT: Thanks very much, Alan. And you can rest assured that this will be a public list, so that people can subscribe to it. It will be archived. And certainly there will be links to the documents as they are produced, so that the -- the community can fully follow the process.

I would like to close the queue after Roelof, but let's hear Greg, Kavouss, and then Roelof.

GREGORY SHATAN: Greg Shatan, for the record. I'd like to mention that I am part of the bylaws drafting team, although with my CWG hat on, rather than my CCWG hat, but I assure you I will be wearing both hats in reality.

I hear the concerns in the room and I feel your pain and will probably be bearing more of it than anybody, or only a few who are in this room who are facing in the opposite direction or in the front row.

So I think all of us bear your weight on our shoulders as we move forward.

So I think that there is a lot of goodwill to get this done right the first time, and I've seen that on the part of ICANN staff and ICANN legal.

I think we all understand what's at stake here and how this community needs to move forward.

In response to, you know, one specific point in terms of rolling out bylaws on a recommendation-by-recommendation basis, there's -- I've seen a very early analysis of what needs to be

changed where, and some of the bylaws are affected by as many as four, five, or six recommendations, so you can't really roll out on a recommendation-by-recommendation basis. On the other hand, I think it's clear that we can provide a roadmap so that if you want to see all the places where Recommendation 8, for instance, you know, affects a bylaw -- affects the bylaws, you can see that, and if you want to see all of the recommendations that affect Article 10, you can see that too.

We'll -- it's going to be transparent in that way. That won't be difficult. But I think that, you know, we need to proceed with grace and goodwill, and I thank Grace in particular for all of her help, as we move forward.

So I thank you and look forward to the sprint.

THOMAS RICKERT: Thanks very much, Greg.

Kavouss?

KAVOUSS ARASTEH: Yes. I think there's some missing date within bullet 4 and 5, in regard to bullet 4 and 5. How much time CCWG has to finalize the public comments? 15 days? Ten days? Because you said

draft bylaws are a possibility and then approval of the board. Board has half a day? One day? Two day? Five days?

So could you please clarify the maximum time that we have available for the checkup of the public comments. How many days?

And then why NTIA need 15 days to submit that? They need 15 days to check the bylaw? Why we don't need that 15 days to check the bylaws ourselves? So, quickly, not -- make a little bit trade-off and reduce the time that we need instead of 31st -- 15th of June, we say the 8th of June. Why we need to do that one? So the issue is not clear here.

My question and my concern is how much time we have available in CCWG to check the public comments. We should not rush again, as we did several times. And we should not reduce it to one week. We should have sufficient time in order to check the public comments, their consistencies, their validities, their coherence to what we have asked them.

So, please, could you kindly clarify that, the time that we need and the time that the board needs. There is no mention of either of these two times. Thank you.

MATHIEU WEILL: Thank you very much, Kavouss.

So obviously we're operating here with constraints that are beyond our own remit. We need to coordinate with other groups, NTIA, the ICANN board. So everything we're hearing about how we could adjust the dates to get more time is something we'll get back to them as we get organized as a larger group to finalize this.

In terms of time for public comment and how we would organize, honestly, we haven't looked into that yet. So I take your point. I think it's an action item for us to start planning for that more carefully. And as you said, this will be analyzing whether the comments actually highlight an inconsistency with the report or comments that re-litigate previous discussions, but that's something we will need to be doing very carefully. That's extremely important to protect the integrity of the process. So we will try and dig into this much more. I think this is a good comment. Thank you very much.

THOMAS RICKERT: Thanks very much. Roelof.

ROELOF MEIJER: Thank you. Roelof Meijer for the record. How much time do you take to check your car after an expert has fixed it?

I think we have -- how many legal teams we have working on this? Three? Five? Ten?

[Laughter]

So I don't want to be cynical, but I think what will happen if we extend this period from one week to two is that we will -- we'll talk and exchange emails twice as long, but it will not add to the quality of the outcome. I'm convinced.

So, Mathieu, I don't agree with you when you see one week more significantly enhances the chances of success. If that's the case, we should take that week. But I don't think it will be the case. It will just give us more work. But if we trust our legal experts and if we trust the team that is working with them, then there's nothing we can do when we get it back than read it and not understand it.

I won't understand it. It's experts that are writing it. What can I do to improve it or to say it's wrong? So it's just going to be a waste of time.

And if we are convinced that it will significantly increase the chances of success, then let's take a week more. Create it somehow. But I don't think that will be the case. We will just consume more time.

