GNSO – ICANN Nairobi Meeting
Non Commercial Stakeholder Group Meeting (NCSG)
09 March 2010 from 09:00 – 17:00 local time

Note: The following is the output of transcribing at the NCSG Meeting held in Nairobi on Tuesday 09 March at 09:00 Local time. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

Woman: Okay. Then starting at 12:15 until lunch time basically start on the set of policy discussions on things that are going on at the GNSO at the moment - vertical integration, new GTLB policies, post expiration domain name recovery, WHOIS policy and I don't have names besides these.

But I'll be looking either for the people who are participating in the working groups or members of the council who are willing to tackle it to basically take the lead on these discussions. I certainly don't want to talk all day and you certainly don't want me to talk all day and Robin doesn't want to talk all day.

So hopefully people will jump in and if on any of these topics you're already to put your hand up, let me know. We have lunch break - yes, also registration abuse policies and GNSO improvements. And that's sort of the list. Now this discussion obviously won't end in 45 minutes.

Basically continue it after lunch and then having done that after lunch then basically planning for the future and assigned statements and board and GNSO public forums. I don't know if we'll have any of that but if we decide that we're making particular statements then 0come up with teams that will make statements on particular topics from the day.

And then I started a table but haven't gotten very far in terms of making sure that we have got as much as possible somebody attached to every working team and working group. So some time during the day I'll get that table filled in on one side that has all the working teams and working groups and then we can spend some time and figure out who is doing that one, who is covering it, find out where we have gaps, anything like that.

That's the agenda for the day. Anyone want to suggest any changes, any additions, deletions or is that the agenda we should go with? Okay. So we'll go with it. Okay. In which case, going back to the first thing - basically this is sort of the process constituency stakeholder group's business.

So the first thing is moving forward with the NCUC/NCSG transition. One of the questions that sometimes comes up is well, we're still waiting for the board to sort of make its decisions on new charters on the NCSG flat model versus the NCSG model that looks like the CSG with very strict separations between constituencies.

There has been certainly interest and you probably should talk about this rather than me in terms of NCUC's view of what happens if we get the NCSG charter that doesn't require fortress NCUC, fortress consumer constituency, fortress what have you but is basically the flat structure of cooperating interest groups.

So and there has been discussion that NCUC would as I understand it, basically devolve into many interest groups that were smaller but of course NCUC can't do that until a new charter is approved that enables that. Obviously NCUC can't devolve into smaller groups if there are going to be new constituencies brought in that do that. So I don't know if you wanted to talk about that. Yes. Please.

Woman: Yes. It seems like we have kind of been in the position in the past where we have all got very diverse interests and come from very diverse places and from different perspectives.

And we have all been forced into one constituency, the noncommercial users constituency in the past. And we weren't allowed to split up, we weren't allowed to splinter off into more distinct groups and so now we are in a position where the fact that we're all one group is being held against us.

So we really do need to move forward with this plan to try to not dissolve but splinter off into different interest groups depending upon what our issues are individually that we care about and we want to work towards. But we can't really do that quite yet because we don't know what the overall stakeholder group charter looks like.

And so it's sort of like we can't imagine we're like swinging on vines here and we can't let go of the branch we're hanging on to unless we know what we're reaching for. And we're not there yet because we just haven't gotten that feedback yet from the board about the overall stakeholder group charter and how to set that up.

So but we do need to start talking about how to splinter off into the different interest groups depending upon what people are interested in. We have got several that we put into our proposal that we submitted to the board at the end of the last meeting and we have had some progress on a number of at least the consumer constituency proposal.

But there are others. I think there was a philanthropy one and freedom/civil rights sorts of issues. So moving the ball forward on that, how do we do that? So that's something that we need to talk about particularly with respect to the proposal that we put forward to the board in October because until we hear otherwise I feel like that's sort of the model that we need to be operating under and hopefully we can get some more information from them today

when they come in to talk to us to let us know what their thoughts are and how to move forward.

So but I think this is a really useful discussion for us now so we can sort of prepare ourselves for that discussion in terms of because I'm sure they're going to have questions for us about how do we want to move forward and how do we envision NCSG and particularly the evolution of NCUC into a variety of interest groups. So I just want to open up the floor.

Avri Doria   I just wanted to let Bill know where we were on the agenda. We basically went through, we did agenda review and we're now on the first item, which is how to move forward with the NCUC/NCSG transition.

So does anybody - I mean is there anything? The three items that are underneath that, well, one of them is the developing specific interest groups. That refers to the proposal that where there is a working draft, which basically has been open for comment for several weeks now and I don't know if there is anything there that we want to talk about some more if people have questions on that.

We have seen that somebody was able to take it. Alex was able to take that particular process and has submitted an SOI based on that process. And just to let people know where we are on that, my next step was to basically get the NCSG executive committee, which works on a full consensus basis, to approve their request to add - they sent me the name of one person to add as an observer to the executive committee and one person to add to the policy committee.

If people remember from that document it's basically a two-stage process. The first stage is an SOI basically where you declare your intention and at that point an observer is added to each of the executive committee and the policy committee and of course observer means you can participate fully

except that when it comes to determining consensus on something your voice is taken into account but can't block consensus.

And then once basically you have been in existence for a little while, you have been participating, you have been participating in working groups, submitting position papers on various things basically they come back to the executive committee and say we are ready for full membership.

We have done this, this and this and at that point they get a full representation in the executive committee and the proposal we have had on the table, that's what's contained in the document that is for review at the moment. So a two-stage - anybody that can get 10 people together, you're in. You're an observer, you have got full participation rights.

And then once you have shown that you're really active then you become a full participant in the executive committee, etcetera. The other things that we have that are just there are sort of various procedures so that they have them for the executive committee. That document is also in review and hopefully hasn't received any comments yet.

I'm going to be asking the executive committee I think it was in about a week to approve it as a draft part of what we would eventually put together to send the structural improvements committee as part of our new charter. So if you haven't read it and you want to comment or if you have read it and haven't gotten around to comment, I'd ask that you do that in the next week or so.

And then the other one was on NCSG voting procedures very similar to what exists in the NCUC where the large members have four, the smaller institutional members had two and the individual participants had one vote and indicating that the vote is used both for determining the council representatives and this is on a flat NCSG basis no matter how many constituencies or interest groups we have.

That that and that the chair in the future as opposed to being appointed from the executive committee would be elected by the whole NCSG on the same voting place that the chair would be a voted in position as opposed to just the executive committee deciding who would do that.

So if you have got comments on that please indicate there. For example, at dinner last night there was one suggestion that perhaps the council members in addition to being on the policy committee, which is the one that they run, should have an observer seat within the executive committee, not something I thought of before. But if that's a good idea then that is something that is a possible change that somebody should suggest on this document. Of course.

Man: So would it help to have - I don't want - would it be helpful to have the NCSG discussion visible on the NCUC Web site too?

Woman: The list for both the executive committee and the policy group are archived and in fact the lists are structured so that anybody can send a message to them but non-members messages are moderated.

At the moment I'm in the - so people see something that they want to comment on they can actually send the list a message and I would then pass it through to the list and it's visible in its archive. I don't know. And some of the stuff is interesting and some of the stuff is just procedural nonsense.

Man: Sure. But it's nonetheless still helpful for NCUC members to have good insight to the discussions that are occurring amongst the EC and the SC. I just don't want to give the appearance that.

Woman: I'm not sure what you're recommending there.

Man: I'm just recommending that we provide, we take that archive and we actually...

Woman: The archive pointer to it or the actual content?

Man: The contents through an RSS feed or something. I mean a pointer already
            but it's already buried six blog posts back.

Woman: Yes. I think doing anything you want to make it visible is a good idea.

Man: Great.

Woman: I would be and I know that I was elected to the EC by the NCUC but I really
            don't want to take up a writing a weekly report of what we're doing
            assignment if I can avoid that. Of course I could ask the other - no, no, no. I
            don't have one of them.

            The other NCUC executive committee member whether he would be willing
            to write up a weekly report or a monthly report. But Milton is not here so it
            would be unfair to volunteer him for that. But I think certainly making it visible
            any way that works is fine.

            As I said, the list is archived. It's open for anybody to read. I did put the
            pointers on the Web site for that and as I said, the list is also open to
            receiving. It's just I do moderate the mail so that if somebody starts sending
            mail that is totally irrelevant to the discussions I won't put it through but then
            I'll send you a message telling you I didn't put it through.

            But okay - any other questions, issues? Anybody else want to talk about the
            moving forward or the NCSG - yes?

Woman: I just want to ask whether the two-line summary that I put into the (chest) is
            accurate, which is that groups wanting to form interest groups start by
            gathering 10 people that 10-person group gets an observer slot on the NCSG
            policy and executive.

And then once it has demonstrated its participation that transitions to a full voting spot? So that's the process that groups like the consumer interest group are starting by gathering that - identifying themselves as an interest group and then starting to work with the policy committee right now. Excellent. Thank you.

Woman: Yes.

Man: I apologize if this is in the document and I didn't read it. How do you define participation?

Woman: You mean for the second stage? Basically a couple examples are given. Participate being the person that is participating in one of the working groups, working teams and doing that, putting through constituency statements.

           In other words when there is a comment period, putting through comments so basically coming back and saying we're participating in the following working groups actively and we have contributed comments on this, this and this and I think that anything is a sufficient indication of you're actually doing something.

           And that's one of the things that I think we talked about is anybody should be able to start but to get full formal status you have to actually show that you're doing it and that you're actually contributing and becoming part of the entity that is the GNSO.

Man: Thank you.

Woman: One thing I want to mention on all of this is with the interest group having been formed by Alex within this, I have sent a message just today but I have sent a message to those who are forming or trying to form the consumer constituency separately that hopefully they and Alex can get together and find ways to work together.

Also I did reiterate an invitation I had made to them in my comments on their charter request and made through Rosemary and also through Rob that any of their noncommercial members are welcome to join the NCSG. They don't have to join the NCUC now that we have open membership. They can join the NCSG and start participating.

I also wanted to make sure that they knew that our meeting today was open. Okay. Anything else to add on those first two topics, the moving forward, the development of special interest groups? I guess we have talked about some. Is anybody at the moment working on the (unintelligible) - thank you. Before you walk out of the room for setting us up with a room and everything. There will be.

So Alex has led the way. Alex has shown to go about doing it in terms of starting specific interest groups. And I'm wondering I mean I have heard talk of a development special interest group, I don't know. How is thinking about that going? Microphone. (Tell us who you are).

(Fawad Bajiva):   (Fawad Bajiva) from Pakistan. I would say that I just need a 101 tutorial on the process. That's all we need. We have this one page from Alex which points out this is what he did, right? And we can use this as a template for forming a group.

So I have two in mind. One is the development one, (to give a peak into that) and then the (free and open source software). It is critical to (success).

Woman: Is that free and open source software a separate interest group or is that part of the development interest group? I'm just asking for clarification.

(Fawad Bajiva):   Yes. I was thinking about that right because it is part of the (core infrastructure) of the Internet. And like for example all the ccTLDs, most of them are using a software called COCO, which is an open source software for managing the (host system). So this comes to mind.

Woman: I would think it fits in there perfectly but I just wasn't clear how you were asking. It certainly is a tool of development so it's right in line with that but I guess it's not the only type of interest that could fit in there. So thank you so much for your leadership in pulling that together.

Avri Doria: Also I mean Alex definitely, the advisor on how these things get done, but also in terms of not so that the whole burden isn't on him, if after you have read through the paper that's on it that's on the Web site, if there is anything I can help with or things to show me where that paper is not clear enough about explaining how to do it, that's probably helpful as well.

(Fawad Bajiva): I also wanted to like - part of making a new working group, it's necessary that we have people in it. It's supposed to be like participating so as soon as we have people interested in it for newer members who want to join the group, so we're still promoting and bringing in more members.

                So to continue that, that would create an interest if we would have focus areas working in it. So I tried to promote that at the fellowship program as well. We are doing that in other places, every country I go to. So we're still working on it. It will take like three or four weeks to get finalized. (Thank you).

Man: So about interest groups, I think I will work with some other people about technical and (academic interests). I hope that if there is anybody interested we can work together.

                And about the development interest group actually with (Fawad) and those I think that it's also interesting in development, development interest group.

Man: I do not make a proposal now how to start with this but I have had over the years again and again discussions with people from different language groups especially when a different language also involves different script.

Of course technically this is taken care of by certain institutions, parts of ICANN but there are not only technical questions. It's also a cultural attitude and question how to use language and so on. And so I think if there would be a broader interest in discussion with some people we might come up with a proposal after some time. Thank you.

Avri Doria: Thank you. The other thing - okay. Yes.

Man: If as I see there are some proposals for interest in submersion that my belief to the idea that we could belong to more than one, is this possible? Okay.

Avri Doria: Basically what was written and this is something that I think still needs to be worked out in the thing but I think we had talked about at various times like somebody could be a member of three, five whatever because voting is not based on an interest group.

                Right. So certainly policy group participation is and a certain amount of executive committee participation is so we may want to decide to limit the number but we haven't gotten there yet. But we had always thought that somebody could be a member of any of them. Perhaps all of them becomes difficult but yes.

                One other thing I want to mention and I'll get back is also and this is one I just noticed today that there is a telecenters - an application from a telecenters community. Now and here is one of the things that I'm not quite sure I understand. Telecenter associations are non-commercial. I'm not sure whether the memberships are commercial or not. I don't know.

                And they certainly applied for NCSG constituency, I think that it's probably good to do a certain amount of outreach and insofar as they are non-commercial to try and get them involved in the NCSG early as opposed to waiting until we're at an impasse point with an application for full charter.

So they have put in a statement of interest based upon the model that had been developed last year on applying directly to the board to be a constituency. They put in one of those statements of interest and my recommendation is that a few of us, hopefully somebody that knows something about telecenters, which does not include me but someone that knows something about telecenters basically gets in touch with them and basically welcomes them into the NCSG, gets them to join NCSG and we can start working with them.

And even if they do eventually - even if we do eventually end up in a world that still has constituencies approved by the board, they can become an interest group within here, get active, get functional and then apply from that perspective. You wanted to add something and then you wanted to add something.

Man: Something on the telecenters, in Pakistan we have a social research company enterprise which actually looks after we develop the models for telecenters for Pakistan.

So the government actually launched it as an income development scheme in which people were offered jobs and entrepreneurship opportunities by opening up a telecenter by the Pakistan telecommunications authority and they participate in the income scheme.

So it's like a social program but there are three models - info telecenters in rural regions, they can provide the infrastructure and connect to the cities from there. The second is a multipurpose community center, which is like Internet training, photocopying and all these things, which is a municipal center.

And then there is the (summation) model where people open up their own cafes. So we can get categories and we can (give it a look). The second thing

was like for example cross cutting topic, which is very important for all of this, either working group.

(Unintelligible) - whether we keep that as an overarching working group. (Certainly) I think we can introduce (some people as facilitators). Facilitators will still work and facilitate the work of the working group but as soon as a facilitator actually takes up leadership topics they can help formulate (messages).

Woman: (Messages)? That's a good idea.

Man: Yes.

Woman: In fact we may want to talk to that more at the NCSG committee doing some things working group method as opposed to an interest group, which is hopefully a substitute. But we should talk about that. (Rob), you want to just say something?

(Rob):   Yes. Just to clarify, are you referring to the public Internet access and cyber café proposal?

Woman: Maybe that was it. Yes. Sorry.

(Rob):   Okay.

Woman: Some of those I expect are commercial enterprises and some of those - and a cyber café and a telecenter - that shows how ignorant I am. Aren't they sort of the same?

(Rob):   I honestly don't know how they operate. That group did come in through some contacts with a CEO. I had recommended that they reach out to this community. Their president is scheduled or at least was scheduled to be here

this week, Mr. (Adjuani). So I think it would be fantastic for there to be a dialogue.

Woman: And if you could help broker then with putting together such a meeting, (that would be outstanding).

(Rob): Yes. I'll certainly try that. Yes. Great. That would be super if you could perhaps facilitate an introduction. I encouraged, I emphasized to them that NLYS is really the discussion or beginning of the dialogue, that it was informal.

They really felt strongly that they wanted to do that even though they're aware of other things going on that probably would be quicker.

Woman: And the other thing I would suggest is to the extent that some of them may be commercial please also put them in touch with the commercial stakeholder group.

(Rob): We had that discussion as well.

Man: Mr. (Adjuani) I think is involved in two or three things at the same time. He's also the ccTLD affiliate (next year), right? We have to clarify this. Like what is the actual interest because it is a conflict of interest with his other engagements so this has to be a clarity because if he's going to try to come in with that, based (on how the warranty is to work).

Maybe what I can do is have a discussion, make a brief two or three paragraphs, post it to the list and then make a consensus to that.

(Rob): That'd be great. Thank you.

Woman: Yes Mary.

Mary Wong: I was reading the NOIF or the notice of intent to form a constituency, I got that one right. It seems to me that the intent is for members of the proposed constituency to come from associations and groups that represent either individual cyber cafes or persons and NCs working in that.

So there seems to be at least at the moment as I envisage a more nonprofit entity type of (plan). I do agree we need to ascertain that in outreach and contact would be great. But that seems to me to be the intent.

Woman: A comment I'd like to make on that is for example the ITC is a nonprofit. And so one of the things that we put in the membership is not only does the association have to be noncommercial, the bulk or the predominant membership basis has to be noncommercial.

And if you are a noncommercial organization because all of these - as I said, the international chambers of commerce is a noncommercial entity in and of itself. But of course all of its members are commercial entities.

Woman: Yes. On that it's important to point out that it's what's the interest that is being represented by that noncommercial interest? I mean the Recording Industry Association of America is a nonprofit organization but they don't belong in NCUC.

So it's not like you're a nonprofit, you're in. You actually have to be promoting a nonprofit interest, not a commercial interest to clarify.

Mary Wong: Right. And actually that's true. I agree with that. I think the other reason why I brought it up is to the extent that one of the potential of proposed interest groups within the NCSG has to do with nonprofits and the like. That may be an issue for this group to look into and make some recommendations and proposals.

Woman: Sure.

Bill Drake: (Is Debby here)?

Woman: Is Debby coming? Did you see her this morning?

Bill Drake: I have not had a focused conversation with her about this recently and I'm wondering if others have a clearer idea of what types of entities she anticipates forming a constituency of since we're all nonprofit? Is it philanthropic groups? Is that the specific (area)?

Woman: I believe that that's what she said she was largely looking at philanthropy. I don't know. (Rob), you may know better than any of us what she's (looking to do).

(Rob):   I know she is looking at a number of options but I don't think she has targeted that specific group yet.

Bill Drake: So would we consider it a possible - I mean it's a service provider. Is that philanthropic? I always think of philanthropic as like people who give money away.

Woman: That's why she's thinking of several options and hasn't zeroed in yet.

Woman: I think Bill has a good point here though, that we pay attention to what it is that's being focused on here and really look to make sure that it's not.

Bill Drake: I'm just envisioning a situation in which the noncommercial stakeholders group has a noncommercial constituency and a nonprofit constituency and it's like what?

Man: I remember from the early years of the noncommercial stakeholders group in our history. We had a rowing boat club as a member and we had a lot of

policy discussions, which were not at all related to the basic interests of our group.

They'd say we are a noncommercial group. We are in. So as you just said (Rob), an organization, which promotes noncommercial issues, again this probably would need to have some more elaboration but something like that I think is really important.

Woman: Can I just say something on that?

Woman: Yes.

Woman: I'm sorry. Go ahead. I wanted...

Mary Wong: Actually you can go first. You're (the boss).

Woman: Yes. I just wanted to as we go forward on this issue to focus very closely on the noncommercial aspect of the groups and really make sure that it is noncommercial interests, nonprofit interests and not just a nonprofit organization that is set up to promote a particular industry.

So I think that again I totally agree with Norbert but I really want us to look very carefully at these groups and at the individual members within the special interest constituencies/constituencies and really try to get a sense for is this commercial or is this noncommercial because there is always pressure from commercial interests to try to have more influence in the noncommercial space.

And this is one way of doing that so we really have to make sure that it is a purely noncommercial.

Mary Wong: This is a very simple point I think and I simply am going to make this because I would like this on the record that in my view this is one of the biggest

reasons why at this stage in ICANN's evolution having an interest group whether it's philanthropic and nonprofit or one that is philanthropic or one that is nonprofit would actually be extremely beneficial because then that allows them to reach across the fence much more easily to similar interests on the commercial side whether within the CSG or informally.

Woman: (Bob and then Alex and then (David)). I don't know if anybody else's hand was raised.

Man: I raised my hand to respond to Robin's remarks or just to add that we clearly from a staff perspective when folks approach us about a contact or idea share that perspective that as we have seen with some past proposals, there is some blending or overlap.

And we really try to encourage people to say look, this is a noncommercial space and if you have challenges where there is some balancing or something that's what you need to have the dialogue with the community about.

(Alex): First of all sorry I think for coming a bit late. I think the museum got into my head a little too much. Now with regard to this nonprofit and these submissions coming into our constituencies or our stakeholder groups, I want to give an example (of Kenya) where we have for example the textbooks.

Telecommunication service providers, a division can be a nonprofit but indeed from what you could hear from the comments from the president of ICANN yesterday, Africa are among the people that pay the most of Internet costs, the highest, more than even developed countries pay.

So it may appear that this based on itself is a nonprofit member organization but the agenda they drive is actually contrary, it's the complete opposite of what the president spoke yesterday and in today's business daily newspaper

about institutions of profit that now cloak themselves into nonprofit entities to pursue their agenda.

So we must be quite clear about whether an entity is all about its agenda may actually be opposite so we have to be extremely cautious so that the agenda of the noncommercial is not hijacked. Thank you.

Man: Okay. In terms of expanding areas that are genuinely nonprofit, clearly that are new to NCUC, I think that's a really productive area we should definitely be looking at.

I mean whether they end up calling themselves philanthropic or charity organizations, whatever there is definitely a space. But where this is really going to be difficult is going to be in the consumer area because there are consumer organizations like (Intarg) is a good example.

They're an international association of business users of telecom. We're going and a lot of consumer organizations really are business consumer based and they don't necessarily draw a strong line in their membership. So that is going to be the area where we are going to have to be really clear.

Woman: But I'd love to see a consumer group in both this stakeholder and in the commercial space.

Man: Absolutely. Yes. Some of the - part of the issue here is that the consumer groups, some of them should really be put into the commercial stakeholder group and I'm not sure how that's going to be welcome there.

Woman: I'm sure that they're open to it. They certainly wouldn't want to be quoted as being against consumer protections. So I'm really hoping that the consumer stakeholder groups will welcome and encourage the participation of consumer groups. You want to comment on that? So I'll go before. Sure. Go ahead.

Man: Thank you. I don't know if you guys have had any dialogue with the CSG. They are much farther behind I think in consideration of any charter efforts from a permanent basis. And I think some of the work that you're doing now might benefit them just some of that thought process.

Woman: I think that's right. I think that they are still imprisoned in that very strict fortress constituency model. And yes, it's been harder for them. Okay. Let me go on with the list.

                By the way before I go on with the list I wanted to mention we're at the coffee break but we started late and I'd really like to encourage people to leave, get coffee, come back and continue through because we haven't made it to the next two items and the next item is of critical importance. It's the review team appointment.

                So if it's okay with people, do we work through the coffee break? And basically if you want coffee or you need a bathroom break you just go? Okay. And next I have (Fawad) and then Carlos.

(Fawad Bajiva): Just an insight as to how this whole thing works in (local) countries, the Internet infrastructure was mostly supported by World Bank policies. And because of that they made the largest populations like telecom operators create a universal service fund.

                And they contributed to it like a nonprofit and they used the service fund. In Pakistan it's called the ICDR Relief Fund. And any further funds, companies, social enterprises and so forth to develop critical Internet infrastructure for Pakistan. Now within that context you have companies registered as companies under the corporate law.

                But they take that assumption and they work as nonprofit service providers. So this would be a very critical issue that the words social enterprise itself is

just evolving in the past few years. At this stage you find particular companies registered as corporations but providing social services.

So how would we - we can do one thing like we just create a special interest group which is called social enterprises or something like that.

Man: Yes. It's not simple really. For instance the professional guilds like the accountants association, the American Medical Association as I understand it is a guild of individual professionals, no? Would they qualify? The National Association of Engineers, should they go to ALAC?

Woman: I don't see engineering as being a noncommercial interest. There may be engineers who are...

Man: Individual engineers, not companies.

Woman: But still it's whether it's an individual or a company, I think the issue is whether or not it's a noncommercial interest they're representing.

Man: Well, they have a commercial individual interest as working.

Woman: But I think having IEEE or AMA in ALAC would be a good thing. In other words that would be - yes.

Man: Just about the comment of Robin, I am an engineer and individual with noncommercial interests. I joined the NCUC and as far as I know about some engineers associations, they don't have a commercial interest usually like IEEE or (A Team), they don't have commercial interests. It's mostly for individuals to foster.

Woman: I think on some of these should we be lucky enough to get an application from them, it's a thing to talk through and figure it out and look at it and bring it up and discuss it and whatever. Yes sir.

Man: I know we are about to go for coffee break but I just wanted to - not yet? Great. Great. I think we already have some members who are engineers like what Rafik just said, like (Yoke Modiel) who is on community networking.

And we link that with those who are talking about the universal of his friends, being established in developing countries. We have one here that was created by the new law, the Kenya Communications Act. And you find tying into the issue again of public funding, public interests.

You find that may become a useful avenue of raising public interest in communications and noncommercial or nonprofit interest. But the overall framework, what we have to do is to follow the money as we evaluate. Follow the money where the interests are so that we don't discourage well meaning different stakeholders and at the same time we also shield ourselves from threats that could fragmentize our reputation. Thanks.

Woman: Yes Rafik.

Rafik Dammak: So just also I want to say that one of the main ideas of the technical and academic interest group is to bring to technical people with no commercial interests within NCSG to have these technical backgrounds that we need. But many question that.

Like yesterday there was a meeting about (DNSR), a typical technical discussion and we need people with a strong knowledge about networking. And so also we need to bring technical people from developing countries because in that meeting they talked a lot about Africa.

They want funding for this (DNSR) and they argue that it's for constrained resources countries like African nations.

Woman: I've got (David) and then (Fawad).

(David):   I'll tell you I do think I mean professional and technical organizations are definitely an area that we should be outreaching towards and it is I guess a notable gap in NCUC that we don't have very many technical people. I'm one of them.

But yes - we've got a few but we could certainly do (with more). But I've just got professional organizations very often will perform noncommercial and commercial roles. Sometimes you'll find even at a state to state level the commercial and noncommercial roles may be split or not. It's going to be very hard to draw a hard and fast line there.

Woman: Okay. (Fawad) and then Wendy.

(Fawad Bajiva):   The Universal Service Fund itself has some requirements under which and when it's utilized. They have to associate the university with them, a company with them and most of the time nonprofit organizations, NGOs.

Together they make a consortium, right, because obviously you need to give people some products, right? It has to be connected to the Internet. The government regulatory infrastructure. The second combination, maybe this social enterprise thing might actually have to cover that.

Woman: Wendy.

Wendy Seltzer: Thanks. I just in this discussion of how people get involved I thought last night's event was a really terrific example of the ways that individuals can learn more about ICANN and the issues that ICANN covers and the need for lightweight ways for individuals to get involved, which is what I think NCUC individual participation and interest groups offer that these are people.

We were meeting people involved in Internet community with a lot to do and a lot of work on their plates in the local Internet community. And what we can

usefully offer them is here is a forum for discussion and a place to hear what is happening and contribute your expertise and local knowledge and input on specific issues without having to go through all of the layers that ICANN sometimes puts into participation.

So, for me that really underscored how critical it is to individuals and associations that organizations can get involved in very incremental ways in the process and then become more involved as it is useful to them.

