RECORDINGS

PARTICIPATION

Notes/ Action Items

NOTES / ACTION ITEMS

These high-level notes are designed to help the CCWG navigate through the content of the call and are not meant as a substitute for the transcript and/or recording. The MP3, transcript, and chat are provided separately and are posted on the wiki at:
https://community.icann.org/x/DLHDAw .

1. Roll Call
Attendance will be taken from AC
Please remember to mute your microphones when not speaking and state your name before speaking for transcription purposes.

2. Welcome & SOI/DOI updates
Please remember to check your SOI/DOIs on a regular basis and update as needed
Chair stresses the importance of continued participation by group members.

3. Finalize review of charter question #1 input and confirm CCWG agreements(see updated template attached)
Charter question #1.

- item #1

staff and leadership team captured the conversation from last call, labeled as "CCWG Agreement". This will help us going through all the comments, what we agreed to do, and after the group has reviewed all comments, we can come up with a Work Plan. some parts can be done in parallel.

pro-con overview of the different mechanisms Sarah Berg assisted with. Cost-benefit analysis would hopefully help the CCWG in making its deliberations.

Marilyn: low cost sometimes equals low quality. Questioning the idea that icann org has the competency to do this. Do not spend more time on a cost-benefit analysis: there was not significant enough request for that. Would be a big conflict of interest.

Erika: cost-benefit analysis would need to be done across the different mechanisms: A, B and C. Topic was indeed raised by only 1 person, but raised by the CCWG many times in the past. Helps us to understand how ICANNorg would approach this. One question would be: how do you see the engagement from currently employed ICANN people with regard to mechanism A, B, and C? in all 3 mechanisms, there would be some kind of engagement by ICANN, because of the oversight and legal and fiduciary obligations. Does the group need more time to reflect on this?

Marilyn: posing a question as you posed it, is much much more neutral and does not prejudice the expertise of ICANN org on broader issues.

Ching: agrees with what Erika pointed out. If we make a recommendation on C, and if in the implementation phase the group decided to use the money on 2 to 3 projects, the cost management seems to be much lower than if we are recommending mechanism A, where the implementation would say the funds are distributed to many smaller projects. Often we talk about an implementation problem.
Ching suggests to think about some of the scenarios, that would help us in formulating a recommendation.

Allan: suggestion for the funds to be used for a small number of projects. That would be poor judgement, since we talk about a large amount of money. The risk factor for putting this in a a limited number of projects would be too high.

Robert Guerra: there are different cost/benefits for the different options. in terms of setting up a foundation - there's not only a startup cost (legal, accounting processes) , an ongoing cost (administration and oversight), and close-down costs.that's a large admin cost that should, instead, be dedicated to actual projects

Becky Burr (Board): The risk level clearly needs to be assessed, but the outcome can't be determined in theory - it depends on what the projects contemplated are

Erika: let's focus. Are we doing a neutral, cost-benefit analysis across all mechanisms? completely neutral and objective, light-touch and high-level.

Action item #1:
Leadership team to prepare a first draft in a google doc of the request that would go to ICANN org regarding what the expectations are of a cost-benefit analysis. CCWG members to participate in the drafting.

- Item #2

requires further conversation. Element that is independent of whatever mechanism is chosen. Not necessarily dependent on A, B, or C. But rather depends on the role of the ICANN community.

do we need to include the role of the Board in each of these?
Erika prefers not to do so. Role of the Board is very important, but we are responding to comments received from the community. We should distinguish between those 2 points. We should define the role of the Board, but not here. Evaluation point: role of the Board.
Becky added that the Board's fiduciary role is established as a matter of law. Board made it clear that it is not involved in substantive evaluation of individual evaluations.

summarise all elements regarding the role of the Board, to make sure nothing is overlooked. The Board still has a role to evaluate if bigger grants are being distributed.

Action item #2
template/overview to be prepared regarding the input received from the Board. To do a cross-check towards the end of the process

Action item #3:
to be clarified/specified: community/communities & role/roles

- Agreement 3:

keep open all 3 options for now. Re-evaluate at the end of the review of the public comments.