THOMAS RICKERT: Roelof, I think what we have in front of us is -- look at it like a software project. You as the customer --

UNKNOWN SPEAKER: (off microphone).

THOMAS RICKERT: No, you have a feature list that those were our requirements. We have our requirements in our report. This now goes to the experts for implementation.

And then during the acceptance procedure, you wouldn't rewrite code but you would see whether -- you would tick the boxes where all the features are in there.

So I hope I have made sufficiently clear that this is not a community-wide wordsmithing exercise. If it were to be that, we should better give up and spend our time otherwise.

But we have promised to the community that they would have an opportunity to review. I think this adds to the legitimacy of the process so people need to see whether their special interest features are included in the report. So I think we shouldn't question the community review as such. But I would fully concur with you that we should not make this a re-litigation or wordsmithing exercise.

ROELOF MEIJER: If I gave the impression that I was questioning the community review as such, I was definitely not. I was referring to the extra week for us to review the work of the team.

THOMAS RICKERT: Thanks, Roelof.

So I think we have a good overview of the situation in the room. We will further work on this. Work is, basically, continuing, like, now. And we will keep you apprised of all the new developments on this and publish new time lines if and when we get them.

Next agenda item will be chaired by Mathieu.

MATHIEU WEILL: Thank you, Thomas. We've been focusing a lot on the bylaw drafting exercise as a whole. We've also agreed on Friday that we have a specific implementation to be done on the IRP which goes beyond the bylaw drafting actually because there's rules of procedures; there's selecting the panel.

We have set up a group for that purpose. And I think the idea here is that we are all reminded that this is also a track of work that is going to be active -- re-activated at least for the bylaws

and also for the next steps. So probably an information that Becky who is heading this as well will convene the group rather shortly to resume work. And we have already received from our lawyers draft bylaws on that section, so that's going to be part of their tasks over the next few days and weeks to review that -- the whole package. Get the bylaws done will be the priority, the top priority, and then move on to the next items.

Becky, would you like to add anything to that? No? That's a short agenda item.

And with the budget, the bylaws, and the IRP, we have our three main tracks at the moment for implementation. There will also be some work on the Recommendation 8, request for reconsideration to be expected and some extra work that will kick off in time slightly later because I think with that, we are already way over our heads with the workload and definitely we need to focus on the critical path.

So with that, I think this concludes our agenda item on work stream 1 implementation. I'm handing over to Leon for the next steps on work stream 2.

LEON SANCHEZ: Thank you very much, Mathieu. This is Leon Sanchez.

In regard to work stream 2 planning, we are releasing a call for volunteers, we have reached out to the chartering organizations because we need their guidance on whether the volunteers that have been appointed as members or those who are actually participants of the group still want to continue in that role. So we are asking that the chartering organizations confirm the current participants in the group or they appoint new participants that would, of course, replace the participants that have been working so far on the work stream 1 part of our work. So this, of course, is an ongoing process. We will be waiting to hear back from the chartering organizations.

But we still have to populate the different working groups that will be taking care of the different issues that we -- that we included as part of our work stream 2 planning, annex 12. Just as a reminder for those who are maybe not aware of this list of topics, we need to populate groups that take care of diversity, transparency, the staff accountability, SO and AC accountability, jurisdiction, human rights, and the role of the ombudsman.

So these are the groups, the working groups, that we will need to populate. How we're going to organize the work of each of the working groups, of course, it's still under discussion; and we expect that the working groups will be able to actually organize themselves and provide their own working methods. And I think that we would like to listen to your thoughts, if you have any

suggestions, as to how we could approach populating the groups and, of course, carrying out the word -- the work of these working groups forward. It will be very useful to listen from people in this room.

So I would like to open the floor for comments at this point. Any comments? Okay.

So I have a question from David McAuley. He's asking what time line the co-chairs envision for chartering organizations' feedback and populating working groups? We would expect chartering organizations to come back to us as soon as possible. I mean, of course, we do not have a deadline for the chartering organizations to come back to us. But we would expect that we would hear from them within the next two weeks at the most so that we can actually begin working on our work stream 2 issues.

I have Kavouss' hand raised. Kavouss?

KAVOUSS ARASTEH: Yes. With respect to the reply from the chartering organizations in relation with the members, could we put it in a more simpler manner? Unless otherwise indicated within 15 days, it is understood that the membership remain the same. Put it in a default position. It's much maybe simpler. It means they

confirm. If they reply, that have to say what are the changes. That might be simpler. Thank you.