Woman: Okay. (Alex) and then if there are any more hands please let me know because I do want to move on to the next one. So I have got Carlos and anyone else going on - okay. (Alex).

(Alex): Yes. Thank you so much for raising that Wendy. I have run an experiment in Kenya since 2005 when I was funded by Internet Society to run a project called Focusing on the Individual Internet User.

And what I did is I partnered with the media and decided deliberately to partner with the media. You'll notice yesterday there were media editors and certain personalities at our function and what that did is it actually changed Kenya's connectivity.

All the debates you hear about the fibre optic cables are attributable to that function that I had done in 2005 because the Internet became a household name and everybody got a lot of interest. So then government made it a public policy issue. So what we are facing now is a second wave of price will come down.

But the point I'm trying to say is that tying into an initiative as Bill and (Fawad) had stated earlier of capacity building, sometimes focusing on the media can do a lot. And we can harness this through ICANN by requesting ICANN to have in the fellowship or whatever program they have at ICANN meetings to sponsor certain media representatives that are pro consumer.

Kenya has just formed something called the (KIRA). They have evolved the Kenya ICT Reporters Association last month. So they got people like those individuals and they have been asking me what are the key issues on ICANN that we can report?

And so it's an opportunity that we could harness by getting them because they always write for consumers. Their readers are always the public and our journalists are always nonprofit.

So it's a partnership we could have as an outreach and it could tie into the capacity building, which IGF and (Fawad) have spoken about earlier. And I think it's thank you Wendy for reminding me about that. Thank you.

Woman: (Carlos) and then I'd really like to move on noting that it's only a half hour until the board joins us.

(Carlos):   I would like to say that maybe if we bring forth the nonprofit, noncommercial principles in the charter it will make the job easier to decide whether any organization can get in or not. If the charter says some things, which are very clearly nonprofit and noncommercial and then an association of professionals gets in and knows that has to go by, abide by a charter that has very strongly those principles.

Woman: I think we have some of that in the charter but we may need to look at it and make sure there is enough. Okay. Moving on to the next one, the review team appointments and process and selection, I'm wondering Bill, could you take the lead on this? Thank you. The floor is yours. So you have got the latest up to date information.

Bill Drake: (Unintelligible) - it won't be a mystery to anybody. Okay. There are 12 candidates. Do you want me to start? Do I have to reconstruct the whole process or do we just stick to what we need to do here? Okay.

What we need to do here is very easy. There are 12 candidates, 12 applications for the review team on accountability and transparency to be considered by the GNSO. The structure that we have agreed is as follows. Each stakeholder group gets one person allocated, gets allocated one slot. That person will definitely be considered in the pool of up to six that we will present to the selectors from which they can pick.

We don't know if they are going to pick two people, three or one. We're hoping at least two. There are also two in addition to those four allocated slots, one per stakeholder group. There are two slots that are open to competitive elections, one of which is reserved for people who are unaffiliated or independent, say they have no affiliation with any particular stakeholder group.

The other is essentially a competitive slot for which stakeholder groups can nominate an additional up to two people for consideration. Those two positions will be voted by the council in a special conference call on I hope the 15 and if a majority of both houses manages to vote a name, those names for each both the fifth slot and the sixth slot would then go into the pool, which goes to the selectors.

So they would be picking then from a pile of names of up to six. We have one candidate, a leading candidate, obvious candidate, in I think my view and I think everybody's view for the allocated slot and that is Willy here who we are really, really pleased was willing to throw his hat into the ring.

I think Willy would be an outstanding candidate who actually might have a chance at being selected if as one would hope Yannis and (Peter) in looking at the composition of the review team as a whole say we need to have some (sil society) representation here.

And why not somebody from the largest NGO in the global ITC policy space who has been heavily involved in Internet policy deliberations for a long time and who has (ineraliea) participated in a number of ICANN public comment periods on questions of accountability and other matters as well.

So I think he's an incredible candidate who would be taken very seriously in the mix. So I hope that one thing that we will do here is agree that he would be the candidate that we would put into the allocated slot. Then we have for the competitive slot one additional candidate who did not really coordinate with us in any way and whom I have never met and never communicated with but whom I believe some of you have interacted with online or elsewhere.

His name is Hakikur Raman. He is in Bangladesh. He says he is a post doctoral researcher currently at the University of (Minnauw) in Portugal and is a managing faculty member at some institution in Bangladesh. I'm sorry? I'm mispronouncing his name you're telling me. Hakikur. Okay.

So the question here is simply while Hakikur has not written to NCSG or NCUC and said hey guys, I'd like to be your candidate would you support me or otherwise interacted with us around these matters, we nevertheless have the option of nominating him for consideration in the competitive election. Now he will be in the pool for the competitive election whether we nominate him or not.

All candidates who have put their hats into the ring have a right to be considered in that election. But the nominations simply or the endorsement I should say, the endorsement if we provide it simply sort of signals to the council community that this is a person that we support, stand by and hope that you all seriously consider voting for.

And it also by extension would imply that if we're going to endorse him for that candidature, it would imply that the councilors on the call would vote for him. Now my guess is as I look at the pool that has emerged and the heated

controversy that seems to be bubbling within certain of our commercial counterparts, stakeholder groups, I suspect that this will be a heatedly contested election that coalitions are being formulated around their various candidates and that his chances of winning the endorsement of the business groups is about zero.

So we could nominate him, we could endorse him and we could vote for him on the first round as an act of good faith support for our colleague who is an NCUC member and if the first round does not produce a majority of both houses for any particular candidate and we have to do a second round and I'm having a little bit of difficulty getting people to agree closure as to that's what happens.

Some people have said we have if nobody wins the first round we just stop there and we only send in the four names that were endorsed for the allocated slots. I think that's a bad idea for reasons I could explain. I would hope that we would go to a second round and try again.

People would shift their votes and try and coalesce around some winning candidates. But in any event the point would be we could vote for him on the first round as an act of good faith to a colleague and then once that round has not resulted in a winner or if that round has not resulted in a winner we could then shift our vote to a second candidate who is more likely to win until we find a more favorable one.

Alternatively we could say from the outset while he is an NCUC member, we don't know so much about him and there are other candidates from the various commercial groupings who would have a better chance of winning who we might find plausible and decide to vote for them. So the question in the first instance is do we want to nominate Hakikur as our person for that competitive slot or do we prefer to nominate one of the private sector people who have put their names forward and I can go through those names? Yes please.

Mary Wong: This is kind of almost a process question because for the competitive slots the two ultimate candidates each have to get a majority vote of the councils of both houses. And so in our house you're talking 13 votes, correct if we include ENCA votes? Six plus six plus one, is that right?

Bill Drake: I would guess so. The ENCA gets to vote on this.

Mary Wong: Yes. And Olga in the ENCA, I think she has a vote on every issue before the council. So I guess my question is do we have a sense of you're talking about the possibility of having two rounds of votes and voting from Hakikur for example in the first round. Do we have a sense of how likely it is to go to a second round?

Bill Drake: Mary, it's your guess is as good as mine. As you may or may not know there has been great ferment in the CSG over the past couple of days about this whole process.

                           And I have had several of them coming up to me and saying we're all (verclemt), we don't understand the process. We have lots of candidates. We think all our candidates should win. We think all our candidates should be selected by (Peter) and Yannis.

                           And I'm like what am I supposed to do with this? I don't understand the nature of some of the objections. We didn't understand the way the rules work. I mean the drafting team spent weeks defining the rules. The private sector members on the drafting team voted for the rules.

                           The rules were then voted for by the council and now people are saying wait, we don't like the rules because as it has emerged more of them would like to stand for election than can win. So now they are saying we have to change everything so that more of them can win.

And I'm just like I'm sorry but that's not how you do these things, okay? So by the way, I think this really demonstrates as well we had some discussion - Wendy in particular was criticizing the process and saying we shouldn't have been giving a big lift to (Peter) and Yannis and each stakeholder group gets one guaranteed.

We should have resolved. We should have negotiated it down and gotten the two people who would represent the GNSO. This demonstrates precisely that was never going to work and indeed that we would have never had a candidate in the pool if that had been the deal because these guys are all orchestrating amongst themselves to form winning coalitions behind different private sector players.

In any event, so as to who the others are, there is Brian Cute who of course is a very smart and good guy from (Vilias). He is the - wait, let me pull up from the registries. I have to pull up the correct file. Is somebody asking something while I'm doing that?

Man: Bill, on the Adobe Connect you can see I have put up Hakikur Rahman's link to his Web site. You can see his photograph and you can see his profile.

Bill Drake: Okay. I'm trying to find - wait. I've got so many folders. It's staggering. Okay. Two more came in yesterday and I haven't added them to this list. I will add them at the end.

                  So we have right now first of all Eric Brunner-Williams who says he is involved with both the registry as a registrar. However he says that his first preference is to serve on the security and stability team rather than accountability and transparency.

                  And the members of the evaluation team have agreed that that's what we should do then and we'll hold Eric off and we won't consider him in this

election because he prefers something else and there is no reason to force him to stand for a position that is not his preference.

So that leaves us with the following. From the registries Brian Cute from (Vilias), then also the woman who sent her application yesterday, which I have to dig out. Does anybody remember her name? I met her yesterday. This came in late. I mean in fact the staff has not - I don't think that they have put her up on the Web site. Let's just double check.

Woman   Bill is the Web site open to everybody or is it a council work space? Maybe we could all log on to the Web then.

Bill Drake: Yes. The Web - okay. Here we go. It is gnso.icann.org/aoc/reviews. And they have added the two late entries. So then the other person from the registries is Elaine Pruis. She works - cover letter I'll download. She's minds and machines. She's minds and machines.

So there are two registry candidates. There is one registrar candidate despite the fact that it's one of the registrars who is currently shouting at me on the list saying that they should be able to endorse more, which I don't understand what he was talking about - that is Warren Adelman, whom I don't know.

Maybe somebody else does. I have to read the file more carefully between in the next couple of days because we will have an evaluation team call and we can do due diligence and read more on him together if you want. I'll just do the overview first though.

Then we have a whole bunch of people from the CSG - Mike O'Connor, Ron Andruff, Olivier Muron, the other additional one who came in yesterday whose name is Mark Bohannon - he is intellectual property constituency. Then we have so there are five right there from CSG.

Now there is a sixth CSG person which is problematic for the - Victoria McEvedy. Victoria submitted an application saying I used to be an NCUC member. I am now an intellectual property constituency member. However, I don't want to be considered for nomination by the intellectual property constituency.

I want to be considered as an independent. Now the first instinct of people on the evaluation team was to follow the rules we agreed if somebody is identifiably a member of a constituency or a stakeholder group we allocate them to that. Were we to follow that rule that would mean that there are six candidates from the CSG.

However, as I will come to in a second, there is only one candidate right now for the unaffiliated independent slot and it seems to me having one candidate in an election is somewhat problematic and given that Victoria has said she would like to stand as an independent, I have suggested recently to people from the evaluating - and since it's also very clear that the CSG does not want to support here, I have suggested to them that we should consider her for the independent slot as she requested.

I have not gotten back a very clear answer yet from other members of the evaluation team. And so we are having a meeting on Thursday and hopefully we will get this sorted out. So whether Victoria will be a non-CSG supported candidate for the competitive slot among the stakeholders or whether she will be considered for the unaffiliated is up in the air. Then we have some NCSG...

Woman: Bill, can you hang on one second? Wendy had a comment on the last candidate you were talking about.

Bill Drake: Okay. I just wanted to get through the list and then come back and go through each case but we could do it either way.

Woman: Okay. Go ahead.

Wendy Seltzer: (I have a question) of how is this discussion going and are we going to
                    discuss candidates now or are we going to move on to...?

Bill Drake: Yes. I'm saying who the candidates are and then we'll talk about them.

Woman: And while we have broken from him, when the board comes in 10-15 minutes
                    we'll interrupt this one and then return to this part of the agenda after they
                    have left.

Bill Drake: Okay. So then from NCSG we have (Willy) and Hakikur. And then finally for
                    the unaffiliated slot there is SS Kshatriya who is I think an academic in India. I
                    would have to go back and look again.

                    So we can go through each of those but the point then is our first question is
                    do we want to nominate Hakikur as an NCSG member for the competitive slot
                    or would we prefer to nominate one of these other people and if so who? And
                    we can walk through each one and discuss their relative merits.

                    Bearing in mind nomination only means we're sort of flagging hey, we support
                    this person. They will all be in the pool that will be voted upon.

Woman: So I don't have a - I will not make - two people on this list strike me as people
                    who have been very productive participants in ICANN processes and not to
                    say anything against others.

                    Just people I have interacted with who have seemed to have a good grasp of
                    accountability and process issues. Mike O'Connor was chair for a while of the
                    fast flux work team group. He is in here as I guess a commercial source
                    member but management consultant with seemingly a very strong process
                    orientation and interest in the accountability and experience with places that
                    process has absolutely broken down as in that flux working group.

And Victoria McEvedy who I know from public interest intellectual property work and has also worked with IPC and noncommercial in looking at intellectual policy.

Woman: I'd like to add a comment on those. One is I think Mike is so into process and that it made it hard for him to manage a working group. But it would make him a wonderful person for sitting and reviewing them.

And I agree with you about Victoria and her contributions. So I just wanted to say that yes, Mike is a good person who is more process than I could ever imagine anyone being.

Woman: I wanted to weigh in a little bit too. First I wanted to say that I believe that Hakikur was somewhat participating at least in public comments when we were working on the NCSG stakeholder group charter, wasn't active but did submit either individual comments, which I think he did or signed on to some group comments and maybe a couple other times too.

So it's not like he has never done anything for NCUC. In terms of Rebecca, I sort of share to Avri and Wendy's view that she is somewhat can see both sides of the commercial and noncommercial perspective and so might be a good candidate for that reason.

And if she is interested in this independent slot then that does kind of take care of who we would want to put forward or who we would want to support for that particular slot. And then in terms of we were talking about the primary candidate, I also wanted to support what you had to say about supporting Willy from APC.

I think that he will make such a strong candidate and has a very, very strong chance of being selected by the board or by (Peter) and Yannis. I think that this particular - hi there. I think we could maybe cut this one off. Never mind.

Woman: We probably should start cutting it off and continuing it later.

Woman: Okay. We'll continue this one later.

Woman: I mean because as the first board person has drifted forward we might want
                to just - so if anybody needed a quick run downstairs or whatever. Also we
                might want to just leave a few - find a way to give a few seats over to board
                members as they approach.

                We're going to have a seat for (Peter) here but just bringing in a couple of
                extra chairs - whatever. So I'm not saying we need to vacate but we need to
                allow them some room. So pull some chairs in or something. Yes. Let's start
                setting up so that we can have some room at the table for the board
                members (that are coming).

                He looked in and we were still talking so I guess he felt shy about walking in
                here. I don't think that would occur to him. Right. Okay. Yes. So we're only a
                little bit behind schedule. We can put the Adobe back up with the agenda on
                the boards again.

                We tried to add some extra seats to the table so the board could squish in
                with us. Yes. I think any place where there isn't already a laptop is one of the
                extra seats we stuck in the middle to make sure there was room. Here is
                Robin and we're trying to get one or two board members up there.

                So we might want to put Ray up there if he shows up again. Yes. Only for an
                hour. Yes. How do I do that? (Brendan Curer). Your ambassador - I was
                speaking to the ambassador.

((Crosstalk))

Woman: And see the thing here that says make me a host? I've got to request it?

((Crosstalk))

Woman: Yes. A board person - put extra seats at the table at the places where there aren't laptops so the board would have some room to squish in with us so that you can sit at the table if you would like. I don't know. Do we know who else from the board is coming? (We're just waiting here)?

                    Waiting for (Peter) I think? Yes. We stuck extra seats at the table so if there isn't already a laptop there it means one of the extra seats we stuck at the table. (Places here can be very confusing). We have set more seats around the table so please find a seat where there isn't a laptop but we're trying to make room for you all.

                    We have got a couple seats. We have got three up here saving one I guess for (Peter) unless Dennis is giving the - (Peter)'s coming? Okay. (Peter). Yes. As I said, if there isn't already a laptop in front sit and a lot of people have moved on to make sure there is room for you all.

((Crosstalk))

Woman: We certainly have made room for board members at the table and we have got a couple seats if anyone is (interested). Well, we're waiting for (Peter) yet. As soon as (Peter) gets here. He's probably run into 50 people who needed to talk to him immediately.

                    Yes. No. But we're co-chairing this so he can break away any time. I'm not worried and I've got lots of pills for suppressing anything that might happen. I carry the external effect suppressants. We're here. We have got two seats here. I mean we were leaving one for (Peter). I didn't realize you were also coming but that's great.

No, no, no. (Quite happy to have you). I mean anywhere you want to sit. We really didn't expect such a complete showing.

((Crosstalk))

Woman: Okay. I would like to thank the board members that have come. I was told that we should get started and (Peter) will join us when we get here. So thank you for coming and joining us.

And we sent and I think it was sent to you all or was posted a couple things that we would like to go through and obviously go through quickly since we have already used some of our time. And I'll start on the first, which is an update on NCSG progress and the way forward.

You'll notice I have put a name beside each of these that someone from the NCSG/NCUC will be the one to sort of make the introduction to the theme and then we can go into conversations. So in the NCSG at the sole meeting we sent the structural improvements committee basically a way forward plan that we intended to follow to basically work on the transition from NCUC being the only place for noncommercial to an NCSG.

Now we basically have since we have done that we have gone through a process of determining how membership would be determined in the NCSG and that went out for public and community review and was basically that draft was approved.

Now we understand that all these pieces of the charter that we have been defining remain in draft until we have got them all together and we basically worked with the structural improvements committee to get them to agree to what we have done or to work on what needs to be changed to meet their conditions.

So we have done that. We have worked on how to create an interest group. What we have stayed away from at the moment and have put down as one of sort of our final status issues to use a term from another environment is whether these interest groups are interest groups or constituencies because that is still one of the larger issues that we have open in this charter.

Where basically we are proposing a charter where interest groups sort of grow organically from the NCSG membership where we have a very flat organizational method but with interest groups working on specific themes. Or whether we work in the model that we currently find the CSG in, which I have been perhaps slightly flippantly naming fortress constituencies.

Right and I have been following the progress in CSG and looking at how they are dealing with having very separate organizations with their whole hierarchy within that. And so that's a model that most of us within the NCSG have been trying to avoid.

But basically still have it possible for people to work inside an interest group/constituency that basically takes specific focus on specific issues and works in harmony on that. Now we had a - so we also put together a how this is done. That document has been reviewed.

And basically we have had our first interest group post its SOI in the last weeks. The last thing I want to say on the NCSG is we pretty much now have worked on most of the major pieces of our charter and the next step we have got is basically to put them together as a single document, do internal review, making sure that we remain in the bottom-up model within the NCSG and the hopefully start working with the structural improvements committee and the board to see if we can get to a charter.

I'm often accused of being an incredibly optimistic person in terms of schedules and I would really like to have this schedule nailed down in the

Brussels timeframe. Yes, when we got the previous charter it was temporary and to be dealt with within a year.

I would prefer to not wait for the year to end to try and get this. And especially because we find ourselves and I think the staff finds itself in an unfortunate bind in that there is an old mandate from the board that says go out and form constituencies within the model that I have been calling the fortress constituency model.

And basically we have been taking a model very similar to the contracted party houses where we have large stakeholder group selection of council members and chairs of the stakeholder group done at the stakeholder group level with interest groups working on things like constituency statements and comments on reports and functioning in the working groups, etcetera.

So at the moment we have sort of this sometimes it almost feels like we're working at cross purposes with the NCSG forming itself bottom-up in one way and the staff having a mandate from the board to go do things in another way. And it's not always as comfortable as it could be.

But anyhow - so that's where we are. I don't know if we should open that up to conversation at the moment. Yes (Bruce).

(Bruce):   I have a question Avri and this comes a little bit more to the ultimate output of the constituency and what's the best way of achieving that or actually the output of the stakeholder group.

So if the output of the stakeholder group is to provide substantive input into the policy processes and substantive papers, part of that I think is best achieved when there is some staffing that is allocated to actually writing the papers. So I know the registrars for example through their own membership fees actually fund a person that writes documents.

I know some of the other constituencies have done that. If I look at ALAC I think where the output of ALAC has improved substantially - two reasons. One obviously a wider membership and more prospective but also that it is professionally resourced with a staff that are able to take all those different views and write them up into a cogent document.

One of the original concepts of constituencies as I understood it was partly that it's if you're like a unit where you get some support, whatever that support might be. So you have a stakeholder group and then the stakeholder group has constituencies.

And each constituency would get some level of staff support whereas potentially if you had groups within constituencies, they may not. Have you given some thought to how you mention - I don't really care what you call them whether they're interest groups or whatever.

But have you given some thought to how you'd manage staff support within the stakeholder group or even better what sort of support do you need to get the best results?

Woman   Certainly have given some support. First of all I think that within the stakeholder group whether it's an interest group or whether it's a constituency it's basically in fact for our interest groups what we have basically worked out is a two-stage process to becoming one.

First of all it's a group of 10 that puts in a statement of interest saying this is what we're going to do. Then once they have actually started participating in working groups, starting putting out papers, starting that, then they become an actual wholly formed interest group.

We don't have any resources at the moment. One of the things we have on our agenda is indeed a discussion of how we get interest groups and how we get support, how we get funding. I think that if we did have any ICANN

support for that they would basically work with these wholly formed interest groups that are indeed functionally the same as a constituency.

The only thing that makes them different is their method of formation and the sort of growing from within the group as opposed to having grown from without. So - yes.

Man: There is a fundamental difference though and that is the governance issue on the authentication of units and the resulting voting powers because the stakeholder group constituency model is a board authenticated model, which gives authentication to the components who actually ultimately lead to the voting of a board member.

So from a governance point of view this is extremely important and you need to also include that if you are proposing an alternative model.

Woman: Right. And I actually do believe we have first of all in terms of electing council members and such there is across a flat model of voting across the NCSG where the council members and its chair are elected by the entire membership of the NCSG and it is a formal election.

I think that's why we have let as I say the interest group/constituency issue as a final status issue because if it gets to the point where for the governance purposes the board feels that in all of these flat model stakeholder groups like the registrars and the registries and hopefully the NCSG, that it wants to approve the transformation of an established interest group into a board approved constituency, that remains a possibility and certainly it's open.

So the genesis of the group would remain the same that it grows within. And then at a certain point if it's required by the charter that it comes to the board and says we have got this interest group we would like your stamp of approval on it being a constituency. It has met all of your requirements for a

constituency and therefore please give this group your imprimatur as a constituency. That would certainly fit within this model.

As I said, we sort of feel that it could have the same model if indeed that is necessary for registrars, registries and us - all of us that are going for the flatter voting model of a group. Debby, you wanted to...?

Debby Hughes: Yes. I'm Debby Hughes of the American Red Cross and one of the board appointed NCSG councilors. What I wanted to mention was part of the challenge to bringing new nonprofit organizations to the table is what is their home going to be like and what are they going to expect when they get there?

And from the moment that I took my seat in October I have been talking to nonprofit organizations and trying to encourage them to participate. And it would be really helpful to hear from the board whether or not an interest group would have the same resources, etcetera and be recognized in the same way as a constituency.

I have been under the and operating under the impression that forming a nonprofit constituency is what the board asked us to do as board appointed councilors. And moreover, in order to get the type of support, the administrative support, the resources, the tool kit that you really need to have that constituency moniker in order to do such things.

And to get the recognition and to get the resources because I can say from a nonprofit standpoint we would certainly need that support. We would need to have the perhaps secretary to help pull things together. And that's something that some of the organizations I have been talking to are very interested in.

And so I would really love to hear from the board their thoughts on increasing participation within the nonprofit organization community and how to do that in a way that is effective. We'll talk about communication later but distinction

between an interest group and a constituency I think is something that we have discussed internally in the executive council and we have some draft documents that we're working on that aren't finalized. But I would really like to hear from the board.

Woman: Okay. (Ray).

(Ray):   Actually the board really can't tell you that here because we haven't seen a firm proposal. And until such time as that you have had a firm thought out proposal, obviously you have got some perceptions and things of where to go and I'm sure other people in the room do as well.

                And so what we would like to see come from the group is what represents the consensus of the group as to which way they would like to go and a firm proposal. And once we have that then we could really give you a firm answer.

Woman: Yes.

(Wanda):   Hi. I'm (Wanda) and what I'd like to suggest is as this consumer group was been debated for so long together with the ALAC that we were today for instance not really aware about what was the proposal about that.

                So as a first step I believe it could be interesting to get together and explain the ideas and add some ideas that as a group that starts to think this in the past together with the ALAC if (we can) talk with the new guys and the new proposals before we show something to the board because there's some process that we could follow to do that.

Woman: Just a suggestion. Certainly in fact an invitation has gone out that any noncommercial organization is certainly able to join the NCSG and participate with us in forming that.

Certainly there has been some outreach with our new interest group to the applicant consumer constituency. Certainly also there is a preference within the NCSG as it's currently been constituted though certainly not a consensus position that for the most part we would prefer to not have a consumer constituency as a fait accompli on an NCSG charter because then that tilts it in a specific way. But we know that that decision isn't ours.

Man: First I just want to thank you Debby for your efforts to create a new group whether it's a constituency or interest group. I want to solute that. I think it's a wonderful thing that you're doing.

Actually the question I have for you is with the board here in very strong attendance, which shows the interest in this issue, you have got a lot of people that can potentially help you recruit new members for your group too. So maybe you could share with me and the board some of what you would like for the kinds of members you'd like to attract and what you're looking to accomplish so we can help you maybe find some more members so you get the critical mass that I think you're seeking.

Debby Hughes: Thank you so much. So part of what I have been working with is a draft document. I didn't want to do an NOIF until I had a chance to talk to the NCSG about that.

And we're going to be probably doing that later this afternoon but let me tell you a little bit about how I have been trying to define what is a nonprofit organization that might fit in this new constituency/interest group if we were going to create one.

There are a lot of nonprofit organizations and you have to figure out how to create that niche. I'm thinking about organizations that are focused on the service delivery, humanitarian or philanthropic service delivery. So what does that mean?

Organizations like the American Red Cross, organizations like Oxfam, organizations like Doctors Without Borders. Those are the bigger organizations; service delivery - what other types of service delivery are there? There is educational service delivery, there is religious service delivery.

Are we talking about academic organizations? No. We're talking about organizations whose primary mission is to deliver philanthropic or humanitarian services to the community in which they serve. And so that's the niche that I'm trying to I think find a voice for.

I think if you go too broad and say any organization that could be established or that could be verified as a nonprofit organization within a jurisdiction, I think it becomes too nebulous and too confusing although I'm open to that because I think that there are a lot of different voices.

I think one of the things we talked about in the NCSG was that there are a lot of different types of organizations that are noncommercial users of the Internet. And I think the purpose of the interest group or constituency is to get like minded individuals or organizations together so that together their voices have some meaning.

And I think rather than just saying nonprofit organizations, that says a whole lot just like noncommercial users says a whole lot. And I think that defining humanitarian and philanthropic service delivery organizations and the moniker I've been using in the documents I've been creating internal is humanitarian philanthropic organization constituency just for my own sanity.

That's how I was trying to create that universe and it's groups sadly that aren't already participating in ICANN. So from a creation of a new interest group within ICANN the organizations that I have talked to and that have demonstrated some interest around the globe aren't already participating in ICANN.

And I can talk a little bit more about what I'm going to try to reach those organizations, reaching out to not only just my counterparts around the globe in the different Red Cross and Red Crescent societies, using that as a jumping point to introduce me to additional nonprofit organizations.

Man: Thank you. I mean that really helps me understand what you want to accomplish and for me personally at least makes me think of at least two organizations or three that might be interested.

Debby Hughes: Great. Thank you.

Man: And we should discuss later and I'm sure other board members might have ideas as well across those groups of philanthropic, humanitarian and service delivery. So thank you very much and it's great also to see your passion.

I can see you're really passionate about this and that's what it takes to create any new constituency or movement to it's just exciting to see that. Thank you.

Debby Hughes: Thank you.

Mary Wong: So just very briefly I think we're really glad that so many members of the board are here because hearing from Debby as one of our new councilors and her passion and assets and then I think you're going to hear from (Alex) and the consumer interest group.

Is to emphasize that one of the things that many of us that tried to work through the transitional stage thought was that having a home within the NCSG and having the flexibility to form an interest group allows people to refine their interest and therefore if and when a petition for a constituency is then presented to the board, it might actually help make the board's job a little easier.

Not just proof of concept but a very clearly defined mission, membership values and so forth. And in addition we also thought that having the flexibility of coming to NCSG and forming an interest group would also be a lower point of entry for persons who are interested in a number of things but may not want to or may not understand how to go about filing a notice of intent.

Woman: And this actually might be a good time to ask Robin to sort of talk a little bit about that and then ask (Alex) to talk about what's happened with the interest group.

Robin Gross: Thank you. Yes. One of the things, as many of you board members will remember, we were asked to do last year was to go out and outreach to consumer organizations and individuals who are interested in consumer rights issues and try to bring them in here at ICANN, into the policy development process.

And I think we have done that. For example we have got (Alex Kokuru) who is our African executive committee representative and with the ICT consumer association here in Kenya. And he has been sort of spearheading the effort on the front of the noncommercial users stakeholder group to go out and help find more organizations and more individuals to work on consumer issues.

NCUC has about 200 members and many of these members are consumer organizations and they are very keen to participate in a consumer rights constituency and a focused consumer constituency as well. So (Alex) has gone out and he has collected about more than a dozen noncommercial consumer organizations to help form this new consumer rights constituency.

They have come up with an SOI as per the protocol that has been set forth in the documents for the stakeholder group charter. And so they have got a person that will be appointed to the executive committee and the policy committee as observers and start participating in the process, start joining working groups, coming up with statements of their particular interest group.

So this is the kind of thing that he has been busy doing and last night we had a wonderful reception with a lot of the local civil society representatives over at the museum and we got a chance to meet a lot of these folks and it was really an exciting event.

But I'm going to actually turn it over to (Alex) to tell us more about what he has done and what are the issues that his group is working on. Thanks.

(Alex):   Thank you Robin for that introduction. First of all let me thank the chairman of ICANN board and president and entire board of ICANN for being here today. It is very important to me as a Kenyan to see you here and again, I'm (in this to my group) for the noncommercial passionate rights, public interest advocates and champions in ICANN.

I'm really delighted at the participant level. Secondly, I want to thank the president of ICANN. The story, which is headline out of the leading stories regulator steps up drive for cheaper Internet solutions. It's based on your speech yesterday and it's a business daily and this tells you how important consumer agenda is for developing countries.

You raised the issue of price of the Internet and within ICANN, that's why you find Rafik and I in various groups, we talk a lot about the pricing model and also for the new domain and how it's going to affect access to all domains in addition to the access itself.

So indeed the issue is very important in Africa. Thank you. Now before I speak about a specific track called consumer interest group I want to give a bit of a background, what does a consumer want? A consumer basically just wants a few things, very few and very basic things and they are usually very complicated to find in ICANN or find an entry point to start advocating for them.

One is you just want to have affordable domain prices. That is the first thing from my experience. Over time they just ask me how much does it cost me to get a domain whether .ke or whichever - I'm not mentioning any particular brand or domain.

And then the second question is how much does it cost me to get to the Internet, the cost benefit adjustment of that. And then the third major thing which I can summarize is they want an incumbent expression online whether for a polytechnical, whether they are political or economic, etcetera.

They want to be free on the Internet to express themselves. Now this new consumer interest group therefore becomes a very proper means and avenue for consumer agenda to participation at ICANN and it is then (set up) where other rights within ICANN are homed.

So when we have the noncommercial stakeholder group because of its diversity of new members, we find that this is a better home for us so that when issues to do with expression, people like us are connected and I forgot to mention that connecting (unintelligible) - at our function.

When we partner with them and we push for IP version 6 like a conference we had last year, it's because they see IP version 6 as increasing expression online. And so there is a value, they see a value in wanting IP V6 so they have some common ground.

So we want to have the rights organization reach our (very minimum) with NCSG. Now we find the ones that are interested in this and we come up and then we seek, we SOI and then we seek recognition and there are others also like a capacity building.

My colleagues have been driving and the ones that get more membership, they go in. So focusing more on my consumer group is that we first of all recognize and appreciate every other effort by every stakeholder in the

industry and over the Internet community be they commercial, be they noncommercial user groups, which are business clients.

Whether they are actually any initiative that actually increases and improves the end user position of the Internet, we welcome. But then we also differentiate that consumer from a different category as that person who is at the end and has no interest in the commercial side of the Internet.

So they are actually right spaced so we are very happy to have partnered with media in our respective countries and our long standing relationships with various countries where we are like for example Kenya, we have led to an association that was announced last month called KIRA, Kenya ICT Reporters Association.

So what they are doing is that issues that have (to deal) with this meeting where they want to understand more what is going on so that they are serving as a very good outreach for us to educate the public about ICANN and if perhaps the board could also consider developing countries' media practitioners participation perhaps under the fellowship in future meetings, we would really appreciate because they start to explain to the general public what ICANN does and it's a big outreach and it's I think a very cost effective way.

Now talking about the group that we have, we have already three organizations. We have three organizations in Switzerland that have expressed interest in the short time we have been trying to have an outreach. We have three European organizations.

I think that consumer organizations, I think two of them in Switzerland, one in Belgium and in Asia we have people from Thailand, we have somebody within this meeting I will be talking to from Japan. My colleagues have been helping me a lot to have global outreach.

We also reached out to people in Australia and in North America we have Canadians, people who are associated in Canada and people who are known worldwide, even participate in other consumer protection even education students, direct cost directors for the (common goal) of telecommunications organization.

So they are quite experienced in their affiliate associations. In the US I want to say Debby has already promised to send me a list of some more consumer organizations in the US. I have reached out to a couple more. Now in South America I do have already two leading organizations in Brazil. I have to say my colleagues have helped me reach out to South America and these are (Proteste) and ALAC.

And these areas are serving as a launch pad to the greater region. They are not just to mean that just because we have mentioned these ones, it's closed. It's just to get started with initiatives. In Africa we had the most overwhelming interest. I have had responses from Ghana, from Burkina Faso, from Zambia, from DRC, from Burundi and of course Kenya and many others.

This tells you that this is a very good opportunity for broader participation in developing countries. And I think just yesterday in a conversation I was having with my colleague here, I think even Pakistan and other places in the world may also be interested in just coming up with the right (area) regions so it's not a country specific.

So we are very delighted to have the board consider and give us that opportunity and we would really thank also the support we have received also from our senior leadership in NCSG. Thank you very much. And yes - we are there to promote public interest. Thank you so much.

Man: Thanks Avri. Thanks (Alex). A couple things - first of all, thank you very much for a very exciting opportunity for the Kenya museum.

I was originally - I was a biologist and was then a geologist and always wanted to be an archeologist and to be able to go and walk around and see these things that I'd read about and been passionate about for so long was very moving.

So thank you for that. And thank you also for the passion that you're exhibiting again in relation to this. To me it has some fantastic attributes that ICANN needs. One of them is the bottom half development prices. The best institutions we've got at ICANN have either come together around an idea. People have built up an institution around them. And this has had - this has the whole (act) of that. So that's the good news.

I'm actually by professional training a rights practitioner. I'm actually an intellectual property rights practitioner. And intellectual property rights, the first thing that you have to do is find out which of the rights someone's talking about.

So by training what I do a lot when somebody comes in with a new business or a new invention is work out whether they've got to be protected by copyright or by trademarks or by the law of passing off or by the law of fair trading or patent rights or design rights because if you don't get that right, then you don't - the business will not be property protected.

So what I do in a situation like this? That kind of - I mentioned that because I didn't apply that kind of training to this exercise. Because I found that if we don't actually analyze where (the key) and what the right interests are and isolate them, maybe we can't put them together in the right way.

And when we first started building ICANN, we had all the wrong interest groups in the same room and they're all talking past each other. It's only when we managed to break them out we formed a country code and the registries and the registrars and actually get, you know, those (out of).

So what I do with your proposal is start looking at them. And I know that you mentioned three of the consumer interests in domain names that you mentioned. And the (nearer) question I suppose is is this as sufficiently (disparate) interest in domain names to make it worth of entry in this thing or is it simply an at large issue?

Why isn't this going on at large, which is responsible for all user experience? Why isn't this a subsidy of the at large? So I'm sure there's an answer there. And then the interest that you identified were affordable domain names and you mentioned (KNIC). And the trouble with that is that that's not actually an ICANN issue. So that's a (safety) TLD issue.

Nowhere is it an issue in relations.com because ICANN doesn't have any control over the registrar pricing to individual - to registry. So you're not sure what they think there as in the relationship to - so that's interesting.

The cost benefit of access to users, again, that's something that's largely outside ICANN's mandate. And we don't have any money to put a (fibre) in the ground. We might do is (rightly) call on others to do things like that. But that's really (unintelligible) of activity.

And then you talk about the unencumbered expression online. Well that's a content issue. Freedom of speech and content and (stuff) is another issue. So I think we got to be very clear about what your interests are and where they fit to this so that we - so that we can build something that actually is sustainable in the right place supported by the right principles.

Avri Doria: Before asking, one comment I did want to make on that. I think first of all that in terms of the consumer rights and once we get pegged down exactly which are the right ones and which are the (unintelligible), I do think there's an important role for a consumer right working group of some group within ALAC that looks at the whole breadth of - from consumer rights to numbers to consumers rights within ICANN operations to consumer rights.

I think that there's probably roles for consumer rights within commercial organizations looking at commercial, you know, organizational consumer rights and trying to narrow...

Man: (Unintelligible).

Avri Doria: Right. And then narrowing down in that. And now I sort of pass it on to you. I just wanted to sort of endorse the idea of yes, ALAC having a consumer rights through the breadth of this. But I also do believe that there are some rights, consumer rights that would fall specifically within gTLD naming structures. And - but you're right. Those would need to be defined.

Man: Yes. Yes. I was - maybe I should let (Alex) speak first but I just had a couple more questions or comments on these three areas. But was (Alex) going to respond to you (Peter)?

Man: Thank you. I was very generic in my presentation. But to zero in on the price is an important issue for our consumer. And for the domain, how is this relevant? For example, the $185,000 - $185,000 application for the new gTLDs makes us - out people in developing countries for example and able to actually ever own and control (unintelligible).

So that is a very - it is tied very much to the policies that are going on domain. So I appreciate the fact that your accredit the gTLDs but of course you don't have anything to do with the price - how they charge. But at the end of the day I also realize that some of the documents and the requirements that (unintelligible) stakeholder (unintelligible) are asking ICANN to do is to assess everything it's doing in terms of consumers. Does it help consumers in the area?

It is generic (unintelligible) because I think at the end of the day when the competition is boosted it may not have to do with the technical issue but it

must be such a - such that the best we are promoting public interest under that general framework. It may not have to be home based specifically to a particular area but it's to look at the policies within ICANN that are actually (humming) public interest and consumer rights.

I see it from the rights perspective and when a consumer has a problem, they want to look who is going to address it. From my experience is that a lot of people have not been engaging in ICANN from developing countries because they don't know what is the entry point. Debby also say and the group should play the (unintelligible) as contingencies. Certain groups have their specific reason they want to participate but they don't have an entry point.

So the documentation for our group and what we did to do in details, we actually working with the team we were working on. But we just wanted to announce that we're having that initiative as a interest group and we are very happy to be within the non-commercial. So we will give more detail with structure.

Man: Thanks. Thanks. Just before (breeze) comes back, let me just - think of the price of registries. I responded that's the price of individual domain names and registrars. But you've come back to the price of the registries.

That is a matter that is concerning a lot of Board if not a majority is the impecunious but worthy applicants for running registries. And we've talked a number of occasions we can't change the price but we've talked about making a graphing system available from a foundation or making loans or making other arrangements.

So that's something I can tell you that has occupied a lot of Board traffic at our private list (right now).

Avri Doria: Quite a few. I had (Bruce). Then I have Fahd and Bill and Robin - no, (George) then Robin. All right. Okay. Please.

(Bruce):   Just a couple of questions. So you mentioned affordable domain prices. But part of achieving that from an ICANN perspective has been creating competition. So it did create competition in the registrar model. That's how ICANN has affected - actually brought prices down. They were considerably higher. That price of 2000 in 1999 and then multiple registrars reporting in 2000.

The side affect of a lot of competition can also be, you know, potentially predatory behind you perhaps. But I'm interested in whether you think there are issues around consumer protection from a perhaps a perspective, especially in Africa like (lock ins) one technique where registrars make it hard to transfer from one party to another. So that was a probably consumer protection issue.

The other one you - so you mentioned cost benefit of getting online. That sounds more like education and maybe it would be interesting to understand from you how ICANN can assist in education in these sorts of events.

And the third one you mentioned was unencumbered expression online. I know ICANN has put a lot of effort in trying to create internationalized characters as a way of expressing in different language scripts.

I was just wondering if you could tell me or give me a feel for within Africa beginning domain names but let's just take email or content on a Web site, how much content is either exchanged via email or on Web sites that is in language scripts other than Latin. Because I guess Kenya's probably predominantly using the Latin script.

Do you have a feel for that because that would indicate to me how pressing an issue IDNs are as the people are actually using language in their emails and their Web sites in different scripts? Would you be able to give me a bit of feedback on that from an African perspective?

Man: If you can give a quick answer to (Bruce), then I want to move on to others.

Man: A very quick answer because there are many people in the queue. Yes we will look at specific issues. I don't know to home in on Kenya we have dealt with it for some time. Sometimes I contribute - I think I have mentioned about it online.

But I look at the product constituency and among the people that are more generic to more people and I will get more specific responses on that and share it with you.

The one about expression online, my - for example, I might conclude from Kenya and you just want to know example from Kenya. And I find in my name, my middle name, or my last name, you may have a character that is actually not as presented in English.

So what I've noticed from a mailing list that I could mention is one of them being (Conquat) from a lot of local (unintelligible) who are about a thousand is that there are a few individuals who have decided to want to have that churn on their name. And so what they do, I don't know why they have all those special symbols. But we find them in the old bible - in the traditional bible. Somehow they managed to give it press.

What they have done is it's not so important - it's not so broad but it's an imagine issue. Obviously applicants (like) the northern section, we have the Arab speaking and also we have a lot of Indian communities smf a lot of African countries. So indeed (are advantages). It's an area that maybe has not been explored which is in future require maybe ability to the (IDL) we will find some unexpected interest coming from Africa specifically because of our (note) address before.

But in terms of Africa, there are few languages; there are symbols that they don't have represented. But because of our British heritage you find that we adopted the English language or whatever language but it is a (unintelligible) event. Let me stop there for now. Thank you.

Avri Doria: Okay. Thank you. (It's just that I have) Fahd, Bill, (George) and Robin. Fahd.

Fahd Batayneh: Because of background, I come from a developing country participant. I'd like to share that ICANN is becoming the North Star of the Internet. And it is actually becoming the first point of entry for the developing world into global Internet policy making.

Yes, sometimes when we express our views, we tend to (toward) them like other issues, which are not directly concerned to ICANN. But there's something in the developing world called the capitalizing affect. And the capitalizing affect is hope. Hope is what matters for the most people in the developing world.

I was a Web designer, Web developer from Pakistan (unintelligible) and 10 years in academia teaching people about organizations like (unintelligible) ICANN. But I really never knew what it did in the broader context of the world. And for eight years I've been negotiating or working with organizations which are members of ICANN.

And last year ICANN brought me to its great meeting in Seoul. It acted as the gateway for a person like me who is always associated indirectly as a consumer and then as a social independent and a person who (after which) Internet (biz) social enterprises to actually come and engage with ICANN.

I did not take this experience from ICANN just to my country. I took it to the Internet (governance forum). Maybe you had an ambassador and (evangelist) right in the Internet (governance forum) discussing with stakeholders that what ICANN's real role is, what - how it can help the developing world. And

even clarifying that with many (unintelligible), many civil society groups, many commercial groups.

Going back to Pakistan it seems it's (unintelligible). That (unintelligible) for my country. And you see how it contributes to commercial aspects to the trademark aspects and so forth. This is the power we bring to the developing world. These (do not understand me), I will nod as yes; we have a different language to communicate in. We have a different humbleness associated to us.

But at the end of the day, we're trying to reach out and be all your hands for ICANN to reach out to these groups. Yes, we are defining ourselves. We're trying to understand who was to participate. In the Fellowship Program I'm going to (unintelligible) this year.

But I give yesterday a lecture and I showed the entry points for individuals, to organizations, to all different kind of groups into ICANN. From the individuals into the (NCSC) through organizations, through the ALAC and so forth.

This is the motivation behind new working groups are being formed. We are looking into this (unintelligible) opportunity. How they will engage. It's an evolving process and we're doing (all of that). Thank you.

Avri Doria: And I was just asked to remind not everybody necessarily knows all of us, so.

Bill Drake: I'm Bill Drake. Hi. I think (Peter)'s point that it's important to specify very clearly the subject matter of any particular grouping whether it's an interest group, constituency or (whoever else).

We're at a point right now where (Alex) has been sort of beating the bushes trying to get people on board say do you want to become - come into this space and work with us? And I think because he's been focused on that,

maybe the precise specification of exactly which consumer issues they might take up has not yet evolved as far as obviously will.

The first thing is to get them into the door. You build it, you know, get them on board, get them engaged. Let's face the reality. We've seen this with many groups. The work that ICANN does can be pretty obscure. And if you go to a regular consumer organization whether it's consumers international, whoever else and say come get involved in ICANN, they're not sure where the points are that they would want to put down a marker.

So it takes a little while to participate. Then after while you start to see ah, registrants rights agreement; ah, inter registrar transfer policy. There are a number of issues, even WHOIS, there are a number of issues being taken up in the GNSO. They're specific to the mandate of the GNSO and have very definable (to similar) rights dimensions to them.

And I would imagine over time once this group is formed and starts to get the (spell) of the place and talk to other people and talk to colleagues within NCSG and beyond, they would start to focus more specifically on those.

So I think we have to recognize that it's an evolutionary thing that goes on and, you know, it would be nice to be able to specify precisely and correctly (at fancy) what all the subjects might be. But I think the first thing is to try to get it happening.

One of the things that's interesting though to me, and this comes back to the fundamental constitutional question of the choice between interest groups and constituencies is that I think an interest group model is more flexible in this regard because it does allow more sort of leeway to go through this kind of evolutionary path to begin to work together from the bottom up, define what are the areas of interest and ensure that you've got good coordination and dialog across the stakeholder groups with people outside your interest group that's developing to get perspective, et cetera.

So if we went instead into a more constituency model, I think, you know, what often happens with the constituency formation, and we talked about this in Seoul as well, you start to get more of a kind of siloed self referential kind of approach where there isn't as much cross stakeholder group interaction and dialog.

And I think, you know, that's what I would worry about. To me an interest group approach, I want to form one on development issues for example and been working with people on that.

And if I think about how I might want to do that, I find personally that I have a lot more flexibility in trying to think about who I bring in, how we specify the issues, how I work with partners from across stakeholder groups and so on and hopefully at some point draw on staff support to further that - follow that in an interest group approach whereas if we do a constituency by I'm afraid we're building this kind of bureaucratic thing that becomes then field and self referential.

So it's - I guess my point is simply for us the notion of the interest group approach is one, and we see this with the contracted parties, is one of having people ability to give them the time to develop mutual interests through dialog with each other and through dialog with all their other partners in the stakeholder group and be able to do things in a flexible way.

And if you reach a point in time where you no longer need it, in an interest group you can more easily I think say okay, this one has run its course. We take it down. We can reformulate it some other group and so on. I think that that's what makes it kind of an interesting option for us.

Avri Doria: Thank you Bill. I have (George), Robin, (David), (Harold), Wendy. (George).

(George):   Thank you. I want to come back to (Alex)'s description of the interest group that he's forming. (Alex), I found it hard to follow the points and map them into a coherent hole in my own mind. At one point I thought you were talking about general users, all users of the Internet. That is users, consumers of Internet services.

At another point I thought you were talking about consumers of registry services or consumers of the ability to form a registry and to offer services. And in a third point I thought you were talking about consumer rights, that is consumer rights on the Internet with respect to for example e-business because of ordering products and having the fact that you're on the Internet giving you rights equivalent to the rights of people engaged in the same transactions not on the Internet.

And in addition there was a cross cutting theme. At some point you were talking about technology, at another point finance and at a third point content. Those issues are fairly separate I think.

So it would help me if you proceed with this to be able to sharpen that focus and to understand which populations are we talking about. I think based on the conversation so far we're talking about a very general, very large population and a very broad spectrum of issues that that population has users of the Internet as being involved with the Internet deal with. Thank you.

Avri Doria: Okay. Thank you. Robin.

Robin Gross: Thank you. Yes. I wanted to address (Peter)'s question about why this consumer rights group shouldn't just be formed in the ALAC. And I think the reason for that is the difference is in the specific mandate of the supporting organization themselves and where they focus and where they put their energy.

So there's two important distinctions here. ALAC focuses on all of ICANN. The GNSO focuses only new gTLD policy, new policy for generic top-level domains. So that's one important distinction between the two organizations and where they're focus is.

And the other is the non-commercial aspect of NCSG. ALAC has a good number of members who are non-commercial users. But there's also a lot of commercial folks there. There's no distinction per se in participation in terms of whether or not you're commercial or you're non-commercial.

So I think it's an important distinction to think about. So this group that we're trying to bring forward is one that focuses exclusively on non-commercial interests and focuses exclusively on new gTLD policy. So I think that it's worthwhile for ALAC to come up with a group that's much more broadly focused that looks at all of ICANN issues and includes the business users or the business consumers for (isan) as well as the non-commercial users rights in that area.

But with respect to these proposals for the NCSG I think it's important to recognize the focus that is different between the two supporting organizations. The non-commercial aspect and the difference in the focus of the supporting organizations whether or not all of ICANN are specifically on new gTLD policy.

So that's why it's important that this group go forward and focus on non-commercial new generic top level domain policy exclusively.

Avri Doria: Thank you. (David).

(David):   Most of what I wanted to say I think has - the points I wanted to make Bill has pretty much already sort of (unintelligible). (There) which is basically when you're trying to uniquely identify rights issues that are only dealt with by consumer organizations, it's always going to be a problem. There will -

organizations within NCUC that deal only with specific subsets of those rights as well.

And trying to add the constituency both of interest group issue basically comes down to constituency intended exclusively and interest groups are the attended - the mid multiple membership. And there are going to be issues like that consumer organizations are all going to care about - generally going to care about consumer privacy for example.

But to separate them and put them in a different category to organizations that exclusively care about privacy doesn't seem to really serve any useful purpose in the policy development (unintelligible).

Avri Doria: Thank you (David). I've got (Harold), Wendy and (Katine). So (Harold).

(Harold): Thank you. I see that we're now running overtime according to schedule. But that's normal. And so I'll try to be short. Now I've always been very happy and wanted to encourage the non-commercial participation at ICANN. Actually that's where I got started with my own involvement way, way, way back then.

But so it seems appropriate that I should try to point out a few issues I have with the (current situation). One is - there are two cases where this thing has to have some check and balance in it. One is capture. The other one is (merchant).

I mean if we - if you want to take the last one first, if you want support and I think you should have it, then there has to be some gating mechanism for being in the position to say my activity will have support. That is we formulate - I don't know how it should be formulated.

Whether an interest group has support, whether it's a (unintelligible) interest group that has support, whether it's a constituency that has support, whether it's the whole or whatever the name of the thing is this week that has support

and then let's - and then that has to figure out which groups get support for what.

So some (mechanics matrices) and that's inevitably leads to some approval mechanism that has to exist in order to - in order to figure out what the entities are that get supported.

The capture thing is okay, given that ICANN is an organization in that influence is the interest for people with larger amount of money. And if you were an actor with no conscience and a large amount of money, how would you go about getting (interest) on ICANN?

And if the cheapest way to get (interest) in ICANN is to establish 346 non-commercial organizations, we'll have them all join NCSG. Well, if that's a bad thing, how do we prevent it from happening?

So well I like mechanisms that slow things down when people try to capture me so that I have time to react from - and get them possibly running in the opposite direction.

But it's things that we need to work through and (unintelligible) no time to - no time for anything else. Thank you.

Avri Doria: Okay (Harold), I just wanted to let you know, and we can go into it at a separate time, we actually do have mechanisms in for all of that. That's why the interest group is sort of a two-stage process. One of them, yes, you name yourself and second you actually do something and it is reviewed by, you know, the Executive Committee within the NCSG.

So we are putting that together but look forward to having it reviewed to see whether it does stand up to your test. Wendy and (Katine). So I have Wendy.

Wendy Seltzer: Thanks and great segue because what I wanted to say was that I think that the - as I understand, the interest group model in the NCSG proposal it allows for a incremental development of interest groups. We have vetting along the way as they demonstrate their involvement in the process to both the existing non-commercial stakeholders and to the Board who can look over the transparent record of their participation, their contributions.

But it also is offering to these groups the opportunity to define their interests, to figure out whether they are interests that are ICANN interests or not. Maybe somebody states as an interest group and realizes that they don't have ICANN interest and moves elsewhere.

Maybe they start because they see the promise of support in the future and don't live up to that and so they don't get the support. But maybe they're drawn in by that option and because there's a defined process by which they can get support in the future if they pass the vetting, then they become participants who can add other voices to the process.

So I think that allowing - enabling the vetting by community and other parts of ICANN, the Board, gives us greater flexibility than the constituency model which would sort of brace your in or your out line puts a huge burden on the (vetters) to - did you get it right. Because once you're in, it's hard to get them back out again and makes it hard for groups to develop that integration with the ICANN process that would allow everyone to see whether they really were a proper constituency or not.

Man: Looking forward to reading the proposal eventually.

Avri Doria: Yes. Thank you. At the moment I've got three more people that have to speak on this topic; (Katine), Beau and then Bill again. But also want to point out we're already 15 minutes over and we haven't hit - we'll hit some of the other topics sort of. I don't know how long we can have Board members stay with us. We'd like...

Man: About five minutes.

Avri Doria: About five minutes. Okay. So (Katine) please.

(Katine Torey):   Thanks a lot Avri and good afternoon or good day everyone. It's a great place
                to be with you again. By the way, my name is (Katine Torey). I'm a Board
                member from the (Gambia). And I just wanted to suggest, you know by way,
                you know, of some - one or two strategies maybe one could use to actually
                check what it is that you want to get (with a hard) talk about the need to be a
                little bit more focused. Just mentioning that.

                And, you know, some people expressing the concern that somehow what you
                want to do is lost of that. And I think a good starting place really would be for
                you to try to, you know, link whatever it is that you want to do to the
                attainment of the strategy of (unintelligible) of ICANN.

                And I'll just give you one example here. When you talk about the - your high
                cost of the generic top level domain names, something I think Rafik is going
                to speak to, you know, clearly if you look at this focus areas of the ICANN - of
                ICANN's strategy plan.

                The second focus is - which is consumer choice has one strategy objective of
                everyone connected. Now that everyone connected can be looked at the
                context of connection for instance in terms of people getting access. But I can
                also look at connections from the perspective of inclusion.