LEON SANCHEZ: Sounds like a good suggestion, Kavouss. Thank you very much. I think that this has already been sent to the chartering organizations, right? Yeah, this has already come to the chartering organizations. So we can't do as you suggest. But for the next time, we will surely take that into account.

Next in the queue, I have Cheryl Langdon-Orr.

CHERYL LANGDON-ORR: Thank you. Cheryl Langdon-Orr for the transcript record. And Alan has specifically asked me to inform you formally in this way that we in the ALAC are maintaining our membership. So tick that off from that as a chartering organization. Sorry. It's just you're going to have to put up with me even longer. So it's continuity exactly as you were suggesting.

That's confirmed from the At-Large Advisory Committee. They had their membership meeting earlier today.

LEON SANCHEZ: Thank you very much, Cheryl, for this communication. Note is taken.

[Laughter]

Note is taken that I'm not released.

[Laughter]

Of course, that's a joke. I'm happy to do the job.

Well, note has been taken. The ALAC membership has been confirmed for this working group.

And next in the queue, I have -- I see Steve DelBianco's hand on the AC room, but I also have (saying name). Just go ahead.

UNKNOWN SPEAKER: Thank you. I think we all suffer a bit from the flow of mails in these working groups. It's just me?

[Laughter]

I have had two computers breaking down.

No. But maybe we should think about a way of using something like Base Camp or something like that. That would enable us to follow the topics from first letter to last letter in each topic. I think it would be more rational because this mail list is in a way excluding because we don't know where a topic starts. We don't know what argument that has been put forward.

Base Camp is a great program. I'm not a reseller, but it is very easy because then each topic goes, you can follow the chronology all the way.

LEON SANCHEZ: Thanks. I guess this is a good suggestion. Thank you, of course, for that. As we have done with other working parties within our streamline of work in the CCWG, we will be setting up independent mailing lists for each of the working groups. So you will receive only those mails that are of the interest of your working party.

And I guess within each of the groups, they will be able to actually set up the tools that best assist their working methods. So I guess Base Camp is, of course, a viable solution for those who are comfortable working with Base Camp. But I think that should be up to the groups to actually choose whether they want to set up a Google Doc or Base Camp or just plain discussion on the mailing list. That will be up to each of the working groups.

GRACE ABUHAMAD: Leon, this is Grace from staff. We can't do Base Camp. There are certain tools that we are provided with at ICANN for staff support; and Base Camp unfortunately isn't one, although I have

used it and it is great. We have accessibility to Google Docs for collaborative drafting, but really the official tool is still the community Wiki, even though it's clunky, and the mailing lists, even though those are also clunky.

So we'll be working to improve the online services, but right now we're still kind of squeezed.

LEON SANCHEZ: Thank you very much for that clarification, Grace.

Next in the queue I have Steve DelBianco.

STEVE DelBIANCO: For the members and who they are, let's keep in mind that the chartering orgs have always been free to recall or replace any of our members at any time. And us giving them some 15 days to confirm is not going to work. Let's just assume the members are the members until told otherwise so that we can continue the work as if there is nothing changed, realizing that now we've given notice to the chartering orgs should they wish to replace any, they can do so at any point in time. I think we have given them a heads-up that the only responsible way for us to behave is if the people in the team now, members and participants, grind it out as if they're going to be appointed until told otherwise.

LEON SANCHEZ: I guess that's perfectly right, Steve. Thank you for putting it that way because I think it's very clear. Unless we have signals from chartering organizations to replace any members, then everything stands -- or continues as it stands.

So any other comments? Any other comments? I don't see any questions remaining on the chat box. And I don't see any hands up either -- oh, Brett. Mic's coming to you.

BRETT SCHAEFER: I'm sorry. Could you perhaps elaborate a little bit more on when you expect things to get started? I know there's informal or sort of spontaneous discussions going on on work stream 2 amongst the people that were working on these issues already. But when do you envision actually commencing the formal process for work stream 2 language, work stream 2 bylaw drafting, work stream 2, all that sort of process, are you waiting to see after the public comment period? After the completion of the drafting of work stream 1 activity bylaws? When is that, I guess, going to formally kick off rather than in sort of the informal fashion that's going on right now?

LEON SANCHEZ: Thanks, Brett. I guess we need to conclude our implementation phase to actually provide space and air to everyone that will be working in implementation to then shift attention to working on work stream 2.

So I guess that --

UNKNOWN SPEAKER: (off microphone).

LEON SANCHEZ: Exactly. We would expect by June we would be kicking off formally the work on work stream 2. So that would be an approximate time line for us to actually kick off work stream 2.