                So that if we have new generic top level domain names introduced and it's so
                expensive for somebody in Mombassa, Kenya for instance so that cannot
                register Mombassa, you have a case for saying that you are being excluded
                by a process which actually denies inclusive as expressed in the strategy
                plan for ICANN.

So I think what you ought to do is just think very carefully first of all from (here) as yourself with the strategy plan of ICANN and then think very carefully about what it is that you are doing and how it is that you can relate it to the - of the objectives that are outlined in the ICANN strategy plan.

And secondly also as we move forward in discussion about the framework for the (unintelligible) then as far as I'm concerned, all bets are off. You know, you have to position yourself to make sure that your priorities are expressed and (explained) in the budget framework so that at the end of the day it becomes very easy for you to make a request for the funding that you want.

And this means that of course you have to engage in some horse trading and partnership building and see whatever it is that you can do to make sure other people, other (participants), stakeholders also buy into the mission and the objectives that you have.

Avri Doria: Thank you. I have Beau and Bill and then that's it on this one. And we're almost done. And then I'm going to ask if just the other people on the agenda could just quickly give a one or two sentence thing of what they wanted to say because we're going to lose the Board. So Beau if you have like one or two sentences that you can add. Are you near a microphone? Oh, it's (Evan). I'm sorry. I'm - no I truly apologize. And you're not easily mistaken. I just had the wrong name in mind.

Evan Leibovitch: Sorry. My name is Evan Leibovitch. I am Chair of the North American region for at large. I'm not here to speak for ALAC. But I want to talk to somebody who is a member of the joint GNSO ALAC group on registrant rights.

The work of which really goes in line with what Avri and (Peter) were saying before the need for this kind of coordination and the fact that there is work already going on on the issue of rights starting with registrant rights.

And as far as I can tell you from the progress of that work, it got split into two parts, first of which was an enumeration in plain language of rights that exist in the existing RAA. I think that work is mostly done.

The next part of it is what the contracted parties gently call the aspirational document of what rights should be. That work is yet to go on. Beau and myself have been involved in that. And I really want to invite everybody here who has an interest in that to please contact one of us. This is a heavy-duty Internet governance issue and we're absolutely committed to moving forward on it.

Avri Doria: You said you had two sentences. Was that you? Oh that was you. I'm sorry. I'm going to get totally confused here.

Man: I just wanted to say and thank the Board members for sharing their ideas and their advice. I (unintelligible) another comment that I've got. My two sentence response is that we intend to make this new interest group a place where we are going to collect all policies within ICANN, all specific plans, all additions, everything that is within ICANN that (unintelligible) consumer and it will be our home where we are going to be do it and our point of - our (unintelligible) point is to (unintelligible) on the consumer rights. Thank you.

Avri Doria: If quickly I could ask Rafik to just sort of give a quick - oh you had something on this topic? Okay. Please, I'm sorry Bill.

Bill Drake: Okay. Just very brief point. I mean (Harold) had raised the point about somebody with no conscious and a lot of money capturing. And it was hard for me not to giggle because basically we're all conscious and no money and we've never had any entities that had money come near us or express any interest in capturing us. And we'd be interested to see what happens when they try.

There is one possible concern though in this regard and that is - and it's a point that we talked about before you came. The - and I raised this a lot also when we were talking in Seoul with (Roberto) about some of these issues. We have to be clear when we talk about consumer groups that we stick to non-commercial consumer groups of foundations for these kinds of activities.

There are a lot of groups out there that call themselves consumer groups that are non-profit in their organizations and whose members are large corporations for example. You can mention the International Telecommunication User Group, things like this. These are groups that they've - they have members like, you know, Citibank, et cetera.

Now I don't expect those kinds of groups to want to come into NCSG. I think we're not on their radar and not remotely important enough. But we would have to make sure then building some kind of an activity around consumer issues here that the membership be truly non-commercial entities concerned with public interest objectives.

We haven't had any problem with that so far. That's whose been involved in our environment. And frankly I think anybody who looks at the space here is coming - who's coming from a very different perspective, this is not where they're going to go. They have other places they can go.

They can go to the - for one thing the CSG. I just want to say real quickly, the point that Evan made is one - this is an example of one of the areas where we really should have much better cooperation between NCSG and ALAC. And one of the problems has been having the space within NCSG where people who have interests around those consumer issues like RAA can really gather - get the support they want, get the intellectual juices going and be focused on that. We haven't had that thus far.

So I'm really hopeful that if we go forward and follow this model that we'll be able to partner much more effectively with ALAC on the many issues where we have common concerns.

Avri Doria: Thank you. Now some of the Board members had to leave. We're welcome - I mean the rest of the Board members are welcome to stay as long as they can. There is food. People can grab food. We can keep talking.

I'd like to ask Rafik to start talking about the issues. To say - we're happy to continue meeting with you as long as you've got time to meet with us and perhaps walk through some of the other issues. But we understand if, you know, some of you others of you have to leave. Okay. So Rafik. And anyone that wants to grab food, please do, you know, but quietly while Rafik is talking. But thank you. Yes, he speaks - but we got a microphone.

Rafik Dammak: Thank you. So I will be really brief. So there is a concern for applications from developing countries to be able to (unintelligible) for the AOI process and to join this process. And so my fear is that as (unintelligible) process define it will keep the same registries from United States and Europe and exclude registries from developing countries especially for communities or I don't know for (unintelligible) Africa or in (unintelligible) kind of (unintelligible).

And the other concern is there is no really specific communication of which toward African regions. There is no really specific words. There was outrage (unintelligible) and they only happen in your United States in North America and Asia but no in Africa. So what's - I'll say what's ICANN going to do to fix that and to fix specific (unintelligible) process?

Avri Doria: Okay. I had Fahd who wanted to make a comment but also (Bruce) wanted to make a comment, so Fahd.

Fahd Batayneh: This is to add to Rafik's (prospect) information. What happens when a new (unintelligible) comes from a developing world country number one,

affordability issue; number two, language issue; number three, understanding issue?

I was (reading) this yesterday so I'll start from the Indian (unintelligible) example. India has a straightforward (unintelligible). (Mongadish), which is a country which is (unintelligible). Now with the issue comes for (unintelligible) or (dart Bengal) or some other word which is (unintelligible) to both of these regions we have a border in between them. How are you going to do the negotiation process? Who will do the evaluation? At what cost will the evaluation done?

Second question. DESI, D-E-S-I, this stands for the second generation Indians born and raised outside of India. This also applies to Pakistan that was once this country. The word DESI defines our culture, our clues, our technology so for the (unintelligible) workers.

The word DESI is available in four languages; Hindi, Punjabi, (Tomin) and Urdu. Urdu despite being the national language of Pakistan is spoken more in India. Imagine what this (unintelligible) and (dart) DESI constitutes many business in both of these countries.

And then the evaluation idea was, which I proposed yesterday in the (unintelligible) session is when - that if you take $185,000 in the U.S. to evaluate this. To evaluate this is Pakistan, you only have to spend 200,000 rupees, which is less than $3000.

You will get the advocate, you will get the IT intellectual property organization, you'll get everyone involved and volunteers to create a committee from Pakistan to evaluate this. And this would apply to many developing world countries.

And this will for example be in Middle East as a work (unintelligible). (Unintelligible) is a common space. This can be utilized in all Middle Eastern

countries. How would you negotiate that process? How would you manage the (evolution) process? These are our deep concerns for developing world countries. Thank you.

Man: Thanks. Avri I'll attempt to answer the first question and then the second question that (unintelligible). But with respect to the communication plan, and I'm going to just speak personally from my (unintelligible) rather than certainly not on behalf of the whole Board or ICANN for that matter.

But my observation is that the knowledge of new gTLDs is widespread in North America and Europe. And the reason that is because many of the industry participants, registries and registrars are like headed in those regions. And I've been approaching many organizations with respect to new gTLDs both for profits and non-profits.

So I think it's done actually. I think North America - and you can tell that from the public comments. You look at the public comment processes on AOI and count where they come by region. Again, you'll find the majority of those comments come from fairly large organizations in North America and Europe.

So the challenge for ICANN then is to work out what is the best way of communicating this to countries or to geographic regions such as South America, Africa and most of Asia. And then really working out what actually is the message that needs to be communicated.

So I think one thing is that the members of the non-commercial stakeholder group that are from those regions could really help advise the ICANN staff because they need to prepare a communication plan. They need to advise what's the best way of doing that.

The focus so far of ICANN hasn't really been communicating to people in North America and Europe essentially being to deal with questions from industry participants. And those industry participants have actually done the

communications themselves. ICANN really hasn't done - been done with the registries and registrars.

The meetings that you refer to are really meetings more from a policy perspective from the participants. I just want to make that clear. So we need to step right on - I think communications has been done anyway yet. And what we need is a plan and we need guidance from people from the different regions of saying what's the best way of communicating in you region.

The second question was about how you would deal with things like and use the example of the possibility of (dart Bengal). The process is fairly clearly defined and I'm happy to take you through it separately. But just at a really high level, if there was only one applicant for (dart Bengal) and there was no protests against that application, that application will be successful provided it meets the technical and financial criteria.

If there are two applications for (dart Bengal) and let's say one application comes from one side of the border and another application comes from the other side of the border. I would assume that in that situation I would probably firstly state they were community supported applications.

And then that goes into a formal evaluation of the degree of community support. And I think if ICANN was presented with that scenario, then it would need to use experts within that region that would be on the panel that assesses that. So ICANN, the way it assesses community support if there's Community 1 versus Community 2 is to form a panel of experts.

That panel of experts would be from that region. As you say, it's pointless having a panel from the U.S. So it's clearly defined. And if you had sort of further questions about that, I'm happy to discuss that with you.

Avri Doria: Thank you. Rafik, you wanted to add something.

Rafik Dammak: Yes. About communications now I think that the ICANN should cooperate with all the ICANN community about that especially from people from developing countries, it's not just to define that with only with ICANN staff. But it's hard to all communities.

Avri Doria: And Fahd.

Fahd Batayneh: Thank you for those - for the answer. And one thing I would like to add is how many people know about the gTLD? I can give you (in) Pakistan and that's it. Right? So there's a communication issue. There's a capacity issue. There's an outreach that has to be made.

And this is not such a very broader outreach, right. But ICANN does need the broader as well as the (future) outreach for the gTLD. And in order to get this into Pakistan or into India, we'll at least have to publish it in four at least languages or at least have like original ICANN gTLD sessions with like maybe a (fellows), maybe even people who already do (unintelligible) for Pakistan. Maybe the people from (unintelligible) for India or (unintelligible) or maybe some of the (unintelligible) for ideas.

It's a long process. And we have to start to planning this - (unintelligible) it scares. Trust me. I thank you.

Man: So perhaps if you could set in writing what you suggest they do that's relevant to your region. Like some regions may be putting it in - it might be in one newspaper that everyone reads and you put an advertisement in that newspaper and that's one way of doing it.

Other regions it might be through association. So they might be an association of non-profits or a business association and you can go through those associations. Depends on the regions. So if you can say for Pakistan, which is an area you know, let ICANN staff know the best way of communicating in that region. And that can then be built into plan.

Fahd Batayneh: But once again, the ICANN staff should at least have one email (unintelligible) to deal with that specific issue. Second thing, the price issue still stands $185,000. In Pakistan it takes companies nearly 12 years to earn that kind of money to (spare) for a domain name. Right.

((Crosstalk))

Fahd Batayneh: You can actually - you can actually feed the whole town with that kind of money, I tell you.

Man: Yes. Yes. But it's a bit the customer mobile phones have. Let's just put it in perspective. So if you're talking in Kenya and I've spoken to people in the industry here, one of their big costs is actually the energy costs to power the mobile phone network. So, most of their cost is actually building generators to drive the mobile phone (channel).

So if you look at the costs of one communication point in this country, it's well over that cost. So just give it perspective. It's a question of where you want to allocate your resources in those countries. It's not a question of is it possible or not.

It's, you know, do you want to invest your resources in mobile phone towers? Do you want to invest it in fibre optics? Do you want to invest it in new gTLDs? The cost of the new gTLD is no different to any other communication technologies within that region.

Avri Doria: Okay. Thanks. I've got a bunch of people. (Jonja) just asked to get something in and I've got Debby and then (Alex) and then Rafik. And then I'd like to kind of end this one so that while we still have some Board members here, maybe we can still get to a couple of the other topics. But that you. Yes (Jonja).

(Jonja): Two remarks. Actually what we're talking about is not only a challenge and a problem, technical or political. It's also an opportunity. Actually the examples given by Fahd were very interesting to me because they pointed out one of the problems of evolving from the 20th to the 21st century.

And that is the almost mentally automatic link between a name, country name, language name, cultural name and territory controlled by a state, a sovereign state.

My point, and I will be very brief from this, is that this is perhaps an opportunity, a fantastic opportunity for all of us, for all of you to use the Internet as a tool to go, not to neglect state boundaries, but to go beyond that by creating links in which it would be possible to persuade one his or her government that it is the wider interest of the whole region to get some understanding on sharing that extraordinary resource which is a name. That was my first remark.

My second remark addresses several of the points brought out by (Alex), by Fahd, by Rafik and others which is how do you - how do you get beyond that difficulty of the existing inequality between countries. I just want to add a little word here about the influence or the perhaps the contribution which is possible through public participation.

The purpose of public participation in ICANN is not just to get more people, you know, to the microphone. That's not the point at all. It's about policy formation. It's about contributing to the formation of policy. And in that sense I suggest that you talk with people who have some ideas also about this who spoke to me about their own examples.

For instance (unintelligible) who is thinking about that. India is all with people on the staff of ICANN who are wondering how to go beyond the current obstacle of limitations of budget. So distance participation is one of the tools but also a more regional approach, not a country-by-country approach.

There's no way that ICANN can develop a communication policy with almost 200 countries. There's no way. So it helps are about participation tools and especially putting more focus in the public participation reality of ICANN to concentrate on the subjects you think are the most important and the ones you talked about today; gTLDs are certainly important. Thanks.

Debby Hughes: I'm sorry. (Unintelligible). And so I'm going to kind of dovetail into the issue that is - the next one talking about global outreach and communication. And for example, one of the things I think that's really important for us to think about is how detailed the draft communications plan should be.

And one of the things we were talking about internally is it's great to reach out and to get input but how do you do that and how do you communicate that to the Board in a meaningful way? How do you partner with staff to make sure that our comments are heard in a way that's helpful and that's also meaningful?

And so one of the things I think that a few of us were suggesting is separate from just an email address to send these types of things to is we would like to actually put together a document with some proposed definite solutions on how to reach each of the different geographical regions.

And the point that was just made is very true. It's difficult to come up with guidance on countries right. But perhaps if we take the five geographic regions of ICANN or something like that and then reached out to those in each of those ICANN communities and got their input and their feedback and then submitted that one communications document to the ICANN Board and ICANN staff in a meaningful way.

I've been talking to, and I think I'm going to mess up her name, I think her name is (Carla) in the communications. And we were talking about the draft communications plan on I think it was Saturday. The days are starting to roll

together. And I asked her, I said are you open to some concrete suggestions?

I mean rather than just having a bunch of emails come at you, what if we were able to put together some specific comments, some specific recommendations on how to reach out in developing countries and to target communities. And she was very open to that. So that was one thing.

And then also just wanted to let the Board know that there's a public participation, a panel that I think Avri and Bill are going to be speaking at. And so we've really tried to wrap our hands around outreach to developing communities is very, very important to non-commercial users and that's something that's very important to me as well.

Avri Doria: Thank you. Okay. I have (Alex), Rafik and then (Bruce). Okay. You wanted a real quick response. Okay (Bruce), please.

(Bruce):   I think basically what I'm hearing just as a takeaway is that we need to actually create something on the ICANN Web site around a proposed communication plan and then have that (the places) as the other suggestion down there like a place to where to submit them via public comment or via (unintelligible).

The communication plan's important. We'll put a place on the Web site and I'll talk to (Cara) about it.

((Crosstalk))

Debby Hughes: Yes, she - we had asked her - it's a draft communications plan. It was going to be up for comment. She said there was no plans at that time, so anyway.

Avri Doria: Thank you. Okay. I have (Alex), Rafik, Bill and Wanda.

(Alex): This is more - so what (Bruce) have said about maybe what some of us could also try to (unintelligible) and understanding how to outreach people. I'm following up further on what Debby has just stated on the communication strategy.

One of the things I possibly would recommend is ICANN maybe find a way of engaging with media. Media institutions now are (regions). Because that's where you get your message communicated to the masses. We have only about maybe 4, 5% of our people connected to the Internet. So unfortunately I believe you have it on an ICANN Web site, it may not reach the vast majority of the people in this continent inasmuch as is well intentioned.

So it may be more fruitful to even bring them on board immediately or more sooner by (puttering) with media practitioner themselves. Not media houses because it does have commercial interest. But thank you.

Rafik Dammak: Well, I have two points. So the first one about managing (unintelligible) in the (unintelligible) region. We can take example of some small gTLD in developing countries, they don't need a real deep budget to run the gTLD.

The second one about communication. So for example, in the global partnership would have just one (TRXO) for all who is (unintelligible) who has to deal with Africa and Asia. It's more than 50 countries and to deal with all stakeholder groups in all the ICANN community. So is not really sustainable. And for help to focus for example, we need more people to focus an some communities we need to bring to the ICANN community.

Avri Doria: Bill.

Bill Drake: I just wanted to express a general point. On the question of outreach in developing countries which is of course one that's close to my heart, but at the same time I have to say when I look at the pricing structure for new gTLDs or the (EOI) process, et cetera, to me outreach is not enough. I really

do agree with those in GAC who think that there ought to be differentiated price structure.

When we had a discussion about this the other day and Kurt was there, I pointed out that in the summary of the public comments that just said well that would add cost and complexity to do that. Well, lots of things add cost and complexity.

But I think we have to - if we're serious about trying to really reach out to the developing world and get them more engaged in the ICANN environment and on the Internet in an effective way, some things are worth putting up with a little complexity and added costs. And I think that these are priorities.

If we are also going to do effective outreach to developing countries, I would say I wouldn't think about it just in regional terms because the reality is that the developing world is a very highly differentiated space. And you've got vast differences between the 50 least developed countries and say the upper income middle income developing countries and so on.

So the kind of strategy you might use to reach out to South Africa and try and stimulate interest there isn't necessarily going to be so useful for Togo. And - or the Sudan.

And so I think the real challenge is going to be to think not so much in sort of block (heed) big categories but for the ICANN staff to try to do outreach that is much more highly differentiated and culturally sensitive and recognizing the widely disparate conditions within which these various countries are operating and the kinds of things that would be needed for people within those countries given those local circumstances to be able to engage in this process somewhat effectively.

Avri Doria: (Wanda).

(Wanda):   Well being from the developing country I guess I have something to say. And the - some - and being 10 years in ICANN I guess I learn a little bit. And one thing that we need to start to is not (unintelligible) from constituency to SOs and ACs directed to ICANN.

But use our infrastructure around our constituents. This morning we had a very good meeting with the GNSO. And we have a lot of people from (unintelligible) and we had a lot of different ideas about how to communicate and how to make, you know, outreach and again we have the CC in each country.

So just in the - just in the experience from Brazil, that is since the beginning Portuguese our language is not in (right nation) for instance. So we are aware that nobody will pay attention to that. So we - our CC translate everything that comes from the page of ICANN.

So people can read. People can understand. And if they want, they can participate. So it's a lot of - I'm also part of ALAC now. I've been part of the GAC and the (govern). So the (govern) must be, you know, pushed in some way too.

So we need to use all the opportunities in the environment we have here to make this happen in the developing areas because it's not really easy and nobody's going to make any miracles. Much less get small amount of people that is just inside the ICANN staff. But we have a very good experience and maybe this could continue to be done around other regions about the new gTLDs.

And that we had a meeting in Sao Paulo. Someone from the ICANN came out from United States to Sao Paulo. So we got together all the associations related to Internet and that we spread the word around. So we packed one big room and put all the interest together over there and, you know, they learn.

And we talk about ICANN. We talk about the - all the structure of ICANN or what they can join, you know, this group, the other group and everything. So with that our members of this any kind of constituents here, we are a part of this communication plan.

So we need to work together in all the way we need to push, to publish to spread the word around. That's the only way to do that because there is no first, enough people; second, enough money. So we cannot do a lot of things. But we can use all the Internet - all the Internet.

One thing that was suggested this morning was to have, you know, people from the GNSO with record a little bit, you know, 10 minutes, talking about what the hell is that. No. And all the things that we can put together, the GAC, why the (govern) is not participate.

So the (unintelligible) can put, you know, ten minutes. And we can have this with our computer. Any time you have you put this. You have online newspapers, online, you know, a lot of groups in many developing countries use online communication. So put that. Open a blog. So there is a lot of things that we really could do to, you know, improve the participation of the developing countries because this is really (bad). Thank you.

Avri Doria: Thank you. Jonne and then (Mitchum).

Jonne Soininen: Yes. So Jonne Soininen from the TLD license ICANN Board. The - we have to go actually because we are out of time...

Avri Doria: Yes.

Jonne Soininen: ...and actually we have another meeting coming on. But just to reinforce a little bit of what (Wanda) said and what was said earlier also by (Peter). So let's talk about first of all the price. We are looking at that on the Board what

we can do. There has been discussions about grants or loans or things like that. And we will be looking at that. So hopefully come up with something that would be useful in this context.

By the way, just a correction to (Wanda). This wasn't a GNSO meeting we had in the (morning). It was with the commercial...

(Wanda):   Yes.

Jonne Soininen: ...(unintelligible) (visitors). Just because it seemed that there was some confusion...

((Crosstalk))

(Wanda):   Yes.

Jonne Soininen: ...in different spaces so visible.

Avri Doria: Thank you.

Jonne Soininen: The - so there wasn't anything you left out. And so that it was a good meeting. The other thing is of course reinforcing the point from (Wanda) and others that we have to work here together to make a good communication plan that we actually do reach everybody that has to be reached. And there we have to - the staff ahs to work with the community to get that done and hopefully we can then get some of the communication at least to the most of the people that should be reached.

Not saying that they would always be room for improvement but at least try to get that there where we have to be. And there your input and of course your connections are extremely important. Thank you but we have to go.

Avri Doria: The mike to (Mitchum). But as the last two Board members are leaving, I want to say thank you and please pass our thank yous on to the rest.

((Crosstalk))

Woman: Thank you for invite us.

Avri Doria: (Mitchum), you can probably get a comment in as they're walking out. I'm sorry.

Woman: Thank you Avri and (unintelligible).

Avri Doria: Okay. For those of us that are left, I suggest we take a slight break finishing up our meals before we go back to where we were. And thank you.

                 The people is -- I did have a brief conversation with (Peter) before he left. He said he's very interested in how we establish parity. He believes we should but how one does it is sort of eluding him at the moment. So it's something that, you know, we can come up with ways and thoughts of the ways of doing it.

                 And he also assured me that yes; meeting with NCSG and the Board was something that would be a regular event at meetings. On parity? Basically establishing parity in general between commercial interest and non-commercial interest. It's a very - it's a topic that's very interesting to him and he wants to see it happen but he has no idea. Like none of us have an idea of how we will actually make it happen.

                 And so probably the first thing we can look for is parity in time between the CSG and the NCSG meetings with the Board. You know, they have their what, several hour breakfast. They're still doing that. Yes, that's the meeting that (Wanda) was talking about. The very productive meeting where all these suggestions came from was from the CSG breakfast.

Okay. It being 1:30, why don't we start up again?

You want me to do the concatenation for you with the (ducks)?

Okay. If I remember correctly, we were way back in the early morning. And Bill was basically leading us through - and this is still - this is probably one of the most important things that we have to get done today. A lot of other stuff is important. Figuring out how we're going to deal with review team appointments and whatever is critical. So Bill, the floor is yours again.

Man: Hey.

Avri Doria: We're still in recording mode, correct? Operator. Yes we are. Okay. Thank you.

Bill Drake: I'm sorry. I was not prepared. I'm in the middle of emails to the Council on various issues related to this.

Avri Doria: The same thing you were in when we interrupted you this morning.

((Crosstalk))

Bill Drake: Yes because it doesn't stop. Nothing stops. You know that. Even though we agree the process that's developed over a month now, there's people who don't like what they agreed to.

Where was - I have to go back to the list of the candidates, right. So and let's clarify one point Avri before I proceed to go through individuals. The process by which we're going to make this determination.

Now we said on the list that because there wasn't time to do an election that we were going to have the decision made I believe was it the Policy Committee, which would be...

Avri Doria: The Policy Committee which includes basically the EC members and the Council members and we - once I get the approval from the last of the EC would include (Alex) also from an interest group but I'm still waiting for the final EC vote on that.

Bill Drake: Okay. So do we have a quorum of the Policy Committee here that - so we can actually do this today? I believe we do, right.

Avri Doria: Council members - one that's missing is Rosemary.

Bill Drake: Okay.

Avri Doria: And - well not all of them are in the room at the moment - well of the rest of - here there's one, four, five. So there's five. (Milton) and then there's me and (Milton)'s not here. Yes. So short - you're short Rosemary and (Milton). But doing this today should be okay.

Bill Drake: Okay. I don't think (Milton) will object to...

Avri Doria: What I would recommend is that the group make it and then I'll send it to that list for confirmation because we've got enough time to confirm, right.

((Crosstalk))

Bill Drake: We do. We do but just in terms of the internal Council dynamic, I would really love to be able to notify as soon as possible. So if we could send...

Avri Doria: Okay. I think that's - I think that's fine. I think - when is the deadline?

Bill Drake: The actual deadline is the 14th. But I would be really advantageous if we could notify the Council tomorrow or the next day latest because not only...

((Crosstalk))

Avri Doria: Well if it's tomorrow or the next day latest, I can basically ask for confirmation over the next two days of those two that aren't here.

Bill Drake: Okay. But if the rest of us all - in any event we're...

((Crosstalk))

Avri Doria: It doesn't have to be a full - it also doesn't have to be a full - it's only the EC that's working on...

Bill Drake: Right.

Avri Doria: ...full - I don't know. What do the rest of you think on that.

Bill Drake: We're voting or we're doing consensus, rough consensus or what?

Woman: Maybe when we get to the consensus point, I think that it would be great if we could let the rest of the Council know our determination or the outcomes by tomorrow because it's the open Council meeting tomorrow morning. If that gives you enough time to talk to Rosemary and (Milton), I think that would be a good deadline.

Bill Drake: We also have the next day a call of the evaluation team and the evaluation team needs to begin to work on those candidates that are standing for the open slots and that means we have to take off the agenda the ones that have been allocated.

So we would want them to know that (unintelligible) was allocated and since we don't have to reach his file and et cetera. So it really does - it really would be a lot better - Rosemary has never expressed any view on any of this. But maybe - I don't know if she would like say no, I don't agree with what everybody else has said. But I find it highly unlikely.

Avri Doria: I tend to believe so. I do believe that if this is as important...

Bill Drake: Right.

Avri Doria: We really haven't established policy by which the policy group makes its decisions. So I mean in a default there's consensus. There's certainly no voting mechanism that's been established for the policy group. I think if you have rough consensus and if I try to confirm it, that's good. But I think also because we're at a meeting, an action is best taken at the meeting; I think that would be acceptable.

Bill Drake: And I would add also that I as the head of the drafting team that put this together strongly urged the other stakeholder groups to please try to vote on...

((Crosstalk))

Bill Drake: ...constituency day if they could.

Avri Doria: I'd like to hear from Debby and Rafik how you feel about making the decision now and going on with that because it's not for me to decide how the policy group wants to make its call.

Debby Hughes: I would certainly like to give them a opportunity to hear what we're thinking. And maybe if we, you know, set a deadline that, you know, if we don't hear from you by time certain, you know, some time that we set that this is how we're going to proceed tomorrow.

I mean I think it would be really nice like - Bill is on. I think it would be nice if we could follow the instructions that Bill provided to the different stakeholder groups. And it would be really nice to show that we've got our stuff together, you know, tomorrow certainly would - but I would really like to give them that opportunity to at least weigh in.

We could say that we asked and, you know, be reasonable from a timing standpoint and then - I know if it were me on the other side, if I wasn't there, that I would understand that if you guys tried to reach out to me, I knew what my obligation is and I had the opportunity to weigh in that if I didn't then, you know, that (would be done).

Avri Doria: And of course they were invited to be at this meeting remotely. So Bill I would suggest - Rafik, did you want to comment on this as another member of that group?

Rafik Dammak: Maybe say we can set up deadline but as soon as possible then so we can move ahead.

Avri Doria: And (Alex) as a not quite member of that group, how do you feel about it?

(Alex):   I have to (unintelligible) would be good (unintelligible) for the openness and for giving the other people the opportunity to (feel) though I (unintelligible), it might be good just to give a few hours and responses and can be decided tomorrow, tonight, by tomorrow to proceed. However on just doing it now (unintelligible).

((Crosstalk))

Avri Doria: So what we're recommending if I understand correctly is that in this group, and it's not just the policy members that are here, but in this group in general a near decision will be made. And then Bill you would write the policy group

saying, because you're the appointed, you know, representative of us all in this issue, that you would write to the policy group saying the general meeting has, you know, come up with this recommendation.

You know, we want to - we want to announce tomorrow. Do you have any objection or something like that? Rafik.

Rafik Dammak: So just about (unintelligible), we should also take care of the time difference. I'm not sure because for Rosemary I think it's now almost 8:00 pm and for - I don't know about (Milton).

Avri Doria: Right. Rosemary would have her morning hours before Bill would have to see an answer. I know because I sent her something last night where I was really hoping there'd be an answer from her this morning. And, you know, her morning hours came and went and I didn't see an answer. But I checked the clock to make sure I knew when her morning was.

And for (Milton), I don't know where he is. He's either two hours earlier than here or eight hours earlier than here.

Bill Drake: In (Milton)'s case it doesn't matter. And no, he's online all the time. He will see - he will see the message and respond.

Avri Doria: The last time I tried to do something like this and didn't give enough time it was (Milton) that reprimanded me.

Bill Drake: Okay. Well, we should point out - I mean I'm certain that (Milton) will not object to the allocation of really to the (unintelligible) because he strongly supported it.

Avri Doria: Yes, he almost suggested it.

Bill Drake: Indeed. The only thing is that, and now this comes back to the individual cases, there were some people here who felt that we could nominate - what's her name? (Virginia)? Victoria?

Avri Doria: Victoria.

Bill Drake: Victoria.

Avri Doria: I would...

Bill Drake: And he said he would block any such...

Avri Doria: Right. No. Basically.

Bill Drake: ...consensus. And any way - can I just point out? That was actually kind of misconstrued because the nomination or the endorsement is endorsement of stakeholder group candidates, okay; she's not in our stakeholder group. So we wouldn't be endorsing her anyway. We can vote for her. And that's - so that's the issue.

If we want to decide - we have to decide whether in the first round we want to vote for (unintelligible) - how do I - huh? (Akik). We want to vote for (Akik) in the first round or if we want to vote for somebody else in the first round or vote for (Akik) in the first round and then vote for somebody else in the second round.

If we were to all say we have a joint consensus that we all want to vote for her, (Milton) would object to that. On the other hand, of course, it should be pointed out at the end of the day Councilors can vote their conscious too as I understand.

So if...

Avri Doria: Unless...

((Crosstalk))

Bill Drake: We're not bound...

Avri Doria: ...stakeholder group takes a...

Bill Drake: Right.

Avri Doria: ...binding - a binding thingy that you can't - we can't bind (unintelligible) Board appointees but the three that were elected by NCUC could theoretically, you know, tie you all to...

((Crosstalk))

Avri Doria: I don't believe - no, I don't believe there's any practice of the NCUC having ever done that.

Bill Drake: Right.

Avri Doria: But...

Bill Drake: People just vote against us in the next election if they don't like what we're doing.

Avri Doria: Right. That's theoretically, however, because of the way the Council operations are defined, it is within a constituency and eventually stakeholder group's purview to bind as Councilors if it wants to.

Bill Drake: Okay.

Avri Doria: But that's beside the point.

Bill Drake: So technically that's possible but in reality if for example Wendy and Mary
                 wanted to vote for Victoria, they could and that's not up to (Milton).

Avri Doria: Okay. So what are we working on now? We're working on confirming - I
                 mean we've almost said, or maybe you said several times, that (Willy) is the
                 selection. Is that what we're first saying?

Bill Drake: Let's start there. Is there anybody who would like to object to this fine young
                 man next to me being the designated allocated person in the pool from
                 NCSG?

Debby Hughes: (Willy), did you want to say anything on this? I mean first I just wanted...

Avri Doria: Do you want it? No, you didn't want that.

Debby Hughes: Because we're all chomping at the bit here to nominate you. And, you know,
                 so we could just hear from you on this. That'd be great.

(Willy):   Sure. We've been sort of in the last year from APC perspective picking up on
                 the accountability issues in this work we've been doing on the code of good
                 practice on...

Man: There might be people who can't hear you on the (unintelligible).

(Willy):   We've also been working on a code of good practice on information
                 transparency and participation in Internet governance. And have in that - in
                 this process also made public comments on the various accountability
                 comment procedures that ICANN has put out in the last year or so as well as
                 making input into the (NTIA) public comment on the expiree of the JPA in
                 which we looked at accountability issues related to ICANN and broadly
                 supported that the JPA should expire.

So in that sense I would be honored to accept an NCSG nomination. It does fit with what APC has also been doing in this area. And I would hope that it looks like a great tricky assignment. And I would (unintelligible) draw on expertise from within the NCSG in order to undertake it. Thank you very much.

Debby Hughes: Thank you. And let me just say I think that we stand a really good chance of having you selected as a final candidate by Yannis and (Peter). And the reason I say this is because this particular review committee accountability and transparency is very important to a lot of the, you know, larger issues that are going on here with respect to ICANN legitimacy.

And I think that they very much need to have the voice of civil society on this review team. And so I think that means, you know, we stand a pretty good chance of getting someone especially if it's such a strong candidate as you are.

So I - and I think this is such an important task because everything that happens at ICANN comes from what will pour out form what happens on this review team. All of the accountability and transparency issues cross cutting throughout the whole organization.

So this is such an important review team and a real opportunity to make a different. So I just want to say thank you for being willing to do it. And I'm really excited about our possibilities of getting a candidate on the team. Thank you. Anyone else want to comment on this?

Maria Farrell: Hi, sorry to - oops. Those that don't know me, I'm Maria Farrell pending membership. Oh, I'm (unintelligible). Okay. Thank you very much. Oh. Gisella, this is great. Thank you. The last I'll ever hear.

Just to say that I've been working until about six months ago working on stuff at ICANN, a lot working with Paul Evans on transparency and accountability

and doing review on present strategy committee. So (I have) a certain amount of kind of background knowledge about the documents and that and I'd be really happy to if you do want to, you know, have (unintelligible) on that. I'm sure there are other people but (unintelligible).

Avri Doria: Thanks. Does anyone else have anything to say? (Alex), go ahead.

(Alex):   I just wanted to add my thanks and to you for joining our constituency and I think that (unintelligible) given for help is very important and timely. Because one of my experiences with ICANN in participating on workgroups is that sometimes even when you are on certain workgroups you probably don't know what is happening in the organization. And sometimes past documents that are related to what you may be doing may not be available.

So when we have somebody like you, you're indeed a good resource that can help all of us who are participating in different workgroups and work teams in ICANN that we could be asking for any leads you may have when we have the need. Thank you.

Debby Hughes: Okay. So hearing no objections or if there are any, please raise them now, I think we should move forward with (Willy) as the first candidate and then start discussing this other position that we need to figure out who we want to endorse. Does anyone have anything they want to add on whether or not we object or should we agree to move forward? Wendy.

Wendy Seltzer: I move that we adopt (Willy) as our candidate for the NCSG plus.

Woman: Second.

Woman: Second.

Debby Hughes: Thank you so much with this great acclamation. I think it's official and you are a candidate. So now let's talk about who we want to suggest endorse for this

other position. And as Bill as raised, there's (Akik) who may be a possibility. And there's also - do we want to consider some of the candidates from the other stakeholder groups who might stand a more realistic chance. And I don't know that that's true but I'm, you know, this is just the discussion that we're having.

Personally I think I would prefer that we support our own candidate. And if he doesn't succeed then that's the time to do the horse-trading and figure out which of the other candidates to support. But I personally would prefer that we start off by supporting the non-commercial user candidate for this slot. And so I just want to open it up and see what anyone else thinks or - Mary.

Mary Wong: Not directly on point but just a reminder, and Bill you might want to speak briefly on the diversity issue.

Bill Drake: Do I have to?

Mary Wong: No.

Bill Drake: Do you know how much this is involved?

Mary Wong: I think it's important for our group to know...

((Crosstalk))

Bill Drake: Okay. Just (unintelligible). A little fried form all of this. (Excuse me). Well the short version of all this is that in the drafting team I insisted that we have geographic and gender diversity requirements. The others from here who are on the drafting team, Rafik and - who else did we have into the drafting team from here? Just you. But we also had support in this from Zahid and - no, it wasn't Olof. It was one other person.

Two business people and Olga, sorry. All right. So the two of us, Olga and Zahid insisted that this had to be built into the process. We got a lot of pushback from a lot of the private sector people who said this is irrelevant but the - what was really interesting was that the two female business people on the drafting team were the ones arguing against gender diversity requirements because they said, you know, we should focus on whether people are qualified and not, you know, their gender.

And of course we pointed out that there are qualified women but that didn't kind of go - so anyway, so we got kind of deadlocked on this. But finally at the end of the day we were able to find compromise language that said that, you know, unless the pool of applicants does not allow, that's to say if we just don't have the candidates that would make it work, that of the up to six that the GNSO Council would endorse, no more than two could come from the same region.

And they couldn't be all of one gender. And the balance or I should say imbalance between genders could not be greater than 1/3 to 2/3. So now of course that is aspirational to the extent that if the pool doesn't allow it, then fine. There's nothing we can do.

As it happens, it's a little bit of a tough call. There are only two women of the 12 that are being considered. And one of them I sense not going to get elected. And as far as regional diversity goes, if you look at the distribution of the people that have been put forward by the other stakeholder groups, they were overwhelmingly white guys from the U.S.

So we are still waiting to see what happens, who the stakeholder groups, the registries, registrars and CSG put forward. Oh, by the way, one of the business people sent me - sent a note to the list kind of tweaking and saying we're very surprised that NCSG didn't nominate a woman. Because basically their view as, you know, so society should take care of all the diversity requirements that we could have whoever we want to have, you know.

So, you know, we failed to come up with a woman. I said oh, we only had a South African and a Bangladeshi, sorry, you know. But anyway be that as it may.

So where was I? I'm sorry. I'm tired. So the point is now if we go through the first round of voting and after we find out who the other stakeholder groups put forward, if we end up with the GNSO looking at a slate that does not meet the diversity requirements and there are options to redress that, what is supposed to happen is that the evaluation team, which is composed of one representative of each stakeholder group plus Olga (of the NCA), is supposed to then go back and negotiate with the stakeholder groups and try to get them to reconsider the nominations they've made and try and come up with a more appropriate balance.

For example...

Debby Hughes: Do you mean we could bring in new people at that point?

Bill Drake: No. It wouldn't be new people but take - consider for example the possibility that a stakeholder group has had two or three people that it liked. It decided to put one of them as the candidate for the allocated slot, which is guaranteed and then put up two others for the competitive election and they didn't make it. Okay.

And one of them let's say is a woman. Would you - could we then go back - would they be willing to take their female who didn't win in the election and put her in as the allocated candidate? We could allow them to do that because that's their choice. The allocated candidate is the choice of the stakeholder group to define. They can pick whoever they want. And that's not subject to a vote of the Council.

Now if they refuse to do that, then I don't know what the hell to do. Because - and my sense from what's going - my sense from all the dialog since then is that they will refuse to do that. So they - because some of them have been pretty consistently critical, even though they signed off on this package and said okay we can deal with it, they've continued to raise concerns about it.

So I don't really know what's going to happen. If after we have the vote on the Council call, if we have a non - an insufficiently diverse list and I say look, we agreed in black and white, here are the letters that say we will now do this and they all go well we won't - we don't want to. We can't really force them.

And well I - at this point I throw it to Chuck. And I say Chuck, you know, you're the Chair, is the GNSO going to follow - Council going to follow the rules it set for itself or not? I'm not in a position to try to force them to do it. So I really hope we don't come to this point. But I do suspect that if you look at how the voting seems to be lining up that we could.

Now one possible way that we get slightly out of this would be, as I said, if Victoria who is an IPC member but doesn't want to be considered a CSG candidate because she would not get the support of the CSG and has therefore asked to be an independent, if we were to accept that she be put into the competition for the independent slot with the gentleman from India, Mr. (Katria). Yes. I spelled his name wrong, didn't I.

Anyway, and if she were to be elected in that unaffiliated slot, at least we might have one woman in the mix. So I have suggested that although it would have been my strong preference that we follow our own rules and allocate known candidates to their stakeholder groups and ergo she would have been a CSG person.

Since CSG isn't supporting her, isn't going to vote for her and she wants to be independent and we only have one candidate right now for the independent slot, I think it's a reasonable thing to say we ought to put her up for that slot.

SO I hope that they will agree to do with that - do that and that thereby we might at least get one woman into the mix.

Just to finish the point and then there's the - there's this other woman that was added by the registries at the very last minute last night right before the cutoff whose name was Elaine Pruis and she is with Minds and Machines.

And if of course if she were to win the competitive election or if the - or better if the registry - well, better. Not for (Brian) but if the registries were to put her up for the allocated slot instead of (Brian), that seems unlikely since - given the lay of the land, then you could get another woman in that way.

Mary Wong: Actually my question was about Elaine Pruis. It's not clear from the documentation that she is a registry candidate because she says she's applying in her personal capacity. I'm not quite sure what that means at all.

Bill Drake: What that means is that the registries don't want people who aren't yet registries. So I mean we always have these issues within the GNSO. We've had a lot of fights at least since you and I've been on the Council Mary although they're generally kind of sort of (vochy) where some of the companies in the other - in the contracted party houses have resisted having people put into their midst that have not - that have yet to be actually - to actually obtain that status.

Mary Wong: Right. But that was my question then. Maybe it's just not clear that she actually has self identify or will be attributed to the registry SG which might then make an independent and I don't know whether they're shifting sands or irrelevant.

Bill Drake: That's actually a good point. I'm not thinking clearly. Yes, because Minds and Machines is not - they're not a member of the registry contingency, right. So they can't be right now.

Debby Hughes: I also wondered one possible meaning - I'm sorry to interrupt you. I just wanted to answer Mary's question about what does this mean. One possible meaning of in my personal capacity could mean I'm not going to be there representing my company. I'm going to - I'm just guessing of different things that he could possibly - she could possibly have meant when she said that. So, you know, we should - yes, so okay. (Wendy).

Wendy Seltzer: I just wanted to say since my earlier comment, I've had several people suggest to me that Victoria McEvedy has not been conducting herself in recent ICANN dealings in the same way as she did when I was in contact with her earlier. So I'm no longer supporting her candidacy with the same enthusiasm that I earlier was.

                          And I would be perfectly happy to say we have a procedure. Let's follow it. Let's not try extra hard to move people into categories where they don't fit.

Bill Drake: Well in reality Mary just gave me a way out because I was being brain dead. But Elaine, right. Elaine is with a company that is not yet a member of the registry constituency. So when the ET meets, I will suggest to them and I'm sure that they will probably go along with it because the registry representative will say yes, they're not with us.

                          I'll say let's make - treat Elaine as an independent candidate. And then we will have a female candidate for the unaffiliated slot. We don't have to mess with Victoria, you know, status. So then that could lead us to indeed end up with one woman - at least one woman in the pool.

                          And of course we have another possibility. If the election - if the house - two houses were to fail to reach a majority on anybody for the other competitive slot, it could be that the Council send forward five names rather six in which case from a numerical standpoint one out of five being female is less of an (exemitry) than one out of six. And we come closer to the criteria. (Unintelligible).

As far as the regional diversity, I don't know. Again that's going to be the same problem. We're going to have to see what they come up (with).

Debby Hughes: I just want to point out that, you know, we're still on like number two issue of our agenda and it's 2:00 in the afternoon. So we're going to have to cut this one off pretty quick and move on to some of the other issues.

Bill Drake: So I will...

Debby Hughes: Yes.

Bill Drake: ...could I formally propose that we support (Iker) - (Akik) on the first round. He's an NCUC member. Why not vote for him. And if we go to a second round and he is so far down the list that he's not going to make it, then we could just say Councilors are free to vote their conscious as to who the - who among the remaining candidates might get to the threshold to be able to make it.

Debby Hughes: I think at that point we might want to not just say Councilors are free to vote their conscious but let's try to do some horse trading and talk with the other stakeholder groups and, you know, build some coalition behind candidates that are good and we would want.

Bill Drake: All this will be happening on a conference call. And the time for horse trading - I mean it's going to be pretty difficult I think. You know, it'll - if the first vote - I mean first of all, I don't even have agreement from the Council on what do we do if the first vote fails.

I've asked, you know, and I've gotten different answers and there's no consensus. So I have to raise this point again. But if the - if we follow the procedure that we should at least have a second vote, then at that point I would think that people will look at the ones that almost made it but didn't

quite and say okay, am I willing to throw my support to that person to put them over the top?

And we presumably would look at the ones that we find most congenial to our standpoint and vote for them. But I don't know that we're going to be in a position on a conference call with everybody to say hey, yo, registrars. If you'll do X, we'll do Y for you. You know.

Debby Hughes: No, but you may have some - have an opportunity to have some of those discussions in advance if you think that your candidate's not going to - that our candidate's not going to win. You know, we could have some discussions with other stakeholder groups about then, you know, if then, what.

But I totally take your point. But I'm just saying, you know, let's just try to think about it.

Bill Drake: Why don't we just take one more minute on this and get a sense from anybody that if - do they have persons that they would think would be viable seconds that NCSG might support on the assumption that our candidate doesn't make it through in the first round?

Debby Hughes: Okay.

((Crosstalk))

Avri Doria: ...one quick question to make sure I know who - is it Mr. (Romin) - is that who we're saying? Okay. Just wanted to make sure I was clear. And I don't have any opinions about any of the others other than that I would not be voting for Victoria and that's really all I have to say about the others. I don't have any experience with any of the other candidates.

Mary Wong: I just want to ask a quick question. So as far as the NCSG position then between now and the Council vote, publicly speaking in terms of announcing

who our candidate is, we really only need to say that for the SG slot, the designated SG slot, our candidate is (Willy) and that we have discussed and we do have positions on the other candidates.

We don't actually have to say who the group or the Councils are going to support other than the fact that all this is being recorded.

Bill Drake: No. We should endorse. I mean each stakeholder group can endorse up to two people for the open competitive slots. I think it would be an act of good faith with our colleague to endorse Mr. (Romin) and say that that is - he is our candidate for that slot.

Mary Wong: That was the question.

Bill Drake: Okay. Yes.

Debby Hughes: Any disagreement with that plan? Okay. Hearing none, I guess we've reached agreement to support him on that. Yes. Let's do it. The decision's been made. This is how we're moving forward.

Okay. So let's move on to the next thing on our agenda and I don't think we need to spend much time on it but we should talk about it and that is the need to secure resources, financial resources. As you all may probably know, you know, we do not get support from ICANN to - for a large part to bring our members to these meetings and to participate.

And so we need to raise independent funds. And we talked about this at our last meeting trying to build a little group and sort of move the ball forward on fundraising efforts and trying to bring in resources so we can really participate at the same kind of level and have some kind of - be more effective with the commercial stakeholder groups who have, you know, all the resources in the world to do this.

So I just kind of wanted to pick up our conversation from last time and, you know, see what ideas people had and then how we can more forward because this is a really important issue. I don't see ICANN providing any support or funds for us in the near future realistically.

So we're, you know, let's not say we shouldn't try but, you know, let's be real. And, you know, what are some potential sources? What are some potential, you know, places to go after to try to secure some resources so we can actually do the work of this stakeholder group? Avri, did you have something you wanted...

Avri Doria: Yes. To add some stuff to that. One of the things we talked about last time is putting together a small group of us that would actually spend some focus time on fundraising. Now I volunteered to help do that even though I don't know what experience I have in fundraising other than the fact that I'm always begging for money for research.

But I did have some interesting conversations in the period in between that gave me at least one way of thinking about it. Talked to various (unintelligible) gTLDs who basically have money and aren't disinterested in the sort of public interest, consumer protection, rights protection, orientation that this group takes.

Very often when you're sitting among a group of (50) TLD folks, they'll start, you know, going on about how the GNSO it's all money, money, money. That's all they ever care about is money, money, money. So, you know, you sit among them and say well, you know, the (SUC) and the NCSG, they do the other stuff. They do the not money, money, money stuff.

And so what came out of that discussion is that perhaps putting together something that was similar to a prospectus that people put together when they go to foundations for grants and sort of here's who we are, here's what

we do, here are kind of things that we've achieved in the past, here are our goals for the future and, you know, whether it's an online thing.

You know, it doesn't need to be a, you know, glossy little book that you pass out to them. It can very well be an online book. But something that basically - and something that's printable perhaps. Something that they can basically hold and they can when they're going to their various foundations. And a lot of them like Nominet and others are starting to say hey, we've got buckets of money. Let's do foundations for good stuff.

So that struck me as a real possibility. It takes a little work though. I mean it takes a few people actually sitting down and putting together this thingy. And of course that same thing would be good for, you know, places like PIR that's helped us in the past for asking them for continuing help, you know, and other organizations that might be interested.

So what I'd like to try and do, and I don't -definitely don't want to do it in this meeting. But what I'd like to try and do is find a couple of you that feel that A, you might have a slight talent at fundraising and helping to put together this prospectus type of thingy and for us to try and meet over the next two, three days to sort of sit separately and, you know, spend a couple hours maybe and a couple beers or whatever sort of coming up with a plan to actually do something.

Last time we talked about it then I went around and individually talked to people and I got some interesting, you know, responses from people like sure, I'd take it to my money folks or yes, we might be interested. But we need something. They can't just do it because, you know, Avri came and talked to them and said hey, we need some bucks. I was hoping. But still.

And the other thing I just wanted to add to that so hopefully people speak up, especially somebody that knows something about fundraising. The only kind of support we know in terms of confusing ourselves about support. Hopefully

the kind of support we'll be able to get from ICANN would be for example permission to use the funds of NCSG appointed Councilor who wasn't traveling to help defray some of the cost of another NCSG member traveling.

That was refused this time. I basically made a petition and multiple petitions to the NCSG to be able to use the money not being expended by Rosemary because she wasn't coming and was basically informed no, that's different. She's a Board appointee and NCSG can't have it.

So I haven't given up this particular battle yet. I certainly lost it for this meeting. I have some continuing conversations with Kevin, some conversations with (David) about the fact that yes, they were Board appointed but they're us now. And that therefore yes, it's obviously as Councilors it's their money to come Council.

But if they can't come, then we should have the same rights that every other stakeholder group has which is to reallocate that money to someone else that's doing work that wants to come that can't afford it. So if no one minds, I'm going to keep pushing on that.

But that's the kind - we're certainly never going to get aid for more people to travel than that. We may be able to get into the foundation side, you know, the - at are they called? The thing that you are. Fellows programs. Right. We might be able to get some help from there.

But by and large if we're going to fund people traveling, we're going to have to come up with our own money. The money - the help that we could get from, and I say it was being talked about in that earlier meeting, is staffers to help us do paper stuff. Staffers to help us do all kinds of stuff. That we should as we develop a budget and as we develop a charter.

And that's one piece that by the way is missing from the charter is allocation of funds. You know, and we don't' have that in our charter yet so we need to

come up with that is how allocation of funds is done if we have funds to allocate. You know, easy thing to say EC does it but maybe the EC won't be one to be, you know, burdened to that level and we - I don't know.

But the policy - I have no idea. But anyhow we have to come up with an answer to that one. So but the rest of the - if we want to fund stuff, we've got to get money. And for example, if we want to fund, you know, places where we have adequate tools. Although that we might be able to get from (unintelligible). Mary, you wanted...

Mary Wong: Yes. So just two things. I think we all support continuing to press on the button about reallocation of existing travel funds within our group. I think that will be great. I think the other thing is the specific thing following up on the fellowship point.

This came up in Seoul that to the extent that there is a new NCSG member who meets the criteria, and at least the baseline criteria for fellowship that that - I don't think we want to say that should be priority but that that definitely should be something ICANN should factor very highly analysis as to whether or not to award the fellowship.

((Crosstalk))

(Brendan): Yes. To Mary's point, I would just say we should accelerate to moving it to (UC) members and to the NCSG because we have the criteria. Yes. But we should continue to accelerate.

Debby Hughes: And every NCUC member is an NCSG member.

Man: But we don't have - but we still list, you know, it's still in the (unintelligible).

(Brendan): Because I can think of existing NCUC members that would be good candidates for fellowships that we should bring in and start to cultivate and familiarize with ICANN in order to place them on the upcoming review team.

And then I have to duck out of here but to Avri's point, I would be interested in working on funding (unintelligible) who knows a lot of the history of NCUC and I also having done some work within NCUC recently (unintelligible) that to a foundation.

Debby Hughes: Thanks (Brendan) and I want to point out that Konstantinos is participating remotely on the site chat and he's also volunteered to help with some funding outreach. So thank you to both of you as well as Konstantinos listening from - where are you? Probably the U.K. somewhere.

Anyways, I wanted to pick up on Mary's point about the need for - or the fellowship. And I was on a panel a couple meetings ago with I think it was Kevin Wilson from ICANN.

And we talked about the possibility of NCSG having a slot or two slots or whatever it is from the fellowships that will automatically go to the non-commercial users constituency that - so we can get some kind of a guarantee about - that we can get some members put in the fellowship program each time.

He said he thought it was a great idea and would go back and talk to other Board members and staff. That really hasn't gone anywhere. But I think it's worth pursuing and continuing to pursue. So I think that, you know, we need to continue with that.

And then Konstantinos says he's in Scotland. That's all.

Avri Doria: (You're next).

Man: So just about the fellowship program. When people apply, the need two reference. So, maybe if they can have references from the NCSG. But I have some concerns that the fellowship is not really toward people from GNSO. It's mostly for I think for GAC and ccNSO and maybe (unintelligible) but is not for GNSO. So maybe we can advocate for to more places for GNSO people. You can check the fellowship page and you can find in the eligibility.

Avri Doria: Sorry. So anyhow, as I said, I have - I had two people. (Brendan) and Konstantinos. Now Fahd added his name to that list. But if other people either who are here or who listen to this tape later, especially those with experience in fundraising, please get in touch so that we can actually do something and start raising money as soon as possible.

Okay. So then on the agenda, and I was messing with the agenda, we basically then are now up to where we were going to be oh around 12:15, which is on the policy discussion. And I'm not sure how much there is to say about some of them but there may be a lot to say.

So I'll start off with vertical integration since basically (Milton) and I have been on the drafting team. The drafting team finished a charter. The charter is currently in the GNSO's hands. The motion was made by Stephane and seconded by Mary in terms of getting that done. Now I don't know what the chances of passage of that charter are. Hopefully they're fairly good. But maybe you can fill us in a little bit more on where that's at in the Council.

Mary Wong: I don't have any sort of basis for this but I would imagine that most of the other Councilors would defer to - those of them and on the drafting team as well, it's quite encouraging that the motion is going forward with very little debate or argumentation.