Kavouss, you raised your hand again?

KAVOUSS ARASTEH: Yes. The way that I propose, I want to make it simpler than the way that you propose. But now you propose something more simpler, have I no problem. For three months we don't need to go to the formalities and formalities. Let us put it in this way, the CCWG considers that. It is more efficient to maintain the same membership as before. That's all.

STEVE DelBIANCO: How about the Kavouss/DelBianco plan. How about that?

LEON SANCHEZ: That's perfectly all right, Kavouss. Okay, so any other comments or questions in regard to how we are suggesting to move forward in Work Stream 2? Any other questions or comments on how we are trying to pull this off? Mathieu?

MATHIEU WEILL: Yeah. Can I just re-encourage those of you who may have the language and believe you can advance the background work, the researching, the data collection to really kickstart this as soon as you're available and share it with the group because that's going to also help us identify where we can move fast and where more research is going to be available.   So really encourage the -- this to be done for those of you who have this ability, have been doing that in the past, because that's going to help us kickstart work faster later.   And at the same time, apologies in advance for not being able to follow that through that much because obviously the main group's task as we've seen for Work Stream 1 implementation will be pretty heavy in the next few weeks. But I think maybe we can balance that in a clever manner.

LEON SANCHEZ: Thanks, Mathieu. I have on the queue Jan Scholte.

JAN SCHOLTE: Yeah, hi. Jan Scholte, for the record. Just great to keep the experience of the members of CCWG from Work Stream 1 over to Work Stream 2. But just recalling the request from several other voices in the room for diversity, which I think maybe were misplaced in relation to the implementation because that's not a discussion phase anymore. But Work Stream 2 is a discussion phase and is a time to bring up new ideas. So are there going to be proactive efforts of the kind requested earlier on the diversity front in terms of the participation? Perhaps not the membership but the wider participation in Work Stream 2.

LEON SANCHEZ: Yes.

UNKNOWN SPEAKER: (Off microphone.)

LEON SANCHEZ: Exactly. Exactly. That's called for in Work Stream 2. And so, of course, work and working groups will remain open for everyone that wants to participate and everyone that wants to contribute. I would definitely encourage those people that volunteer for

each working group to reach out to their own communities and pull in as many volunteers as they can. So, I mean, we can, of course, try our best effort to reach out to as many communities as we can, but if you can help us with that, if you can actively and proactively as Padmini suggested could -- you could actually reach out to your own communities and pull them in to this wider effort that would be most welcome. Mathieu?

MATHIEU WEILL: Can I suggest that we take an action item on that with this call for volunteers. I'm sure ICANN's global engagement teams are going to be all around the world discussing about the transition and the arrangements that have been agreed to in the next few weeks. I would like to add a specific request to that team that they specifically mention the upcoming Work Stream 2 items and the call for volunteers so that we get more volunteers, more fresh blood into this new discussion phases. And we are -- so we'll ask for the global engagement team, I don't remember the exact name, to provide us by email simply with a -- a short list of what their plan is for the next few weeks where they would advocate this. Is that okay, Grace? You think that can be done?

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: To some extent. Well, that's a good answer.

LEON SANCHEZ: Thank you, Mathieu. Thanks, Mathieu. So -- yes, Thomas.

THOMAS RICKERT: I think this -- before we move on with the queue, I think these are excellent points. And particularly with the point of diversity, it would make us look extremely amateurish and bad if the diversity topic were discussed without being -- following diversity standards, you know. So if at all, that's one point where we really need to be excellent, you know. We need all of you with this.

LEON SANCHEZ: Thanks, Thomas. So I have a queue. I have two ladies and two gentlemen in the queue. I suggested we go with the ladies first. And I have -- I'm sorry? So we'll go with Olga, then with Valerie, then with Sebastien and then with Niels, and then I suggested we close the queue and then we move forward to our next agenda item. so Olga, please.

OLGA CAVALLI: Thank you, Leon. For some reason I cannot raise my hand in Adobe. It's not working for me. Thank you. One question. I had to go out for -- attend a call so maybe I missed something. The first phase had kind of a formal group membership and some other participants, and we experienced a very good exchange of participation among all of us. But for some issues the formal participation was relevant. For example, for some meeting my area to report, I did it in the -- on behalf of governments on all that. So will that formality of the formal group will stay, will it be more open? So I think it's a good thing to explain.

And also I agree with diversity. As you may have seen in the minority report, we could gather a lot of attention in Latin America and the Caribbean region, but we still have a way to go there. Thank you.

LEON SANCHEZ: Thank you very much, Olga. I think it's very valid to verify that. We will continue to work as per our charter, so membership remains the same. We're only providing some wiggle room for the chartering organizations to decide whether they want to replace current members or they want to do nothing. Then if they do nothing, we assume that the same membership stays as it is. So we will continue to work as we have done as per our charge. Next is Valerie.

VALERIE D'COSTA: Good morning. Thank you, Leon. Valerie D'Costa, for the record. This may be a good opportunity as well to raise an issue that I've been thinking a little bit about which is a chance maybe to hit a refresh button on the use of CCWG advisers. There were a number of us, in fact, appointed by the PEG, and this may be a good chance, I think, for the composition of the advisers as well as the way in which they are engaged to be looked at in light of what happened with Work Stream 1 and what could be of greatest value in Work Stream 2. There might be just different ways of thinking about the process of engaging advisers and, in fact, the opportunity to have a slightly more diverse group of advisers in light of, you know, where the group is.

I also think it would be helpful, Leon, for the advisers and their role to be discussed by the community, by this group itself, to be sure that there's a sense of clarity on what the role of the advisers would be. Happy to give you more feedback a little bit later.

LEON SANCHEZ: Thank you very much, Valerie. I think it's a very valid point which the -- the one that you're raising. We should maybe revisit how we're interacting with advisers, how we see their role within our workstream, and how we can better interact with our

advisers. And I think that at this point, since we are looking ahead of launching our Work Stream 2 work, I think it's a perfect time for advisers to actually chime in to our work and let us know which would be the hurdles that we would need to actually deal with as we go into implementation of Work Stream 1 and we look forward to kickstarting Work Stream 2.

So I guess that at this specific point in our work, I guess would be perfect for you to chime in and tell us okay, so with -- you know our working methods. You know that it's challenging at times to work with this crowd, right? It's many people in -- there's many people in the room, many point of views, very diverse stakes on table, so I guess -- I mean, you're -- you're as always welcome to provide your inputs, but yes, I think that we should definitely provide some feedback from the group as to how we see our future interaction with advisers and the role that we would expect you to actually have within our work. Thanks, Valerie.

So next is Sebastien.

SEBASTIEN BACHOLLET: Thank you, Leon. Sebastien Bachollet. Diversity is paramount. Diversity in all dimensions, it's important to take into account. And -- but for that we need also to decrease the number of mails. And we may have some rules like two minutes, two time, two mail per day per person, no more, or something like that?

[Laughter]

UNKNOWN SPEAKER: (Off microphone).

SEBASTIEN BACHOLLET: I know that no way, no way, no way. But that's sometime you need to think about what you want to send and you send it carefully and not have too much things to send to the list because if we add to the diversity, we add to the impossibility for some of the new people who will participate to read all those mail and even the ones who are already in the working group, then it's something -- I know that people want to send, to send, to send all their ideas, but maybe it's time to think about how to do that for the best of this working group. And I know that we have already Steve/Kavouss proposal, but I already think that it's time for this group and the membership to rest. Then it's a good thing to ask the SO and AC to think about and not just to tell them okay, keep them on the working group, keep your member on the working group. It's time to ask them if they want, and we need to have that one moment, at some moment in this work, because it's a solemn work and we can't keep with the same people if they don't want. Thank you.

LEON SANCHEZ: Thank you very much, Sebastien. Just I would like to -- if you could kindly clarify because the transcript record shows that you are suggesting to diminish the number of "males" as in gender, so --

[Laughter]

MATHIEU WEILL: Which might be a good idea, by the way.

LEON SANCHEZ: Okay. So I guess -- I guess -- so I guess --

THOMAS RICKERT: If you want to decrease the number of males how would you go about with that? That would be my question.

LEON SANCHEZ: Bring more -- let's bring more beauty into the room. That will be easy.

Okay. So next I had someone on the queue but now I don't see that hand anymore. And it's -- it's raised again. It's Niels Ten Oever.

NIELS TEN OEVER: Niels Ten Oever, for the record. Thanks very much, Leon. I have a very short question.   So while we'll be working on the preparation and homework, as you called it, for Work Stream 2, where do you think is the most apt place to communicate about this? Do you think that the sublist for these groups will already be set up and we should be working there or we should feed that in the mail, in the central mail list where it might get lost or we might post it on the wiki with the work of Grace. Where do you think would be the most effective way of leading into work that has been done, seeing what's going on in other parts of the community and feeding that to start Work Stream 2 in an informed manner?