There were a couple of friendly amendments from the other stakeholder groups. So I've no reason to believe that it won't get voted through. And that's all I know at this point.

Avri Doria: So anyhow, the next step on that will be the announcement going out for working group members. I pretty much expected at least two of us will volunteer. It would really surprise me if two of us didn't volunteer and that's (Milton) and I. I don't think either one of us is willing to let the other one volunteer without going too. We're buddies throughout this process.

And so - and that's good. But certainly there'll be encouragement to anyone else, you know, from the NCSG and otherwise who's interested in this topic. And really the reason the topic is important now is because there are a number of applicants whether they're what I call boutique applicants, whether it's the corporate applicants, whether it's the NGOs or whomever where a small registry wants to be able to sell its own names.

And doesn't want to - and certainly isn't going to have market power and such and just wants to be able to, you know, sell their own names. Now, you know, if vertical integration -- I don't know how many of you have been following this -- is defined as being owned by the same person and not allowing equivalent services by other registrars, well it might be easy for them to sell their own as long as that becomes the policy.

So that's really the purpose of this and to try and basically define some criteria where staff was able to look at it and sort of say, yes, this is one of those cases where it's okay and know this is the case where it's not and then there's probably a middle, this requires some sort of more investigation. I don't know where it's going to get.

But - and there's a very tight deadline on this particular working group. Basically the idea is the Council gave us a tight agenda - I mean a tight deadline. But if we want to contribute to the applicant guidebook and we want to contribute to what is the reality after, you know, in terms of the first new gTLDs, I think that we need to get it done.

So I don't know if there's anything else anyone - yes Mary.

Mary Wong: So this may or may not be of interest to anybody. But another reason why this is important and I think the reason - or one reason why the Council set a tight deadline is that the other processes related to this point happening in parallel primarily there will be a staff proposal for a model for vertical integration.

And that's being developed outside of the GNSO Council. We haven't seen it. We don't know what it will be - what it's going to look like. But that should be presented at some point within the timeframe that the Council set for the PDP and that is one reason for the timeline.

And the other thing is, and Avri you know this, that there was supposed to be an economist report on vertical integration and that has just been released to the community. So it does put pressure on the GNSO. And I just wanted people to be aware of that (consciously).

Avri Doria: (Trans) been aware that that had actually been released. Any of those conversations about releasing it I wasn't paying attention and didn't see it released. But thank you. Yes.

And in fact one of the things that comes out of what Mary just said is that part of - if the criteria that are supposed to be developed by this working group are developed by this working group then they can look at the staff's output and have some criteria for judging it.

The other piece is the staff will obviously be participating in watching this group. So it's quite possible that this group and the staff can come out with something that is compatible based upon working in parallel. That's one of the kinds of things I (always go for).

Okay. Anything else on vertical integration? So as I say, I'm going to track that one. I expect (Milton) will track that one. I'll certainly take responsibility for reporting on what's going on to the NCSG. You know, I'm certainly willing to share that responsibility with anyone but (unintelligible).

Okay. Anything else on - anybody want to add anything else on vertical integration? Yes Wendy.

Wendy Seltzer: Simply a question of whether we're intending to have some discussion on the substance or only updates on the procedural...

((Crosstalk))

Avri Doria: What I would certainly do and what I've done...

((Crosstalk))

Wendy Seltzer: I meant in this meeting right here, right now.

Avri Doria: I don't know. Do we want...

((Crosstalk))

Woman: (Unintelligible).

Avri Doria: Okay. So what do we want to say? So say something substantive. I...

Wendy Seltzer: Okay. So my concern about vertical integration and the concern that (Milton) doesn't seem to get and for which I think that there are counterparts on the discussion...

Avri Doria: Do I get it?

Wendy Seltzer: What?

Avri Doria: Do I get it?

Wendy Seltzer: Yes. Is the market definition problems of every domain is a monopoly for those who have locked themselves into ownership of a domain name and want to keep things resolving to that domain name.

And while we can do all sorts of fancy market analyses for what the market looks like to a newcomer, we haven't spent a lot of time in these processes talking about what the market looks like once you are already a registrant and the registry then has near complete power over you to do what it likes to your domain name. And I'm hoping that that will be a greater part of ongoing discussions.

Avri Doria: Any other issues or discussions that people want to bring up? Things that I should look for as a participant although, as I say, I think (that) should all participate. I mean one of the things...

((Crosstalk))

Avri Doria: Okay. Good. One of the things that I mean I'll continue to do is when faced with an interesting or difficult issue, I will send mail out on the list asking for input and so on. Yes (unintelligible).

Man: This is more of a question. It's a question I'm asking on behalf of some of the people I've been dealing with from some of the organizations. (We) probably had one of the executive directors yesterday speak of structural enterprise, something of the idea (unintelligible).

One of the conversations we had in the past was the possibility of having a non-profit registry for them. And the idea would be, as I say, around that sort of being with the partners and other people in the context like the way (PIR) is

to run the one (dollar) per domain. So is there will be anything that would help in me answering that question out of this conversation? It would be an interesting model for them what they...

((Crosstalk))

Avri Doria: Yes.

Man: ...and I think they would definitely be interested in the integration about with the question - discussion outcome.

Avri Doria: So I guess this would also hold for - I've certainly heard it discussed. I don't know how deep it is engrained but it's certainly a good point. On the we want a registry and we want to be able to give it away to, you know, everyone in (unintelligible) or you say as the one dollar.

But it's basically it's public service type of event that we're doing. It's non-profit public service, whatever is the right word to describe it where giving domain names is - it has to be one dollar because you still - well, and I guess how you ask, other questions wouldn't come into it like is it okay to do that without a registrar who you have to give a cut to?

Is the question that vertical integration might look at? What happens to ICANN's cut is a different issue that this group wouldn't look at. You know, the fee per registration that ICANN gets on gTLD domains. That's something that would definitely to be looked at in (unintelligible).

Okay. I have Fahd and then (Stef).

Fahd Batayneh: Well, I was thinking about the (unintelligible), which the gTLD is for, like with the...

Avri Doria: No, that's actually the next discussion.

Man: I mean the (IBV6). Oh.

Avri Doria: That would be a different issue. Okay. Yes. (Betty).

(Betty):   Avri, I just want to mention of a (retalk) to about the closed model where it's just a new string, that would just be used internally in that instance, if there would be a need for a carve out in the whole vertical integration discussion.

Avri Doria: Yes, I think that's one of the first one's that came up, was the dot brand and if the dot brand wants to give it to all of their employees, you know, that one only gets to be interesting, because it's, you know, they want to give it to all their employees, they want to give to it their resalers, they want to give it to their customers.

                You know, and each one of those progressions sounds okay until we're talking about Microsoft. And then it becomes sort of an interesting - so it's a very complicated, that particular question.

                Anything else on the vertical integration issue? As I said, the next topic was new gTLD policies, so it sounded like yours might fall into the new gTLD policies, as opposed to vertical integration.

                So anything else on the vertical integration? Okay. On new GTLD policies. I don't know who wants to - if anyone wants to take a lead on that, but we're certainly talking about the EOI, we're talking about NSCG, as far as I know, doesn't have a position on the EOI.

                A bunch of us do, a bunch of us do, but we don't - this might be one of those places where we'll want to make a statement Thursday on the EOI, but we'll need to develop a position.

So I open the floor on new GTLD policies, EOI, etc. Did you have something you wanted to GTLD policy?

Man: Oh was it - a bit too, you know, picky long short, but images just came to my mind that because of (IBV6) you have the opportunity to tag unlimited amount of things or even pets and shoes and everything that you'd like.

So it's not necessary that it applies to consumer value to it. There might be a total non-consumer value to it. So, that was something on the strings.

Man: Right. The interesting things issue, is yet another topic that isn't quite an ICANN topic yet, and the Internet of things people are hoping just gone, that it doesn't become an ICANN topic.

Man: Okay. And the closet to this, I'm sorry, not closet to this, but the topic, we need somehow to look at how we can develop developing county evaluation.

Man: Right. The thing you mentioned to the board earlier.

Man: Yes, legacy strategy, for example. They took a short to the five point (unintelligible). I would like to, cut back a bit to like divide furthermore in Excel issues in those countries, but then they have established 46 salutations, digital cooperation and then similarly, they're all seen (unintelligible).

So that might be a very good way to categorize this and maybe we could have something from the Salutation in relation committee, if they look into countries and then so forth and so forth.

Man: Okay. Thank you.

So on the EOI, yes Wendy.

Wendy Seltzer: So the proposal's been floating around for an expressions of interest round. Word on the Street is that the GAC is now raising concerns that that would be - that opening up an expression of interest round is essentially opening up application process with the initial, because if you didn't express interest, you would be unable to put in an application later on and you have to pay $55,000 to express interest.

So it's really an opening of the application process. GAC is saying that the applic - that starting the application process before issues are resolved, violates the affirmation of commitments.

And so, they will stop that from happening or raise objections to it. So, I think that it is true that this is starting the application process and that we should call it starting the application process.

I also think we've resolved most of - enough of the interim issues that we should be able to say to GAC, "We have dealt with your overarching concerns and are ready to begin to the application process."

And I think it would be great if non-commercial could support something like that.

Woman: Hey Wendy, so what are the issues that GAC is still worrying about at this stage?

Wendy Seltzer: Chief among them, intellectual property issues has always been one. I'll look and see if others.

Avri Doria: Of the GAC issues? Certainly the price is still very much a GAC issue. You know, we have staff and board basically staying the price is what the price will be and now, I guess, the board as they told us earlier, that they're looking for ways of doing grants and funding and such and maybe that will be an answer that the GAC can accept.

But that's still certainly one of their open issues still. They're not totally satisfied with geographic names yet. There's, right, so that's another one that remains an issue for some GAC members.

And so, now whether there's enough GAC members that are interested in that one, that they would put in a GAC position on that, is another issue.

But...Yes.

Man: What is the motivation for the price...

Avri Doria: For the...

Man: ...if you actually have the express of interest price?

Avri Doria: Right. The motivation is that it's very complicated. But if, you believe that the data is needed for things like root scaling and giving trademark people the assurance that you know, it's not as bad as they think it is, so if that - if you believe that that's a reasonable thing out of the EOI, then you want to make sure that you have reliable truthful answers.

If it's free, I'm going to put in a string. If it's $55,000 off of my $185,000 application fee, that's enough money for me to have to be serious to put in a strong or to be filthy rich.

But you know, one of the other. So, that's the reason for the fee. And to those in the registry business, one of the interesting things that you always get is, what's $55,000 compared to running a registry?

You know, it's reasonable, it's enough, but it shouldn't be barrier to entry taking into no account of how much of a barrier of entry that is for various reasons and I got into them yesterday during the, you know, and others.

But that's the reason for the fee, that it's just to show serious intent.

Do I have anyone else that - so in terms of making a statement, if we're going to make a statement, we have to have somebody that's going to write a statement and we have to know what we want to say in it.

Woman: Well, I'd want to support what Wendy has said on the EOI and I (unintelligible) statement that we want to make, a draft.

Avri Doria: But is that statement saying we support the GAC requests, because they won't necessarily have a request yet. We won't see that until later.

Woman: Well, I don't know that we need to necessarily address the GAC requests do we? I don't know. I was more interested in...

Avri Doria: That means you have to sort of say what it is we - the reason we are giving for wanting them to no on EOI, but that's what we're asking.

Wendy Seltzer: My request - my suggestion would be to say, "Acknowledge that this is the beginning of the application process, acknowledge- call it pre-application qualification or something similar, acknowledge that that means commitments on both sides, commitments from ICANN to have a predictable process that then follow from there, and in order to be able to make that commitment from ICANN, wrap up these loose ends and say, "We've basically got the new gTLD program."

Woman: I just have a comment. I might support something like that, as long as it - we're - it's very clear too that in order to wrap up all those loose ends, it also means that we're got a final drag, because the concern that I've heard from a lot of non-profit organizations and what we shared in our comment is, that predictability and knowing what the process is, is an important part to

organizations making a decision, whether or not, they want to opt in or opt out.

And if it's a mandatory opt in, we want to know what we're opting in for. If we're going to ask our donors to spend $55,000 and then another $130,000 later, we need to know exactly what the process is and I'm not confident that we've tied the bow on all of those outstanding issues yet an so are some other non-profits.

So I would be comfortable saying, you know, call it a duck a duck, you know, if we're going to say that this is beginning of the pre-application process, then let's say what that is, but I am not comfortable saying that we're confident that those issues have all be resolved at this time.

Avri Doria: One of the things that I can add, one of the things almost everyone has said, is that this can't come out until after (Russell)'s and DAG 4 has come out.

Now some people say, if DAG 4 isn't the final application guide book, well then is that good enough? And then that's when the question becomes if that's - if we've got to have everything in the guide book complete, then why is it that we're doing this?

And so the more complete you need it to be before you can do this, it starts to appear that - the reason there is to do is to do it.

Wendy Seltzer: Exactly. So I guess my fundamental question is, what like - a fundamental question is a fundamental point, I guess.

Is this group - this stakeholder group going to say that we will not support any form of expressions of interest no matter when? And therefore, ICANN please wrap up the loose ends, tie another bow as soon as possible, and let's get on with it.

Isn't that basically what we're saying?

Avri Doria: That's certainly what I would say personally.

Wendy Seltzer: Right. I mean, obviously that runs the risk that because DAG 4 is a draft,
                guide book, it's not going to be the final - it does run the risk that will be the
                whole delay tactics process.

                I mean, that's the position I would take, but I just want to be very clear that
                that's what the other members also feel. If not, that ruins the nuances of the
                statement.

Avri Doria: Good question. I mean, as I say, this group has to decide what it is that it
                wants to say as a group and I don't really know. As I said, I certainly got up
                on stage as an individual yesterday, and said that.

                The only thing, I don't know how many people were in the room, the only
                thing I felt comfortable saying, was an NCSG position, was on the question of
                transparency of information submitted that the NCSG generally took a
                position that full transparency was required.

                And that was the only time I felt comfortable saying I knew what the NCSG
                position is. I still don't think I feel comfortable knowing what it is.

                Do we have a - if- you know, it's almost sounding like, if there is an EOI, we'll
                then call it a duck, but we would prefer that there wasn't one, or is that true?

                I mean, is there anybody in this room that thinks and EOI is a good thing in
                itself, because it will give us information that's useful, it will, you know, cause
                a serious problem.

                I mean, do we anybody that's actually in favor of it for those reasons? Yes.

Wendy Seltzer: I'm not raising my hand in favor of it. I think just to concretize it for folks who may be fading after lunch, I mean, one possibility and maybe some people are thinking along those lines, is that we - they would support an EOI or whatever would more accurately be called a pre-launch application, if for example, the fee was lowered to $1,000 or $5,000.

I mean, that was something was discussed during the session yesterday, and if that's what some of our members feel, then obviously we cannot say that we're not supporting a pre-launch application at all.

Man: I've always wondered something which my seniors can tell me. But when the generic names were dealt before, a few that did come out, (unintelligible), and these starting from like, sorry, there were a couple of them that came out.

How did - how were they valued in the first place? Was their expression as EOI's - did they charge like huge sums of money, right, for the evolutions of those names?

And then secondly, why isn't the - they didn't do so much stuff voluntarily? Why isn't - aren't they agreeing to build a system to do, some like, you know, within the - even if you look at the WHOIS, right, the basic search, domain and suggestions, the systems out there, domain support, how come they're not looking at these particular aspects of developing an electronic system to do most of this stuff within the data bases?

Like almost everything that's going on, especially at the wide period, you've got databases of everything you're doing?

How come - why are they leaving everything manual and putting in so many man hours and restricting like all the rest of the world, even knowing someone even in the least developing county and everyone they're sending them to this EOI?

It's just, I haven't been able to understand since this last meeting. This planning of the EOI is very, very, like you know, makes you nervous about.

Woman: Well, you're looking at me like I should answer. But, actually those other hard world domains that you mentioned were before my time, so I can't - I don't know.

And I think- probably most people here as well, it's before our time. But I don't think there's a precedence for an EOI. I don't know, maybe Wendy knows better how that went.

Sorry, I can't answer. I just don't know.

Man: (Unintelligible).

Man: Do we have a stakeholder analysis of where things break on this issue? In other words, who is in support of an EOI process and what are the various positions against it?

It was interesting in the panel yesterday, to see that there seems to be quite a lot of opposition to the EOI process, particularly from the private sector grouping.

Avri Doria: At the moment no. I mean, a full analysis no. And in fact, people were actually rather surprised when they put together the panel finding out how divergent the set of rules - the set of opinions were.

But I would basically sort of say, in a general rule, the contracted parties have decided that they're in favor of it. The non-contracted parties aren't.

However, almost universally on the contracted party's house, you go and you say, would you prefer an EOI or the gate opens tomorrow? It's the gate opens tomorrow.

Most of them want an EOI, those that want it because they believe it will reduce impediments. They also- it will make it easier for people that have been going to their financiers to their venture capital, to them whoever, for the last year and a half saying, "It coming soon, it's coming soon. This is a very important marketing device". To sort of say, "See it's coming soon. We're putting the money down now."

Now that same we're putting the money down now, is what's really hard for the philanthropy and for the less developed nations, but it's exactly what enables a company that's running out of money while trying to build new domain names, to go and get, you know, another couple million of investment, so that they can continue to meet payroll for the next six months, because this EOI will convince their investors that it's real.

They're taking my money now, so it must be real.

Man: But where is the GAC unease coming from?

Avri Doria: The GAC unease is coming from its binding nature, it's - the thing is, that it is starting, that they're perceiving it as starting around and that they're - and without their main issues haven't been resolved yet, they're not ready to let the round go.

                Oh, yes...

Man: It's interesting though, you raised the issue of how maybe analysis which have already been done, they factor the gTLD, the new gTLD's and how the market will react once they're actually into deals.

                And the new situation that we're probably not envisioned in the political development. These are some of the issues they have been discussing, the

PDP, worked in, which is different, and of course, I'm not a chair. I'm just a member, (unintelligible). I'm actually representing our group.

And one of the suggestions we have made on - while we are thinking about on our various conversations, conference calls, is that perhaps when new situations are encountered in the future, as you try to sort out the lose ends and tie everything that is needed, we should also realize that they'll be new situations that will arise - will come in the future, but will also require (unintelligible), as I said, and this is what has been created a situation no room for staff to cause this implementation issues, when they're actually policy issues.

So we already trying to address that by trying to create a framework under which maybe staff could look at an issue when they realize it is a policy, they don't call it implementation. Maybe they refer to the council and among us.

So I just thought maybe I could relate to this gTLD with some of things that your are doing at the other policy meetings. Thanks.

Woman: I don't say to anything. We can move on with the next topic. I mean, I've just been thinking it over and in terms of helping craft the statement or whatever it is, I mean, there's just a few questions. Right.

I mean, the fundamental question is, does our stakeholder group support an EOI at all? That's actually the simplest question, but may be the hardest one to answer and we need to work through some of the possibilities.

And a couple of possibilities would be, would the stakeholder group support an EOI, if it is more accurately described and if, for example, there was graduated pricing?

The third possibility, would the stakeholder group support an EOI more accurately described if, for example, it were voluntarily rather than mandatory?

I mean, there's a number of issues with the EOI and I'm just - I guess for me and hopefully if helps Wendy too just to try and get a sense of, if some of the concerns that many of us have spoken to were partly or somewhat addressed, would that help?

If that doesn't help that much, then we go back to the simple fundamental position, we don't support an EOI, call it what it is.

Man: Yes, I mean, that seems that the prequalification idea is quite a good one. And at that - and then that might, if the purpose is not purely to gather information, that then has an non-economic effect on the price issue.

So that it may be possible to argue for a smaller fee qualification fee than the $55,000.

And what I'm not clear about, is what is that - what would the information that would be required in such a pre-qualification be? And this issuers, this argument about whether they would be prejudice in revealing certain information in this stage or not?

Man: Now you've really summarized the offering, which are really very good. And the...

Woman: (Unintelligible).

Man: I mean, (unintelligible) that is why I currently just pushed my hand up. The idea came to me, was that I have said this, because sometimes international organizations have a procedure of dealing people differently from the developing countries in terms of, for example, fees for the user activities.

And there's a human development index to emphasize for the League of Nations. And they follow them and the developing categories are categorized. So, if this - if ICANN can follow the ISO international system, if one person (Unintelligible) have put that up to be followed for directly acceptances, why haven't they been able to accept other universities in place for accommodating to developing countries equally?

And in terms devaluation, I believe if I was (unintelligible), at least in my part of the world in South Asia, I would get a great level of consensus over supporting the human development index in the form of putting fees and charging fees and so forth.

Otherwise, we would be stuck, for example, in international, for industry certifications and stuff like that, they give us huge discounts uniquely wide, because according to the inventory index, our country is categorized.

And it is yearly updated index, which international organizations use. Why cannot this international organization use that human inventory index?

Avri Doria: Certainly my opinion, is absolutely no EOI, no how. I'm fairly absolute on that on - but that's just one opinion.

Because I believe that it, no matter what it does, it delays the new process. It doesn't add any necessary information, it prejudices at any expense, it prejudices various possible groups that would want a gLD, without adding anything.

So it's just - you know, we have a broken process and we're inventing yet another process to fix the broken process.

And then, and as we can see, this one's getting more and more complicated. It's getting harder and harder, and so yes.

Woman: And I'll just, I agree with that. I also oppose the EOI as a diversion of attention from actually getting the countries right. So perhaps if we take the five geographic regions of ICANN or something like that, and then reached out to those in each of those ICANN communities and got their input and their feedback, and then submitted that one communications document to the ICANN Board and ICANN staff in a meaningful way.

I've been talking to and I think I'm going to mess up here name. I think her name is (Carla) in the communications and we were talking about the draft communications plan on, I think, it was Saturday. The days are starting to roll together, and I asked her, I said, "Are you open to some concrete suggestions? I mean, rather than just having a bunch of emails come at you? What if were able to put together some specific comments, some specific recommendations on how to reach our in the developing countries and to target communities and was very open to that?"

And then also, just want to let the board know, that there's a public participation, a panel that I think, (Avrien) and Bill are going to speaking at, and so we're really tried to wrap our hands around hand outreach to developing communities is very, very important to non-commercial users, and that's something that's very important to me as well.

Avri Doria: Thank you. Okay, I had (Alex Rafif) and then (Bruce). Oh you wanted a real quick response? Okay (Bruce) please.

(Bruce):   I think basically what I'm hearing, just as a takeaway, is that we need to actually create something on the ICANN Web site around a proposed communication plan and then have to places as the other suggestion down there, like to a place to where we can submit them by public comments or by email.

That the communication's plan in full - will put us at a place on the Web site and I'll talk to (Carla) about it.

Debby Hughes: Yes, she - we had a asked her. It's a draft communications plan. It was going to be up for comment. She said there was no plans at that time. So, anyway.

(Bruce): So thank you.

Avri Doria: So I have (Alex), (Unintelligible), Bill, and (Wanda).

(Alex): This is more- so what (Bruce) had to say about maybe some of us could also try and advisor at this cycle and depending to outreach people, I'm following up on what Debby has just said in the communications strategy.

One of the things I possibly would recommend, is that ICANN maybe find a way of engaging with the media, media that is sufficient in our region, because this is where you get your message communicated to the market. We have already about maybe four or 5% of our article communicate do the Internet.

So unfortunately, they even if you have on the ICAN Web site, then it will reach the vast majority of the people in this continent, in as much, as it is well intentioned.

So it may be more fruitful to even bring them onboard immediately, or more sooner by cultivating the media practitioner, themselves what media houses, because those have much interests. But thank you.

Man: So I have two points. So the first one about managing the registries in developing regions. We can take example of some small city in developing countries. They don't need a real deep budget to run in the city.

The second point about communication. So, for example, in the Global Partnership, we have just director for all who (unintelligible) who has to deal with the African region. It's more than 50 countries and to deal with all stakeholder groups in all the ICANN communities. So it's not really sustainable and for help to focus, for example, we need more people to focus in some communities we need to bring to the ICANN community.

Avri Doria: Bill.

Bill Drake: I just wanted to express a general point, on the question of outreach in developing questions, which is, of course, one that's close to my heart, but at the same time, I have to say, when I look at the pricing structure for new gTLD's or the EOI process etc., to me outreach is not enough.

I really do agree with those in GAC who think that they're ought to be a differentiated price structure. When we had a discussion about this the other day, and Kurt was there, I pointed out that in the summary of the public comments, that (Bruce) said, well that would cost and complexity to do that.

Well, lots of things add cost and complexity. But, I think we have - if we're serious about trying to really reach out to the developing world and get them more fully engaged in the ICANN environment and on the Internet in an effective way, some things are worth putting up with a little complexity and added cost.

And I think that these are priorities. If we are also going to do effective outreach to developing countries, I would say, I wouldn't think about it just in regional terms, because the reality is that the developing word is a very highly differentiated space.

And you've got vast differences between the 50 least developed countries and say the upper income, middle income developing countries and so on.'

So the kind of strategy you might reach - use to reach to our South Africa and try and stimulate interest there, isn't necessarily going to be so useful for Togo and or the Sudan.

And so, I think the real challenge is going to be to think not so much in sort of blocky big categories, but for the ICANN staff to try to do outreach that is much more highly differentiated and culturally sensitive and recognizing the lively desperate conditions within which these various countries are operating and the kinds of things that would be needed for people within those countries, given those local circumstances to be able to engage in this process somewhat effectively.

Avri Doria: (Unintelligible).

Man: Well being from the developing countries, I guess I have something to say. And some have been in there ten years in ICANN, I guess I learned that other day.

And one thing that we need to start to is, not proper constituency SO's and AC directed to ICANN. But, use our infrastructure around our constituents.'

This morning we had a very good meeting with the GNSO. And we had a lot of people from Virginia over there and we had a lot of different ideas about how to communicate and how to make, you know, outreach.

And again, we have the CC in each council. So just an experience from Brazil, that is since the beginning, Portuguese is our language. It's not in like nation, for instance.

So, we are aware that nobody would see a distinction of that. So, we - our CC translates everything that's come from the stage of ICANN. So people can read, people can understand and if they want, they can participate.

So it's a lot of - we - I'm also part of ALAC now. I been part of the (GNC) and the government, so the government must be in a officiate in some way too.

So, we need to use all the opportunities in the environment we have here, to make this happen in the developing areas, because it's not really easy and nobody's going to make any miracles.

Much less, a small amount of people that is just inside the ICANN side. But we have a very good experience and maybe this could continue to be done around other regions about the new gTLD's and we had a meeting in San Paulo, someone from the ICANN came out from the United States to San Paulo.

So we got together all the associations related to the Internet and we spread the word around, so we got one big room and put all the Internets together over the in all day long.

And we tall about IGEN. We talk about the - all the structures of ICANN, what they can join. You know, this group, the other group and everything.

So, we - our members of there's any kind of consistency here, we are a part of this communication plan. So we need to work together in all the ways we need to push, to publish, to spread the word around.

That's the only way to do that, because there is first, enough people, second enough money. So we cannot do a lot of things.

But we can use all the Internet, one thing that was suggested this morning, was to have, you know, people from the GNSO would record a little bit, you know, ten minutes, talking about, what the hell is that.

You know, and all the things that we can put together, the GAC, why the government does not participate. So we can, put you now, put ten minutes.

And we can have this with our computers, anytime you have, you put this, you have online newspapers, online you know, a lot of groups in many developing countries use online communications.

So, put that. Open a blog. So there is a lot of things that we really could do to you know, improve the participation of the developing countries, because it's really that.

Avri Doria: That. (Unintelligible) and then (McCann).

Woman: Yes, so (Unintelligible)'s and then from the PLG license view. I can vote. We have to go actually, because we're out of time and actually we have another meeting coming on, but just reinforce a little bit what (Wanda) said and what was said earlier also by (Peter).

(Peter) so let's talk about first of all, the price. So we are looking at that then board what we can do. There has been discussions about grants or loans for things like that and we will be looking at that.

So hopefully come up with something that would be useful in this context. And by the way, just a correction to (Wanda), this wasn't a GNSO meeting we had any more. It was with the commercial...

(Wanda): Yes.

Woman: ...then business users, just because it seemed that there was some confusion...

(Wanda): Yes.

Woman: ...because it was very confused.

Avri Doria: Thank you.

Woman: So there - so there wasn't anything you were left out. So that it was a good meeting.

(Wanda):   No, sorry.

Woman: The other thing is, of course, reinforcing the point from (Wanda) and others that we have to work here together to make a good communication plan, that we actually do reach everybody that has to be reached.

There we have to - the staff has to work with the community to get that done. And hopefully, we can then get some of the communication at least to the most of the people that should be reached.

Not saying that there would always bee room for improvement, but at least, try to get that there where we have to be. And there your input and of course, your connections are extremely important.

Thank you. But we have to go.

Avri Doria: To (Mike) to (McFinnin) but as the last two board members are leaving, I want to say thank you and please pass out thank yours to the rest.

Woman: Can you can advise us?

Avri Doria: You could probably get in as they're walking out.

Woman: Thank you (Unintelligible).

Avri Doria: I'm sorry. Okay. For those of us that are left, I suggest we take a slight break, finishing up our meals before we go back to where we and thank you.

Man: Come on. It wasn't that bad.

Avri Doria: To people, is I did have a brief conversation with (Peter) before he left. He said, "He's very interested in how we establish parity. He believes we should but how one does it is sort of alluding him at the moment. So it's something that you know, we can come up with ways and thoughts and to ways of doing it and he also assured me that yes, meeting with NCSG and the board was something that would be a regular event at meetings."

                On parity. Basically establishing parity in general between commercial interests and non-commercial interests and it's a very, it's a topic that's very interesting to him and he wants to see it happen, but he has no idea like, and none of us have an idea of how you actually make it happen.

Woman: But it's good in principle then.

Avri Doria: And so probably the first thing we can look for, is parity in time between the CSG and CNSG meetings with the board, you know, they have their what? Several hour breakfasts?

                They're still doing that?

Woman: Yes.

Avri Doria: Yes, that's meeting that (Wanda) was talking about, the very productive meeting where all these suggestions came out was from the CSG breakfast.

                Okay. If I remember correctly, we were way back in the early morning and Bill was basically leading us through - and this is still - this is probably one of the one of the most important things that we have to get done today. A lot of other stuff is important, figuring out how we're going to deal with review team appointments and whatever, is critical.

So Bill the floor's yours again.

Bill Drake: Gee.

Avri Doria: We're still in recording mode correct operator? Yes, we are, okay thank you.

Bill Drake: I'm sorry. I was not prepared. I'm in the middle of emails to the council and various issues related to this.

Avri Doria: The same thing you were when we instructed you this morning at the breakfast session?

Bill Drake: Yes, because it does at time. Nothing stops. You know that, even though we agree the process that developed over a month now, there's people who don't like what they agreed to.

                Where -I have to go back to the list of the candidates right? So, where - and let's clarify one point Avri before I proceed to go through individuals.

                The process by which we're going to make this determination. Now, we said on the list that because there wasn't time to do an election, that we were going to have the decision made, I believe was it the policy committee which would be...

Avri Doria: The policy committee which includes basically the EC members and then the council members and we at - once I get the approval from the last of the EC would include (Alex) also from an interest group, but I'm still waiting for the final EC vote on that.

                But...

Bill Drake: Okay, so do we have a forum of the policy committee here that so we can actually do this today? I believe we do. Right.

Avri Doria: Council members one that's missing is Rosemary.

Bill Drake: Okay.

Avri Doria: And while not all of whom are in the room at the moment, well of the rest of you who are here, there's one, two, three, four, that's five. So there's five. (Milton) and then there's me. (Milton)'s not here. Yes.

Well, we're short - you're short (Rosemary) and (Milton), but doing this today should be okay.

Bill Drake: Okay. I don't think (Milton) will object to...

Avri Doria: What I would recommend, is that this group make it and then I'll send it to that list for confirmation, 'cause we've got enough time to confirm right?

Bill Drake: We do, but just in terms of the internal council dynamic, I would really love to be able to notify as soon as possible. So if we could send a...

Avri Doria: Okay, I think that's fine. I think - when is the deadline?

Bill Drake: The actual deadline is the 14th, but it would be really advantageous if we could notify the council tomorrow or the next day latest, because not only...

Avri Doria: Well, if it's tomorrow or the next day latest, I can basically ask for confirmation over the next two days of those two that aren't here.

Bill Drake: But, okay, but if the rest of us all - in any event, we're...

Avri Doria: It doesn't have to be a full - it also doesn't have to be a full - it's only the EC that's working on full...

Bill Drake: Right.

Avri Doria: ...consensus. I don't know. What do the rest of you think on that?

Bill Drake: We're voting or we're doing consensus, rough consensus?

Avri Doria: Right.

Woman: Before we get to the consensus point, I think that it would be great if we could
                 let the rest of the council know our determination or the outcomes by
                 tomorrow, because it's the open council meeting tomorrow morning. If that
                 gives you enough time to talk to Rosemary and (Milton), I think that would be
                 a good deadline.

Bill Drake: (Russell) has the next day a call of the evaluation team and the evaluation
                 team needs to begin to work on those candidates that are standing for the
                 open slots and that means we have to take off the agenda the ones that have
                 been allocated.

                 So we would want them to know that (Willy) was allocated and since we don't
                 have to read his file and etc.

                 So, it really does - it really would be a lot better. Rosemary have never
                 expressed any view on any of this, but maybe - I don't know if she would like
                 say no, I don't agree with what everybody else has said, but I find it highly
                 unlikely.

Avri Doria: I tend to believe so. I do believe that if - since this is important, you - we really
                 haven't established a policy by which the policy group makes its decisions.

                 So, I mean, in a defaulter's consensus, they're certainly no voting mechanism
                 that's been established for the policy group. I think if you have rough
                 consensus and if I try to confirm it, that's good, but I think also because we're

at a meeting and action is best taken at the meeting, I think that would be acceptable.

Bill Drake: And I would add also, that I as the head of the drafting team that put this together, strongly urged the stakeholder - the other stakeholder groups to please try to vote maybe today if they could.

Avri Doria: I'd like to hear from Debby and Rafik how you feel about making the decision now and going on with that, 'cause it's not for me to decide how the policy group wants to make its policy.

Woman: I would certainly like to give them the opportunity to hear what we're thinking and maybe if we, you know, set a deadline, that you know, if we don't hear from you by time certain, you know, some time that we set, that this is how we're going to proceed tomorrow.

I mean, I think it would be really nice like, Bill is on the drafting - it would be nice if we could follow the instructions that Bill provided to the different stakeholder groups and let - it would be really nice that we've got out stuff together, you know, tomorrow, certainly would inform.

But I would really like to give them the opportunity to at least weigh in and we can say that we asked. You know, be reasonable from a time standpoint, and then I know if it were me on the other side, if I wasn't there, that I would understand that if you guys tried to reach out to me, I knew what my obligation is, and I had the opportunity to weigh in.

But if I didn't, then, you know.

Avri Doria: And of course, they were invited to be at this meeting remotely. So Bill I would suggest - Rafik did you want to comment on this as another member of that group?

Rafik Dammak: Oh maybe, since we can't set up deadline, but as soon as possible, then so we can move ahead.

Avri Doria: Okay. And (Alex) as a not quite member of that group, how do you feel about it?

(Alex): I have to (unintelligible) just to inform the openness and also giving the other people the opportunity to see the (unintelligible), get both of them, then maybe they'll experts that presented them, it might be good to just give a few hours and responses, and then they decided tomorrow, tonight, maybe by tomorrow to proceed rather than just doing it now, (unintelligible) might just come.

Avri Doria: Yes, so what we're recommending if I understand correctly, is that in this group and it's not just the policy members that are here, but in this group in general, a near decision will be made and then Bill you would write to the policy group saying, because you're the appointed you know, representative of us all in this issue, that you would write to the policy group saying, "In the general meeting has, you know, come up with this recommendation. You know, we want to announce tomorrow. Do you have any objections or something like that?"

Rafik.

Rafik Dammak: Oh just about the - we should also take care of the time difference. I'm not sure because for Rosemary, I think it's now almost 8:00 pm and for (Russell), I don't know about (Russell).

Avri Doria: Right. Rosemary would have her morning hours before Bill would have to see an answer. I know, because I sent her something last night where I was really hoping to see an answer from her this morning, and you know, her morning hours came and went and I didn't see an answer.

But I checked the clock to make sure I knew when their morning was. And for (Milton), I don't know where he is. He's either two hours earlier than here or eight hours earlier.

Rafik Dammak: In lot of case, it doesn't matter. No, I mean, he's online all the time. He will see the message and respond.

Avri Doria: The last time I tried to do something like this and didn't give enough time, it was (Milton) that reprimanded me.

Bill Drake: Okay. Well, there was - we should point out. I mean, I'm certain that (Milton) will not object to the allocation of (Willy) to the slot, because he's strongly supported it.

Avri Doria: Yes, he almost suggested it.

Bill Drake: Indeed. The only thing is, that - now this goes back to the individual cases, there were some people here who felt that we could nominate - what's her name, (Virginia), Victoria?

Avri Doria: Victoria. I was the one.

Bill Drake: Victoria and he said he would block any such consensus.

Avri Doria: Right. No. Basically...

Bill Drake: And anyway, can I just point out, that was actually kind of misconstrued, because the nominations or the endorsements is endorsement of stakeholder group candidates, okay. She's not in our stakeholder group.

So we wouldn't be endorsing her anyway. We can vote for her and that - so that's the issue. If we want to decide, we have to decide whether in the first round we want to vote for (Hiker) - (Hakid) - we want to vote for (Hakid) in the

first round or if we want to vote for somebody else in the first round or a vote for (Hakid) in the first round and then vote somebody else in the second round.

If we were to all say we have a joint consensus that we all want to vote for her, (Milton) would object to that. On the other hand, of course, it should be pointed out, at the end of the day, counselors can vote their conscience to, as I understand it.

Avri Doria: Unless...

Bill Drake: We're not bound...

Avri Doria: ...a member of the group takes a...

Bill Drake: Right.

Avri Doria: ...a binding thingee. We can't bind if we have board appointees, but the three that were elected by NCUC could theoretically you know, tie you all to...

Bill Drake: We've never done...

Avri Doria: I don't believe, no, I don't believe there's any practice of the NCUC having ever done that...

Bill Drake: Right. People just vote against us in the next election if they don't like what we're doing.

Avri Doria: Right. That's theoretically right. However, because of the way the council operations are defined, it is within a constituency and eventually stakeholder groups pervue to bind at counselors if it weren't so.

Bill Drake: Okay.

Avri Doria: But that's the size of it.

Bill Drake: Then - so technically that's possible, but in reality if, for example, Wendy and
                Mary wanted to vote for Victoria, they could and that's not up to (Milton).

                So...

Avri Doria: Okay. So what are working on now? We're working on confirming -I mean,
                we've almost said, or maybe you've said several things that (Willy) is the
                selection, is that what we're first saying?

Bill Drake: Let's start there. Is there anybody who would like to object to this fine young
                man next to me being the designated allocated person in the pool for NCSG?

Woman: (Willy) did you want to say anything on this? First, I mean, first I just want
                to...do you want it? No, he didn't want it, cause we're all chomping at the bit
                here to nominate you and you know, if we could just hear from you on this
                that would be great.

(Willy):   Sure. We've been sort of the last year from APC prospective picking up on
                the accountability issues in this work we've been doing on the code of good
                practice on...

Man: There might be people who can't hear on the (unintelligible).

(Willy):   We've also been working on a code of good practice on information,
                transparency and participation in the Internet governance.

                And have in that - in this process also made public comments on the various
                accountability comment procedures that ICANN has put out in the last year or
                so, as well as, making an input into the NCIA public comment on the expiring

of the JPA, in which we looked at accountability issues related to ICANN and broadly supported that the JPA should expire.

So in that sense, I would be honored to accept on the NCGS nomination. It does fit with what APC has also been doing in this area, and I would hope that it looks like a very tricky assignment and I would certainly draw on expertise from within the NCSG board to undertake it. Thank you very much.

Woman: Thank you. And let me just say, I think that we stand a really good chance of having you selected as the final candidate by Janus and (Peter). And the reason I say this, is because this particular review committee, accountability and transparency is very important to a lot of the, you know, larger issues that are going on here with respect to ICANN legitimacy.

And I think that they very much need to have the voice of civil society on this review team and so I think that means, you know, we stand a pretty good chance of getting someone, especially if it's such a strong candidate as you are.

So I - and I think this is such an important task, because everything that happens at ICANN comes from what will pore out from what happens on this review team. All of the accountability and transparency issues, cross cutting throughout the whole organization.

So this is such an important review team and a real opportunity to make a difference. So I just want to thank you for being willing to do it and I'm really excited about our possibilities of getting a candidate on the team.

Thank you. Anyone else want to comment on this?

(Maria Farrell):   Hi sorry. For those that don't know me, I'm (Maria Farrell). I'm pending membership. Oh, so I'm an actual member.

Okay, thank you very much. A few claps. This is great. Thank you. The last one over here.

Just to say that I've been working - I'm - I have - until about six months working on staff at ICANN, a lot working for (Paul Evans) on transparency and accountability and dealing with the present strategy committee.

So I have a certain amount of kind of background knowledge about the documents and that I'd be really happy to -if you do want me, you know, have some input on that. I'm sure there are other people who don't mind.

Woman: Thanks. Does anyone else have anything to say? (Alex) go ahead.

(Alex): I just wanted to add my thanks and to you for joining our constituency and I think that offer you have given for help is very important and timely, because one of my experiences with ICANN in participating on rough groups, is that sometimes even if you are a certain work group, you probably don't know what is happening in the organization and sometimes past documents that are related to what you may be doing, may not be available.

So when we have somebody like she, you're indeed a good resource that can help all of us who are participating in different work groups and work teams in ICANN and we could be asking for in the least- at least when have the need.

Thank you.

Woman: Okay. So hearing no objections or if there are any, please raise them now, I think we should move forward with (Willy) as the first candidate and then start discussing this other position that we need to figure out who we want to endorse.

Does anyone have anything they want to add on, whether or not, we object, or should we agree to move forward?

Wendy?

Wendy Seltzer: I move that we adopt (Willy) as our candidate for the NCSG spot.

Woman: Second.

Wendy Seltzer: Thank you so much with this great acclamation I think it's official and you are a candidate. So let's talk about who we want to suggest endorsed for this other position and as Bill has raised, there's (Hakik) who may be a possibility and there's also, do we want to consider some of the candidates from the other stakeholder groups who might stand a more realistic chance?

And I don't know that that's true, but I'm - you know, this is just the discussion that we're having. Personally, I think I would prefer that we support our own candidate and if he doesn't succeed, then that's the time to do the horse-trading and figure out which of the other candidates to support.

But I personally would prefer that we start off by supporting the non-commercial user candidate for this slot. I mean, so I just want to open it up and see what anyone else thinks, or...

Mary.

Mary Wong: I'm not directly on point, but just a reminder and Bill you might want to speak briefly on the diversity issue.

Bill Drake: Do I have to? Do you know how much this is involved?

Mary Wong: Well I think it would be good for our group to know what it is and why.

Bill Drake: Yes, yes, yes, yes, yes. I'm a little fried from all this. Excuse me. Well, the short version of all this is that in the drafting team I insisted that there -we

have geographic and gender diversity requirements. The others from here who are on the drafting team were Rafik and who else did we have in the drafting team? I mean from here?

Just you? But we also had support in this from Zahid and no it wasn't Wolf. It was one other person. Two business people and Olga sorry. All right, so the two us, Olga and Zahid insisted that this had to be built into the process. We got a lot of push back from a lot of the private sector people who said, "This is irrelevant"

That the - what was really interesting was that the two female business people on the drafting team were the ones arguing against gender diversity requirements, because they said, "You know, we should focus on whether people are qualified and not, you know, with their gender" and of course, we pointed out, that there are qualified woman, but that didn't kind of go so highly.

So we got sort of deadlocked on this, but finally at the end of the day, we were able to find compromise language that said that, you know, "Unless the pool of applicants does not allow, that' if to say, if you just don't have the candidates that would make it work, that of the up to six, that the GNSO council would endorse, no more than two could from the same region and they couldn't be all of one gender and the balance, or I should say, imbalance between genders, could not be greater than one third to two thirds."

So, now of course that is aspirational to the extent that if the pool doesn't allow it then fine, there's nothing you can do.

As it happens it's a little bit of a tough call. There are only two women of the 12 that are being considered and one of them I sense is not going to get elected.

And as far as regional diversity goes if you look at the distribution of the people that have been put forward by the other stakeholder groups, they're overwhelmingly white guys from the U.S.

So we are still waiting to see what happens - who the stakeholder groups - the Registries, the Registrars, NCSG puts forward.

Oh by the way, one of the - those people sent me - sent a note to the list kind of tweaking and saying we were very surprised that NCSG didn't nominate a woman.

Because basically their view was, you know, still society should take care of all the diversity requirements that we could have whoever we want to have, you know, so, you know, we failed to come up with a woman. I said oh, we only had a South African and a Bangladeshi, sorry, you know.

But anyway, be that as it may. So, where was I, I'm sorry, I'm tired.

So the point is now if we go through the first round of voting and after we find out who the other stakeholder groups have put forward, if we end up with GNSO looking at a flake that does not meet the diversity requirements -- and there are options to redress that, what is supposed to happen is that the evaluation team which is composed of one representative of each stakeholder group plus Olga as the MCA, is supposed to then go back and negotiate with the stakeholder groups and try to get them to reconsider the nominations they've made and try and come up with a more appropriate balance.

For example...

Woman: You mean we could bring in new people at that point?

Man: No, it wouldn't be new people but consider for example the possibility that a stakeholder group has had two or three people that it likes. It decided to put one of them as the candidate for the allocated slot which is guaranteed and then put up two others for the competitive election and they didn't make it, okay.

And one of them let's say is a woman, okay. Would you - could we then go back - would they be willing to take their female candidate who didn't win the election and put her in as the allocated candidate?

We could allow them to do that because that's their choice. The allocated candidate is the choice of the stakeholder group to define. They can pick whoever they want and that's not subject to a vote of the Council.

Now if they refuse to do that then I don't know what the hell to do because - and my sense from what's going - my sense from all the dialogue since then is that they will refuse to do that.

So they - because some of them have been pretty consistently critical, even though they signed off on this package and said okay, we can deal with it, they've continued to raise concerns about it. So I don't really know what's going to happen.

If after we have the vote on the Council call, if we have a non - insufficiently diverse list and I say look, we agreed in black and white here on the letters that now say we will now do this and they all go, well e don't want to, we can't really force them.

At this point I throw it to Chuck and I say Chuck, you know, you're the Chair. Is the GNSO going to - Council going to follow the rules it set for itself or not? I'm not in a position to try to force them to do it.

So I really hope we don't come to this point but, I do suspect that if you look at how the voting seems to be lining up that we could.

Now one possible way that we could get us slightly out of this would be as I said, if Victoria who is an IPC member but doesn't want to be considered a CSG candidate because she would not get the support of the CSG and has therefore asked to be an independent, if we were to accept that she be put into the competition for the independent slot with the gentleman from India, Mr. (Khatia) -- yes, I spelled his name wrong, didn't I?

Anyway, if she were to be elected in that unaffiliated slot, at least we might have one woman in the mix. So I have suggested that although it would have been my strong preference that we follow our own rules and allocate known candidates to their stakeholder groups and ergo she would have been a CSG person, since CSG isn't supporting her, isn't going to vote for her, and she wants to be independent and we only have one candidate right for the independent slot, I think it's a reasonable thing to say we ought to put her up for that slot.

So I hope that they will agree to do that and that thereby we might at least get one woman into the mix.

There just to finish the point, and then there's this other woman that was added by the Registries at the very last minute last night or right before the cutoff whose name was Elaine Pruis and she is with Minds and Machines.

And if - of course if she were to win the competitive election or if the - o better if the Registries- well better not for (Bryan) but if the Registries were to put her up for the allocated slot instead of (Bryan) -- and the seems unlikely since given the lay of the land, then you could get another woman in that way.

Mary Wong: Actually my question was about Elaine Pruis. It's not clear from the documentation that she is a Registry candidate because she said she's applying in personal capacity. I'm not quite sure what that means at all.

Man: What that means is that the Registries don't want people who aren't yet Registries.

So I mean we always have these issues within the GNSO. We've had a lot of fights at least since you and I have been on the Council Mary, although they're generally kind of (unintelligible) where some of the companies in the other - in the contracted party houses have resisted having people put into their midst that have yet to be - to actually obtain that status.

Mary Wong: Right, but that was my question and maybe it's just not clear that she actually has self identified or will be attributed to the Registry SG which might then make an independent and I don't whether that's shifting sands or irrelevant.

Man: That is actually a good point, I'm not thinking clearly.

Yes, because Minds and Machines is not - they're not a member of the Registry constituency right, they can't be right now.

Woman: I also wonder if one possible meaning -- I'm sorry to interrupt you, I just wanted to answer Mary's question about what does this mean -- one possible meaning of, in my personal capacity, could mean I'm not going to be there representing my company.

I'm going to -- I'm just guessing of different things that it could possibly - she could possibly have meant when she said that. So, you know, we should - yes so, okay.

Wendy?

Wendy Seltzer: I just wanted to say since my earlier comment I've had several people suggest to me that Victoria McEvedy has not been conducting herself in recent ICANN dealings in the same way as she did when I was in contact with her earlier.

So I am no longer supporting her candidacy with the same enthusiasm that I earlier was. And I would be perfectly happy to say we have a procedure, let's follow it. Let's not try extra hard to move people into categories where they don't fit.

Man: Well in reality Mary just gave me a way out because I was being brain dead. But Elaine - right, Elaine is with a company that is not yet a member of the Registry constituency.

So when the ET meets I will suggest to them, and I'm sure that they will probably go along with it because the Registry representative will say yes, they're not with us.

I'll say, let's make - let's treat Elaine as an independent candidate and then we will have a female candidate for the unaffiliated slot. We don't have to mess with Victoria's, you know, status.

So then that could lead us to indeed at least one woman in the pool.

And of course here's another possibility. If the election - if the house - two houses were to fail to reach a majority on anybody for the other competitive slot, it could be that the Council sends forward five names rather than six. In which case from a numerical standpoint one out of five being female is less of asymmetry than one out of six and we come closer to the criteria that we set for ourselves. So there's that.

As far as the regional diversities though, I don't know. Again, it's going to be the same problem, you know, just to see what they come up with.

Woman: I just want to point that, you know, we're still on like number two issue of our agenda and its two o'clock in the afternoon so we're going to have to cut this one off pretty quick and move on to some of the other issues.

Man: So I will - could I formally propose that we support (Akhi) on the first round. As he's an SCUC member, why not vote for him. And if we go to a second round and he's so far down the list that he's not going to make it then we could just say counselors are free to vote their conscious as to who the - who among the remaining candidates might get to the threshold to be able to make it.

Woman: I think at that point we might want not just say counselors are free to vote their conscious but let's try to do some horse-trading and talk with the other stakeholder group and, you know, build some coalitions behind candidates that are good and we would want.

Man: All this will be happening on a conference call and the time for horse-trading - I mean it's going to be pretty difficult I think.

You know, it will - if the first vote fails - first of all I don't even have agreement from the Council on what do we do if the first vote fails.

I've asked, you know, and I've gotten different answers and there's no consensus.

So I have to raise this point again but if the - but if we follow the procedures that we should at least have a second vote then at that point I would think that people will look at the ones that almost made it but didn't quite and say okay, am I willing to throw my support to that person to put them over the top.

And we presumably would look at the ones that we find most congenial to our standpoint, and vote for them. But I don't know that we're going to be in a

position on a conference call with everybody to say hey, Registrars, if you'll do X, we'll do Y for you.

Woman: No, but you have some - have an opportunity to have some of those discussions in advance if you think that your candidate is not going to - that our candidate is not going to win.

You know, we could have some discussions with other stakeholder groups about then - if then, what? But I totally take your point but I'm just saying, let's just try to think about it.

Man: Why don't we just take one more minute on this and get a sense from anybody that if - do they have persons that they would think would be viable seconds that NCSG might support on the assumption that our candidate doesn't make it through in the first round.

Woman: Okay, go ahead Wendy.

Wendy Seltzer: I just need to ask one quick question to make sure I know who - is it Mr. Rahman - is that who we're saying? Okay, I just wanted to make sure I was clear.

And I don't have any opinions about any of the others other than that I would not be voting for Victoria and that's really all I have to say about the others. I don't have any experience with any of the other candidates.

Mary Wong: I just want to ask a quick question. So as far as the NCSG position between now and the Council vote, publicly speaking in terms of announcing who our candidate is, we really only need to say that for the SG slot -- the designated SG slot -- our candidate is (Willie).

And that we have discussed and we do have positions on the other candidates but we don't actually have to say who the group or the Council are going to support as this is the fact that all this is being recorded.

Man: No, we shouldn't - we should endorse. I mean each stakeholder group can endorse up to two people for the open competitive slots.

I think it would be an act of good faith with our colleagues to endorse Mr. Rahman and say that that is - he is our candidate for that slot.

Mary Wong: That was the question.

Man: Okay, yes.

Avri Doria: Any disagreement with that plan? Okay. Hearing none I guess we've reached agreement to support him on that.

Yes let's do it. The decision has been made this is how we're moving forward.

Okay so let's move on to the next thing on our agenda and I don't think we need to spend much time on it but we should talk about it and that is the need to secure resources -- financial resources.

As you all may probably know, we do not get support from ICANN to - for a large part to bring our members to these meetings and to participate and so we need to raise independent funds.

And we talked about this at our last meeting trying to build a little group and sort of move the ball forward on fundraising efforts and trying to bring in resources so we can really participate at the same kind of level and have some of - be more effective with the commercial stakeholder groups who have, you know, all the resources in the world to do this.

So I just kind of wanted to pick up our conversation from last time and, you know, see what ideas people had and how we can move forward. Because this is a really important issue.

I don't see ICANN providing any support or funds for us in the near future realistically.

So, you know, that's not to say we shouldn't try but, you know, let's be real. And, you know, what are some potential sources; what are some potential, you know, places to go after to try to secure some resources so we can actually do the work of this stakeholder group.

Avri did you have something you wanted to...

Avri Doria: Yes, I wanted to add some stuff to that.

One of the things we talked about last time is putting together a small group of us that would actually spend some focus time on fundraising.

Now I volunteered to help do that even though I don't know what experience I have in fundraising other than the fact that I'm always begging for money for research.

But I did have some interesting conversations in the period in-between that gave me at least one way of thinking about it.

I talked to various ccTLD's who basically have money and aren't disinterested in the sort of public interest consumer protection, rights protection orientation that this group takes.

Very often when you're sitting among a group of ccTLD folks they'll start, you know, going on about how the GNSO it's all money, money, money, and that's all they ever care about is money, money, money.

So, you know, you sit among them and say well, you know, the NCC and the NCSG they do the other stuff - they do the not money, money, money stuff.

And so what came out of that discussion is that perhaps putting together something that was similar to a prospectus that people put together when they go to foundations for grants and sort of here's who we are; here's what we do; here are kind of things that we have achieved in the past; here are our goals for the future.

And, you know, whether it's an online thing, you know, it doesn't need to be a, you know, glossy little book that you pass out to them. It can very well be an online book but something that's basic and something that's principle perhaps, something that they could basically hold and they can, when they're going to their various foundations.