MATHIEU WEILL: We take the question. I have fiery eyes from Grace and Hillary, like, don't set up all these emails. We're not going to be able to manage everything. And so I think we need to have a quiet discussion on the mailing list with staff to see how we can organize this and support it adequately, first. But this is -- this is a key question, I understand. So we'll -- we'll take the action item to come back to the group with a proposal on that so that it's clear where we can have those discussions and how we can support it effectively. But sorry for not being able to answer now, but I think it's best if we take commitments once we've checked visibility.

LEON SANCHEZ: Thank you very much for answering Niels' question, Mathieu. So are there any other comments or questions on this agenda item? Okay. So I guess we can move forward to our next agenda item, and for that I will turn back to Mathieu.

MATHIEU WEILL: Thank you very much, Leon. For the next agenda item is an update on the discussion we started on Friday which was the resourcing discussion with the ICANN board. We had discussed a proposal and approved a proposal from -- from the board about setting up a -- sorry, I never remember the exact name, but a small team that would help -- I mean, would prepare for our consideration estimates and help monitor the costs as they're all along the life cycle of our group. The pilot concept was to appoint four people. My understanding is that during this week three of them were named and appointed. One of them is Bernie for our group. And so I know they've had a first meeting, staff meeting yesterday, nothing we could attend. And so they will be working on helping us and asking us questions that will help us finalize within three to four weeks an estimate of the fiscal year '17 costs and resources needed for our group so that it can be integrated into the budget for -- into the ICANN budget. The draft fiscal year '17 budget has been published. I think it

was last Friday. It does not yet incorporate this information obviously. But since it's a public comment, it's the perfect timing to provide that input and integrate it into the next iteration of the budget.

So we know this team is being set up right now. We are going to be asked a number of questions, but I think with what we had highlighted on Friday, which was to -- that we will continue to need legal support but we'll review whether we need two firms, review some of the arrangements we have with them to maybe optimize the costs, and we will keep meeting around the ICANN meetings so that we optimize also the travel costs and everything instead of having face-to-faces as well. And that's the main -- and, of course, we will still need significant amount of very, very high quality staff support. Thank you. Grace, Hillary. Alice is on the CCT meeting right now. Brenda. I'm not seeing Brenda, but she's around. Karen. Yes, Karen has started supporting our team as well. So that's -- that's the kind of support we're talking about. We'll iterate with this team and update the full group as this discussion progresses over the next three to four weeks. It's not going to be our top priority, but I think we should not let that too much in the background because it's -- it's quite important for the future of our group. We need to ensure we've got proper resources and we need to

ensure we are financially responsible in our way to plan the work of our group.

Are there any questions on that aspect, on that small update? No questions? That's very good. So I'm turning now to Thomas for our last agenda item almost.

THOMAS RICKERT: The last but one agenda item and that is the certification of legal work. I guess you got the message already when we discussed our next steps, but just to be very precise on this, we're -- we are certifying two different things with our lawyers. One is the certification of the bylaw drafting process. We received a quote for that which we've asked for a couple of weeks back. So we have an indication of what the cost would be, for cost control purposes. And the second certification is for the lawyers to review the bylaws when they are finalized and confirm consistency of the bylaws with the report. So those are -- those are the two areas.

We will keep you appraised of further certifications for Work Stream 2, if and when they are needed. But those are the two certifications that we have done recently. And with that, we can move to the last agenda item which is going to be chaired by this empty chair next to -- next to Mathieu, isn't it?

UNKNOWN SPEAKER: (Off microphone).

THOMAS RICKERT: Mathieu has to do it.

MATHIEU WEILL: Okay. What's this agenda item again? Oh, yes.

THOMAS RICKERT: Closing and congratulations.

MATHIEU WEILL: Closing and any other business.

                         Is there any other business, first, before we close?

                         I'm seeing none.

                         So I think the -- this is quite an interesting point in time for us.
                         It's been -- it's been quite a ride. And I want to say that at this
                         point where we are closing the Work Stream 1 recommendation
                         phase -- and once again, it's only a milestone, but what a
                         milestone -- I am incredibly proud that we've managed to stay
                         together as a group, and I want to really emphasize the pleasure
                         I've had -- and I think I'm speaking for the co-chairs and

everyone -- of engaging with each and every one of you and getting this dialogue that was critical in finding common ground, bridging the gaps that obviously we have and we've had, but trying to maintain this into a respectful, friendly, warm atmosphere that has been the characteristics of this group all along.

Of course we've had periods of tensions. We've had disagreements. There's been some fights.

[Laughter]

MATHIEU WEILL: But only outside of this room, obviously. Nothing within here.

[Laughter]

But I think we're coming out of this much stronger as a community, because although we've had this disagreement, we kept the dialogue running, and I think that's really extremely important. And I'd like to express my warmest thanks to all of you.

An amazing team was formed in this process with the rapporteurs: Jordan, Becky, Cheryl, and Steve. We did not design anything in this team, but it was incredible that there was so much who were sort of complementary all the time and when

everyone -- when someone was a little bit feeling down, then the rest of them was, you know, pulling everyone up together. We had incredible moments.

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: And three times the calls, but that's why we had incredible moments.

[Laughter]

And we had the benefit of, I mean, outstanding staff support. Really, I don't know -- if I was able to speak in French, maybe I could better words, but Alice, Grace, Brenda, Hillary. Hillary -- Hillary is wonderful in drafting and in communications. She's been able to tell us --

[Applause]

The good thing about this staff -- and obviously Bernie's not in the room but he's been heavy lifting, I mean, the third and fourth report almost -- I mean, he was everywhere. I know he had support, but he was everywhere.

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: Yeah. We had Adam Peake and Barry Cobb in the first place, which are --

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: Oh, yeah.

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: And the good thing with the staff is that they earned our trust because of two things. They delivered and they were able to tell us when we were going in the wrong direction. And that's, I think, an extremely, extremely valuable characteristic.

Now, we've also had the benefit of, I mean, the ICANN meetings, and Nancy and her team have been absolutely going at length for managing our last-minute requirements, setting up a meeting here, another here, with three weeks notice.

We might not always see it, but it's -- it's outstanding what we had been benefitting from ICANN. So I think --

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: Yeah. Translations are -- I know there's been some critics on the delays for the translation lately, but I think Grace was saying that at some point almost a hundred translators had been working in parallel to provide the translations, and if you look at the time, the lead time before -- between finalization of report and publication of translation, this was -- we -- I mean, we really broke records here, and that's -- we set precedent for a number of things as a group and that's just outstanding.

And finally, I just -- there's just two people I want to single out here.

One is here and that's Magic Leon.

[Laughter]

He's outstanding. He can --

[Applause]

His ability to get everyone comfortable in speaking up on difficult topics, I mean, he's -- he managed the human rights group, he managed the diversity and accountability groups. He delivered all along with this -- always this kindness to people that is in the Latino spirit.

[Laughter]

Don't get the credit. It's for him. It's just him.

[Laughter]

And that's been amazing. And Thomas -- Thomas -- Thomas is the brave. He had the courage to stand firm to this group and to the outside, took the hits sometimes, stood up and went on. And I am -- I have learned a lot from your ability to convince -- I mean, you almost -- you almost convinced me to become a member of ECO. I mean, how hard can this be?

[Laughter]

And he's amazing in his ability to listen to people, engage in the meetings, outside the meetings. I've learned a lot from you, Thomas, on how to run such a group, so it's an incredible ride and that's actually the most unexpected outcome from these meetings. There's a lot of things that were unexpected in this process. Not everything went according to plan. Not everything. But the friendship with these guys is the most valuable thing

that I'm taking from this group at this point, and I'm happy to continue.

THOMAS RICKERT: Before you -- before you clap, this gentleman sitting between us, he's combining the best of what the two of us have, right?

[Applause]

And one thing I've -- one thing I've learned from him, which I tend to neglect over and over again, is a good project starts with a spreadsheet.

[Laughter]

LEON SANCHEZ: Yeah. I learned to use Excel.

[Laughter]

UNKNOWN SPEAKER: (Off microphone.)

MATHIEU WEILL: We have a queue forming. Kavouss and then Roelof.

[Laughter]

KAVOUSS ARASTEH: Yes. I think I start in July 2014 in London, a member of ICG later on and liaison of ICG. It was a long journey. Difficult. We disputed with each other. We agreed with each other. We discussed with each other. We agreed to disagree with each other. And we remain friends. We don't want to talk about ourselves. That was a collective and collegial work we have done. Credit goes to the entire community. Not any individual, not any specific person. Not only members of CCWG, but entire community to in one way or the other way they contributed directly or indirectly to the matter.

I understood, co-chair, you will be called on the podium this afternoon, if I'm right. Please kindly clearly mention the sincere appreciations to the entire community for their contributions. We don't want to limit we admire ourselves.