And a lot of them like (unintelligible) and others are starting to say hey, we've got buckets of money, let's do foundations for good stuff.

So that struck me as a real possibility. It takes a little work though. I mean it takes a few people actually sitting down and putting together this thingy.

And of course that same thing would be good for, you know, places like PIR that's helped us in the past for asking them for continuing help, you know, and other organizations that might be interested.

So what I'd like to try and do and I don't - definitely don't want to do it in this meeting, but what I'd like to try and do is find a couple of you that feel that A, you might have a slight talent at fundraising and helping to put together this prospectus type of thingy, and for us to try and meet over the next two, three days to sort of sit separately and, you know, spend a couple of hours maybe and a couple of beers or whatever, sort of coming up with a plan to actually do something.

Last time we talked about it then I ran around and individually talked to people and I got some interesting, you know, responses from people like sure, I'd take it to my money folks or yes, we might be interested.

But we need something. They can't just do it because, you know, Avri came and talked to them and said hey, we need some bucks - that's what I was hoping, but still.

And the other thing I just wanted to add to that - so hopefully people will speak up, especially somebody that knows something about fundraising.

The only kind of support, you know, in terms of confusing ourselves about support, hopefully the kind of support we'll be able to get from ICANN would be for example permission to use the funds of an NCSG appointed counselor who wasn't traveling to help defray some of the costs of another NCSG member traveling.

That was refused this time. I basically made a petition - multiple petitions to the NCSG to be able to use the money not being expended by Rosemary because she wasn't coming, and was basically informed no, that's different. She's Board appointee and NCSG can't have it.

So I haven't given up this particular battle yet. I certainly lost it for this meeting.

I have some continuing conversations with Kevin, some conversations with (David) about the fact that yes, they were Board appointed but they're us now. And that therefore yes, it's obviously - as counselors it's their money to come counsel.

But if they can't come then we should have the same right that every other stakeholder group has which is to reallocate that money to someone else that's doing work that wants to come that can't afford it.

So if no one minds, I'm going to keep pushing on that button. But that's the kind - we're certainly never going to get aide for more people to travel than that.

We may be able to get it through the foundation side, you know, the -- what do they call them, the thing that you are -- Fellows Program, right. We might be able to get some help from there.

But by and large if we're going to fund people traveling, we're going to have to come up with our own money.

The help that we could get from - and that was being talked about on that earlier meeting is staffers to help us do paper stuff; staffers to help us do all kinds of stuff that - we should as we develop a budget and as we develop a charter.

And that's one piece by the way that's missing from the charter is allocation of funds, you know, and we don't have that in our charter yet so we need to come up with that. Is how allocation of funds is done if we have funds to allocate.

You know, easy thing to say ET does it but maybe the ET won't be one to be, you know, burdened at that level - I don't know. But the policy - I have no idea. But anyhow, we have to come up with an answer to that one.

So - but the rest of the - if we want to fund stuff we've got to get money. And for example if we want to fund, you know, places where we have adequate tools - although that we might be able to get from (unintelligible).

Mary, you wanted to...

Mary Wong: Yes, so just two things. I think we also support continuing to press on the button about reallocation of existing travel funds within our group, I think that would be great.

I think the other thing is the specific thing, following up on the fellowship point, this came up in Seoul that to the extent that there is a new NCSG member who meets the criteria - is the baseline criteria for a fellowship, that that - I don't think we want to say that should be a priority, but that that definitely should be something ICANN should factor very highly analysis as to whether or not to award the fellowship.

Woman: Can I just add to that.

((Crosstalk))

(Brendan): Yes, to Mary's point I would just say we should accelerate moving NCUC members into the NCSG because we have the criteria, yep. But we should continue to accelerate.

Woman: And every NCUC member is an NCSG member.

(Brendan): But we don't have - but we're still (unintelligible), you know, it's still in the NCUC but (unintelligible).

Because I can think of existing NCUC members that would be good candidates for fellowships that we should bring in and start to cultivate and familiarize with ICANN in order to place them on the upcoming review team.

And then I have to duck out here but to Avri's point, I would be interested in working on a funding team. (Unintelligible) knows a lot of the history of NTUC

and also having done some work with NTUC recently, (unintelligible) that to a foundation.

Woman: Thanks (Brendan). And I want to point that Konstantinos, who's participating remotely on the Skype chat and he's also volunteered to help with some funding outreach.

So thank you to both of you - you as well Konstantinos who's listening from -- where are you -- probably the UK somewhere.

Anyway, I wanted to pick up on Mary's point about the need for - or the fellowship.

And I was on a panel a couple of meetings ago with I think it was Kevin Wilson from ICANN and we talked about the possibility of NCSG having a slot or two slots or whatever it is, from the fellowships that will automatically go to the Non-Commercial Users Constituency so we can get some kind of a guarantee about that we can get some members put in the fellowship program each time.

He said he thought it was a great idea and would go back and talk to other board members and staff. That really hasn't gone anywhere but I think it's worth pursuing and continuing to pursue so I think that we need to continue with that.

And then Konstantinos says he's in Scotland.

Man: So just about the few programs, when people apply they need (unintelligible) so maybe if they can have references from the NCSG. But I have some concerns that the fellowship is not really towards people from (unintelligible).

It's mostly for I think for (unintelligible) and ccNSO and maybe academy. But it's not for (unintelligible) so maybe we can advocate to more places for (unintelligible).

You can check the Fellowship page and you can find in the (unintelligible).

Avri Doria: So anyhow as I said, I had two people (Brendan) and Konstantinos and I thought (unintelligible) his name to that list.

But if other people either who are here or who listen to this tape later, especially those with experience in fundraising, please get in touch so that we can actually do something and start raising money as soon as possible.

Okay, so then on the agenda -- and I was messing with the agenda, we basically then are now up to where we were going to be oh, around 12:15 which is on the policy discussion.

And I'm not sure how much there is to say about some of them but there may be a lot to say.

So I'll start off with Vertical Integration since basically Milton and I have been on the Drafting Team. The Drafting Team finished the charter. The charter is currently in the GNSO's hands.

The motion was made by Stephane and seconded by Mary in terms of getting that done. Now I don't know what the chances of passage of that charter are; hopefully they're fairly good. But maybe you can fill us in a little bit more on where that's at in the Council.

Mary Wong: I don't have any sort of basis for this but, I would imagine that most of the other counselors would defer to their - to those of their members that are on the Drafting Team as well.

It's quite encouraging that the motion is going forward with very little debate or argumentation. There were a couple of friendly amendments from the other stakeholder groups so I have no reason to believe that it won't get voted through and that's all I now at this point.

Avri Doria: So anyhow, the next step on that will be the announcement going out for working group members.

I pretty much expected at least two of us will volunteer. It would really surprise me if two of us didn't volunteer and that's Milton and I.

I don't think either one of us is willing to let the other one volunteer without going to. We're buddies throughout this process and that's good.

But certainly there will be encouragement to anyone else, you know, from the NCSG and otherwise, who's interested in this topic.

And really the reason the topic is important now is because there are a number of applicants, whether they're what I call boutique applicants, whether it's the corporate applicant, whether it's the NGOs or whomever, where a small Registry wants to be able to sell its own name and doesn't want - and certainly isn't going to have market power and such and just wants to be able to, you know, sell their own name.

Now, you know, if Vertical Integration -- I don't know how many of you have been following this -- is defined as being owned by the same person and not allowing equivalent services by other Registrars, well it might be easy for them to sell their own as long as that becomes the policy.

So if that's really the purpose of this and to try and basically define some criteria where staff would be able to look at it and sort of say yes, this is one of those cases where it's okay, and no, this is a case where it's not.

And then there's probably a middle - this requires some sort of more investigation. I don't know where it's going to get but - and there's a very tight deadline on this particular working group.

Basically the idea is the Council gave us a tight agenda -- I mean a tight deadline -- but if we want to contribute to the Applicant Guidebook and we want to contribute to what is the reality after, you know - in terms of the first new gTLDs I think that we need to get it done.

So I don't know if there's anything else anyone - yes Mary.

Mary Wong: So this may or may not be of interest to anybody but, another reason why this is important - and I think the reason or one reason why the Council set a tight deadline is that there's other processes related to this point happening.

In parallel primarily, there will be a staff proposal for a model for Vertical Integration and that's being developed outside of the GNSO Council.

We haven't seen it and we don't know what it will be - what it's going to look like but that should be presented at some point within the timeframe that the Council has set for the PDP and that is one reason for the timeline.

The other thing -- and Avri you know this -- there was supposed to be an economist report on Vertical Integration and that has just been released to the community.

So it does put pressure on the GNSO and I just wanted people to be aware of that content.

Man: (Unintelligible) had actually been aware that that had been released. And to those conversations about releasing it, I wasn't paying attention and didn't see it released. Great, thank you.

Avri Doria: Yes, and in fact one of the things that comes out of what Mary just said is that part of - if the criteria that are supposed to be developed by the working group are developed by this working group, then they can look at the staff's output and have some criteria for judging it.

The other piece is the staff will obviously be participating and watching this group. So it's quite possible that this group and this staff can come out with something that is compatible based upon working in parallel.

That's one of the kinds of things I always hope for.

Okay, anything else on Vertical Integration? So as I say, I'm going to track that one. I expect Milton will track that one. I'll certainly take responsibility for reporting on what's going on to the NCSG, you know, and certainly willing to share that responsibility with anyone.

Okay, anything else on - anybody want to add anything else on Vertical Integration? (Unintelligible).

Woman: Simply a question of whether we're intending to have some discussion on the substance or only updates on the procedural...

((Crosstalk))

Avri Doria: What I will certainly do and what I've done...

Woman: I meant in this meeting right here right now.

Avri Doria: Oh, I don't know. Do we want - I brought...

((Crosstalk))

So what do we want to say? So say something substantiative. I...

Woman: Okay, so my concern about Vertical Integration and the concern that Milton doesn't seem to get - and for which I think that there are counterparts for discussion...

Man: Do I get it?

Woman: What?

Man: Do I get it?

Woman: Yes. Is the market definition problems of every domain is a monopoly for those who have locked themselves into ownership of a domain name and wants to keep things resolving to that domain name.

            And while we can do all sorts of fancy market analyses for what the market looks like to a newcomer, we haven't spent a lot of time in these processes talking about what the market looks like once you are already a Registrant and the Registry then has near complete power over you to do what it likes to your domain name.

            And I'm hoping that that will be a greater part of ongoing discussions.

Avri Doria: Any other issues or discussions that people want to bring up? Things that I should look for as a participant although as I say, you guys should all participate.

            I mean one of the things...

((Crosstalk))

Okay good. One of the things that I'm - I mean I'll continue to do is when faced with an interesting or difficult issue I will send mail out on the list asking for input and so on.

Yes, (Alex).

(Alex): This is more of a question and it's a question I'm asking on behalf of some of the people I've been dealing with; some of the organizations.

You probably had one of the executive directors yesterday speak of (unintelligible) enterprise or something (unintelligible) a bit.

One of the conversations we have had in the past was the possibility of having a non-profit registry for them. And the idea would be that they run and that sort of a thing (unintelligible) and other people in the context like the way PIR used to run the one dollar by domain.

If there would be anything that would help in answering me answering that question out of this conversation, it would be an interesting model for them what they (unintelligible) you.

Avri Doria: Yes.

(Alex): And I think they would definitely be interested in the integration of the Vertical Integration discussion outcome.

Avri Doria: So I guess this would also be - I've certainly heard it discussed. I don't know how deep it is engrained but it's certainly a good point on the, we want our Registry and we want to be able to give it away to, you know, everyone (unintelligible) and as you say, the one dollar.

But it's basically the public service type of event that we're doing. It's non-profit public service, whatever is the right word to describe it, where giving

domain names is - yes, it has to be one dollar because you're still - well and I guess how you ask, other questions wouldn't come in to it like is it okay to do that without a Registrar who you have to give a cut to is the question that Vertical Integration might look at.

What happens to ICANN's cut is a different issue that this group wouldn't look at. You know, the fee per registration that ICANN gets on gTLD's domain, that's something that would definitely not be looked at in the (unintelligible).

Okay, I have (unintelligible) and then (unintelligible).

Man: Well, I was thinking about the (unintelligible) the gTLD as well with the...

Avri Doria: (Unintelligible) that's actually the next discussion.

Man: I mean the (unintelligible).

Avri Doria: That would be a different (unintelligible), okay.

Woman: And I just wanted to mention, Avri we talked too about the closed model where it's just a new string that would just be used internally in that instance as there would be a need for a carve-out in the whole Vertical Integration discussion.

Avri Doria: Yes, and I think that's one of the first ones that came up was the DOT Brand. And if the DOT Brand wants to give it to all of their employees, you know, that one always gets to be interesting because it's, you know, they want to give it to all their employees; they wanted to give it to their retailers, they want to give it to their customers, you know, and each one of those progressions sounds okay until we're talking about Microsoft.

                And then it becomes sort of an interesting - so it's a very complicated that that particular question.

Anything else on the Vertical Integration issue?

As I said, the next topic was new gTLD Policies. So it sounded like yours might fall into the new gTLD policies as opposed to Vertical Integration.

So anything else on the Vertical Integration? Okay, on new gTLD Policies, I don't know who wants - if anyone wants to take the lead on that but we're certainly talking about the EOI.

We're talking about NCSG as far as I know, doesn't have a position on the EOI. A bunch of us do - a bunch of us do but we don't. This might be one of those places where we'll want to make a statement Thursday on the EOI but we'll need to develop a position.

So I open the floor on new gTLD policies, EOI, etcetera. Did you have something you wanted to add in the gTLD policy?

Man: So this is actually taking a bit to, you know, (unintelligible) long short, but the images just came to my mind that because of IPV6, we had the opportunity to tag unlimited amount of things or even hats and shoes and everything in your life, right.

So it's not necessary that it applies a consumer value to it. There might be a total non-consumer value to it.

So that was something I was trying to...

((Crosstalk))

Avri Doria: Right, the Internet of Things issue is yet another topic that isn't quite an ICANN topic yet. And the Internet of Things people are hoping that it doesn't become an ICANN topic.

Man: Okay. And the closest to this -- I'm sorry, not the closest t this but the topic, we need somehow to look at how we can develop developing country evaluation...

Avri Doria: Right, the thing you mentioned...

Man: ...strategies. Like a strategy for example, if they took a (unintelligible) through the five continents, I would like to like (unintelligible) divide it furthermore like (unintelligible) countries, right.

Then they have established bodies like South Asian Regional Corporation, and then finally there are (unintelligible). So that might be a very good way to categorize this and maybe we could have something for South Asia Evaluation Committee and look into it (unintelligible) and then so forth, so forth.

Avri Doria: Okay, thank you. So on the EOI? Yes, Wendy.

Wendy Seltzer: So the proposal has been floating around for expressions of interest around word on the street is that the GAC is now raising concerns that that would be start - that opening up an expression of interest around is essentially opening up application process with the initial.

Because if you didn't express interest you would be unable to put in an application later on and you have to pay $55,000 to express interest. So it's really an opening of the application process.

GAC is saying that the application - that starting the application process before issues are resolved violates the Affirmation of Commitment. And so they will stop that from happening or raise objections to it.

So I think that it is true that this is starting the application process and that we should call it starting the application process.

I also think we've resolved most of - enough of the interim issues that we should be able to say to GAC, we have dealt with your over arching concerns and are ready to begin the application process.

And I think it would be great if Non-Commercial could support something like that.

Woman: Wendy so what are the issues that GAC is still worrying about at this stage?

Wendy Seltzer: Chief among them - Intellectual Property issues has always been one. I'll look and see others.

Avri Doria: The GAC issues? Certainly the price is still very much a GAC issue. You know, we have staff on board basically saying the price is what the price will be.

And now I guess the Board, as they told us earlier, that they're looking at ways of doing brands and funding and such. And maybe that will be an answer that the GAC can accept, but that's still certainly one of their open issues still.

They're not totally satisfied with geographic names yet. There is - right, so that's another one that remains an issue for some GAC members.

And now so whether there's enough GAC members that are interested in that one that they would put in a GAC position on that is another issue though. Yes?

Man: What is the motivation for the press...

Avri Doria: For the...

Man: (Unintelligible) asked if the (unintelligible) interest press.

Avri Doria: The motivation is that - it's very complicated. But if you believe that the data is needed for things like root scaling and giving trademark people the assurance that, you know, it's not as bad as they think it is.

So if that - if you believe that that's a reasonable thing out of the EOI, then you want to make sure that you have reliable, truthful answers.

If it's free, I'm going to put in string. If it's $55,000 off of my 100 maybe 5000 application fee, that's enough money for me to have to be serious to put in a string or to be filthy rich. But, you know, one or the other, so that's the reason for the fee.

And to those in the Registry business, one of the interesting things that you always get is what's $55,000 compared to running a registry. You know, it's reasonable - it's enough but it shouldn't be a barrier to entry.

Taking in to no account of how much of a barrier of entry that is for various reasons, and I got into them yesterday during the, you know, and others. But, that's the reason for the fee, just to show serious intent.

I have anyone else that - so in terms of making a statement, if we're going to make a statement we have to have somebody that's going to write a statement and we have to know what we want to say in it.

Woman: Well I wanted to support what Wendy had said on the EOI and (unintelligible) statement that we want to make (unintelligible) draft.

Avri Doria: But is that statement saying we support the GAC request? Because they won't necessarily have a request yet. We won't see that until later.

Woman: Well I don't need that we need to necessarily address the GAC request, do
                we? I don't know   (unintelligible).

Avri Doria: And that's it. That means you have to sort of say what it is we - the reason we
                are giving for wanting them to vote no on EOI. But that's what we're asking.

Wendy Seltzer: My request - my suggestion would be to say acknowledge that this is the
                beginning of the application process, call it pre-application qualification or
                something similar.

                Acknowledge that that means commitments on both sides - commitments
                from ICANN to have a predictable process that then follows from there. And
                in order to be able to make that commitment from ICANN, wrap up these
                loose ends and say we've basically got the new gTLD program.

Woman: I just have a comment. I might support something like that as long as it's very
                clear too that in order to wrap up all those loose ends it also means that
                we've got a final ZAG.

                Because the concern that I've heard from a lot of non-profit organizations and
                what we shared in our comment is that predictability and knowing what the
                process is is an important part to organizations making a decision whether or
                not they want to opt-in or opt-out.

                And if it's a mandatory opt-in, we want to know what we're opting-in for.

                If we're going to ask our donors to spend $55,000 and then another $130,000
                later, we need to know exactly what the process is. And I'm not confident that
                we've tied to bow on all of those outstanding issues yet and so were some
                other non-profits.

So I would be comfortable saying, you know, call it a duck a duck. You know if we're going to say that this is the beginning of the pre-application process then let's say what that is.

But I am not comfortable saying that we're confident that those issues have all been resolved at this time.

Avri Doria: One of the things that I can add - one of the things almost everyone has said is that this can't come out until after Brussels and DAG 4 come out.

Now some people say if DAG 4 isn't the final application guidebook, well then is that good enough.

And then that's when the question becomes if that's - if we've got to have everything in the guidebook complete, when why is it that we are doing this?

And so the more complete you need it to be before you can do this, it's starts to - the less reason there is to do it.

Woman: Exactly.

Woman: So I guess my fundamental question is a fundamental point I guess.

Is this group - this stakeholder group going to say that we will not support any form of expressions of interest, no matter when? And therefore I can please wrap up the loose ends, tie them in a bow as soon as possible, and let's get on with it.

And I mean is that basically what we're saying?

Man: That's certainly what I would say personally.

Woman: Right. Obviously that runs the risk that because DAG 4 is a draft guidebook.
              It's not going to be the final. It does run the risk that that will be the whole
              delay takes process.

              I mean that's the position I would take but I just want to be very clear that
              that's what the other members also feel. If not that will, you know, affect the
              nuances of this team.

Avri Doria: Good question. I mean as I say, this group has to decide what it is it wants to
              say as a group. And I don't really know. As I said, I certainly got up stage as
              an individual yesterday and said that.

              The only thing I don't know how many people are in the room. The only thing
              I felt comfortable saying was an NCSG position was on the question of
              transparency of information submitted that the NCSG generally took a
              position that full transparency was required.

              And that was the only time I felt comfortable saying I knew what the NCSG
              position is. I still don't think I feel comfortable knowing what it is.

              And we have - it's, you know, almost sounding like if there is an EOI we'll
              then call it a duck. But we would prefer that there wasn't one or is that true?

              I mean is there anybody in this room that thinks an EOI is a good thing in
              itself because it will give us information that's useful; it will, you know,
              (unintelligible) serious problem.

              I mean do we have anybody that's actually in favor of it for those reasons?
              Yes.

Mary Wong: I'm not raising my hand in favor of it. I think - just to (unintelligible) it for folks
              who may be fading off to lunch, one possibility and maybe some people are
              thinking along those lines is that we - they would support and EOI of

whatever would more accurately - we call it a pre-launch application, if for example the fee was lower to $1000 to $5000.

I mean that was something discussed during the session yesterday. And that's what some of our members feel then obviously we can't say that we're not supporting a pre-launch application process at all.

Man: I was wondering something which (unintelligible) can tell me, that when the generic names were dealt before (unintelligible) and (unintelligible) info - sorry, there were a couple of them that came out, how would they evaluate it in the first place?

Were their expression EOI out of the (unintelligible) huge sums of money, right, for the evaluation of those who do names.

And then secondly, why is it that they can do so much stuff voluntarily? Why aren't they agreeing to (unintelligible) the system to do some like, you know, within the (unintelligible), right; the basic search, domain integration systems out there, domain support.

How come they are not looking at these particular (unintelligible) developing and electronic system to do most of this stuff - looking into databases. Like almost everything is going on, especially (unintelligible) databases of everything literally.

How come - why are they leaving everything manual and putting in so many man-hours and restricting like all the rest of the world even (unintelligible) someone in the least developing country, and everyone, they're (unintelligible).

I haven't been able to understand this since last meeting. This (unintelligible) is very, very like, you know, makes me nervous about (unintelligible).

Woman: Well you're looking at me like I should answer but actually those other (unintelligible) domains that you mentioned were before my time. So I can't - I don't know.

                And I think probably most...

((Crosstalk))

Woman: ...people here as well, before our time. But I don't think there's a precedent for an EOI. I don't know, maybe Wendy knows better how that went.

                Sorry I can't answer, I just don't know.

Man: Do we have a stakeholder analysis of where things break on the issue? In other words who is in support of an EOI process and what are the various positions against it?

                It was interesting in the panel yesterday to see that there seems to be quite a lot of opposition to the EOI process, particularly from the private sector grouping.

Avri Doria: At the moment no. I mean a full analysis no. And in fact people were actually rather surprised when they put together to the panel to find out how divergent the set of rules - the set of opinion were.

                But I would basically sort of say in a general rule, the contracted parties have decided that they're in favor of it; the non-contracted parties aren't.

                However, almost universally on the contracted party's house, you go and you say, would you prefer an EOI or the gate opens tomorrow? It's the gate opens tomorrow.

Most of them want an EOI. Those that want it because they believe it will reduce impediments. They also - it will make it easier for people that have been going to their financiers; to their venture capitalists whomever, for the last year and a half saying, it's coming soon, it's coming soon.

This is a very important marketing device to sort of say gee, it's coming soon. We're putting the money down now.

Now that same, we're putting the money down now is what's really hard for the philanthropy and for the less developed nations. But it's exactly what enables a company that's running out of money while trying to build new domain names to go and get, you know, another couple of million of investments so that they can continue to meet payroll for the next six months.

Because this EOI will convince their investors that it's real. They're taking my money now so it must be real.

Man: But so where's the GAC's unease coming from?

Avri Doria: The GAC unease is coming from its binding nature. The thing is that it is starting - that they're perceiving it as starting around and that there - and without their main issues having been resolved yet, they're not ready to let the rounds go. Yes?

Man: It's interesting that we (unintelligible) the issue of how maybe analysis which have already been done (unintelligible) the gTLDs -- the new gTLDs -- and how the market will react once they are actually introduced and new situations that were probably not envisaged in the policy development, these are some of the issues we have been discussing, the CBC work team which is different.

                Ad of course I'm not the Chair, I'm just a member (unintelligible) member is actually presenting a group. And then one of the suggestions we have made

or what we are thinking about on our various conversations -- conference calls -- and that perhaps when new situations are encountered in the future.

As we try to sort out the loose ends and tie everything that is needed, we should also realize that there will be new situations that we will come in the future that will also require (unintelligible) and this is what has been created situation or room for staff to call the implementation issues when they are actually policy issues.

So we are already trying to address that by trying to create a framework which maybe staff could look at and when they realize the policy, they don't call it implementation, maybe they refer to the Council and among other (unintelligible).

So I just thought maybe I could relate this gTLD with some of the things you are doing at the other policy meetings. Thanks.

Avri Doria: Thank you.

Mary Wong: I don't have to say anything, we can move on with the next topic.

((Crosstalk))

Woman: I've just been thinking it over and in terms of helping practice statement or what it is, there's just a few questions. I mean the fundamental question is does our stakeholder group support an EOI at all?

That's actually the simplest question but maybe the hardest one to answer and we need to work through some of the possibilities.

And a couple of possibilities would be would the stakeholder group support an EOI if it is more accurately described and if for example there was graduated pricing?

Third possibility, would this stakeholder group support an EOI more accurately described if, for example, it were voluntary rather than mandatory?

I mean there's a number of issues with the EOI and I'm just - and I guess for me and hopefully it helps Wendy too, jut to try and get a sense of if some of the concerns that many of us have spoken to were partly or somewhat addressed, would that help?

If that doesn't help that much then we go back to the simple fundamental position, we don't support an EOI and call it what it is.

Avri Doria: Okay, so...

Man: Yes, that seems that the pre-qualification idea is quite a good one. And then that might - if the first is not purely to gather information that then has a knock-on effect on the price issue.

So it may be possible to argue for a smaller pre-qualification fee than the $55,000.

And what I'm not clear about is what is that - what would the information that would be required in such a pre-qualification be, with arguments about whether they would be prejudiced in revealing certain information in this stage or not.

Man: Mary has really summarized the whole thing but she has put it together very good.

Mary Wong: (Unintelligible) anything.

Man: I mean your suggestion. That is why I (unintelligible) my hand up.

The idea came to me was that I've observed this because, you know, sometimes international organizations have a procedure of dealing deeper, differently from the (unintelligible) countries in terms of for example, peace of (unintelligible).

And there's a human development index to our (unintelligible) nation. And they follow them and (unintelligible) are categorized.

So if this - if ICANN can follow ISO International System; if (unintelligible) and all those other people have put that out to be followed for the territory acceptances, why haven't they been able to accept other (unintelligible) procedures in place for accommodating developing country (unintelligible)?

And in terms of evaluation I believe if I would work this opinion at least in my part of the world in South Asia, I would get a great level of consensus over supporting the human development index format of putting fees and charging fees and so forth.

Otherwise we would stuck, for example, in international industry certifications and stuff like that. They give us huge discounts in the energy world because according to the human development index our country is categorized. And it's a yearly updated index which international organizations use.

Why cannot this international organization use that human development index?

Avri Doria: Certainly my opinion is absolutely no EOI, no how. I'm fairly absolute on - but that's just one opinion.

Because I believe that it - no matter what it does it delays the new process. It doesn't add any necessary information. It prejudices - at any expense it prejudices various possible groups that would want a TLD without adding anything.

So it's just we have a broken process and we're inventing yet another process to fix the broken process.

And then as we can see, this one is getting more and more complicated. It's getting harder and harder and so yes.

Woman: And I'll just add I agree with that. I also oppose the EOI as a diversion of attention from actually getting the...

END