With respect to the staff, you should put it in a more emphasized way. They really work considerably. Beyond the call for duty. They were ready at any moment to reply to any type of requests, requirements, documents, and so on and so forth.

One thing, Mathieu and others, please kindly also mention the considerable amount of work done by the board during this period. So many meetings. Recently they had two meetings per week and they have long hours of discussion and so on and so

forth. And good advice has been given to us to tell us what is workable, what is not workable, and changing from the sole membership -- sole designator was the result of those discussions that they said that this is something which is workable and we had a very good collaborations and we have to mention that. I'm sure that if you don't mention that, no one will mention that.   Please kindly specifically express the appreciations of all of us to the board members, those who have been in the meeting, those who have been outside, and the chairman of the board, and that is a good way of working.

I think we are all happy that we are together, and I think we have to continue together to end up these big steps. Thank you.

UNKNOWN SPEAKER: (Off microphone.)

ROELOF MEIJER: This is just to you, co-chairs.

I know that you've been at the receiving end of our frustrations, so to speak, quite a few times, and I think that sometimes you were even personally insulted by a few of us.

I think you did a marvelous job. You're one helluva team, and I would propose you for any helplessly impossible ungrateful job anytime.

[Laughter]

ROELOF MEIJER: Thank you. It was very educating. I've learned a lot in this process. Kavouss mentioned we agreed to disagree, but I think the other situation that we encountered probably even more, where we disagreed to agree, that we came out of those, I think, is mainly to your credit. Thank you.

[Applause]

THOMAS RICKERT: Malcolm, last word.

Sebastien?

MALCOLM HUTTY: Thank you. You'll forgive me for taking the mic, but earlier in today's meeting, I had occasion to speak in a way that was challenging to the co-chairs, and I don't want to leave this at this time with that tone.

Today really needs to be or should be a day for enormous celebration and enormous satisfaction and great gratitude for what we have done and for what our community members have done for us, and most of all our leaders.

I have never been -- there will always be -- there will be people outside this community that have wanted this process to go through and get done as soon as possible. I have never been part of that. My support for this has always been conditional on getting it right, and there has been, I, know many others that have always had that conditional level of support. It needed to be something that we could get behind.

Well, we have done that, and that is an enormous achievement to have brought the whole community behind this proposal when there were so many that had real concerns as to whether it could be done or could be done in a way that was satisfactory, and you should be incredibly proud, not just of having gotten something done but of having gotten something done that we can all support.

My enormous thanks to you all and also to the other leaders. In particular, I think that the -- in particular, Becky and Jordan, the amount and the burden that has been laid upon them, they do not have co-rapporteurs and I really hope the rest of the

community will properly recognize the enormous debt that is due to both of them as well.

Thank you to you all and thank you to the entire community.

[Applause]

THOMAS RICKERT: Sebastien?

SEBASTIEN BACHOLLET: Thank you very much.

I wanted to add that you thank the community, you thank us for the work we have done, but you are the one who make it possible. You jump from the building, the highest building in the world, and you didn't know where you will land, if somebody will be there to take care of you.

Why I say that, it's not just because of the work. It's because of the process you decide to follow. It's the first time in ICANN history that you decide to include everybody at each time in the discussion. It was painful. You get some pushback, including by me, on that issue, but you keep on doing it and you've done it very well.

You are the -- how would you say in English -- the image we need to keep for the working group in the future as a working method.

It was not easy because you don't have the tools to run such a large group, ICANN don't have tools to run a multistakeholder gathering to try to find consensus, we don't have the tools, and you have to invent both the process, the tools to be used, and to tell us "You need to do that in that way."

It's something I -- I can tell you that it's enormous and very, very good. Thank you very much for that.

It's even more than what we deliver. It's how you help us to deliver it.

Thank you very much, both of -- you three, please.

[Applause]

THOMAS RICKERT: Thanks so much, Sebastien.

Now, the final question for this group is: How are we preventing you from going depressive on Tuesdays?

UNKNOWN SPEAKER   (Off microphone.)

THOMAS RICKERT: How are we going to fill this gap?

And we might apply for -- you know, we might apply for some funds with Xavier to set up an Internet radio station which is called "Radio CCWG," where you can listen to MP3s of our calls 24/7, right?

[Laughter]

UNKNOWN SPEAKER: (Off microphone.)

THOMAS RICKERT: And with that, we can adjourn and close the meeting. Thank you all so much. Make sure you're there in the afternoon for the board meeting, and after that, we're going to have our own little celebration at the cocktail, right?

[Cheers and applause]

[END OF TRANSCRIPTION]