- Agreement 5

Group to formulate questions to ICANN org or Board to ask for further clarifications, based on leadership recommendations

Recommendation, based on what ALAC recommended. if a third party would cooperate with ICANN on a mechanism, the COI for the 3rd party shall be evaluated. The leadership suggested whether the COI should be explored beyond the current recommendation. Do we need to do even more, in case of the cooperation with a 3rd party?

- Item number 10, page 6

Was not yet discussed during the last meeting. comment from RySG. CCWG should give further consideration to which mechanism best reflects transparency and accountability criteria. Should the funds be limited to charitable organisations?
Leadership recommendation being displayed in the AC room.

Marilyn feels we need examples. We cannot rely on governmental examples. We also need examples from the private sector that fund NGOs., e.g. PIR, ISOC, not just the European Commission.

Allan: any mechanism will be not accountable, unless we would design it like that. Status of charitable organisation is very difficult to obtain. There should be no such requirement.

Note that legal / fiduciary requirements info can be found here:
https://community.icann.org/x/CbDRAw
Samantha: Many of the questions raised today, are included in the memo.

Action item #3
Group to review the memo on the legal and fiduciary constraints.
Staff and leadership team to prepare a template, to ensure all answers provided are easily trackable. if the CCWG notices that an answer is missing, the leadership team will contact Sam Eisner for further input.

question by Erika: is an unincorporated entity able to apply for funding?
Samantha: very specific issue. Would a grouping of people be able to apply? That depends also on the legal limitations and where they are from. That is not a question we can provide a good answer to now, since there are too many unknown factors at this stage.

Ching: Social enterprises make an impact too. Do not limit ourselves to charitable organisations.

Samantha Eisner: There is broader discussion in the legal/fiduciary memo on the types of due diligence that can be done over an entity to make sure they are qualified to receive funds. I think that "charitable entity" might be some form of short hand here to reflect that need. There are legal limitations on the types of entities to which that ICANN as a not-for-profit can give funds.

4. Commence review of:

   a. Charter question #2 input (see template attached)

overarching question: what / if anything / needs to be changed to the recommendations, based on the input provided?

   ● comment 3

short recap provided of the comment, to help guide the conversation. full comment is on page number 5. CCWG to consider whether the objectives are overly broad in light of ICANN's mission?

Marilyn: important to understand what the concern is about.

Marika: the full detail of the comment is in the document further below. important to review the full comment, to facilitate the conversation, a short summary was provided.

Alan: "it should meet these criteria, but we are always constrained between the mission and the bylaws. "editorial correction. as a result of copy/paste it got lumped together.

Acton item #4

review the language to see whether it is overly broad, although the CCWG noted that the restraining factor of the ICANN's mission is already referenced. Also consider changing 'and' to 'or' to make clear that one of the objectives needs to be met, not all three.

Jonathan: what is the process for deciding what these examples are going to be? and wherther they are within the remit of the bylaws?

Erika: This is just an example list for our own guidance, to help us understand what falls within the mission and meets the bylaws requirements. This is nt a template. Decision is up to the implementation team, future evaluators. This is not our role.

Comments made in relation to the examples provided in an annex. They are currently part of a separate section. List will be reviewed by the group at a later stage: is the list complete and accurate?

- comment number 4 from RySG

would work around universal acceptance fall within and support ICANN's mission?

Marilyn: we received guidance from the Board that we should take into account. We should also take into account other guidance received, e.g. legal or finance. The Auction funds are not to compete with or replace the icann budget. UA is one example. engagement and participation is another example. We should be careful that we are not replacing or supplementing the ICANN budget.

Daniel Dardailler: I think UA is definitively in scope, and the fact that there's currently an envelop to support it coming from the ICANN budget is just an artifact of timing, i.e. it was needed as a support action before the auctions fuding are available

Action item #5:

postpone the discussion and continue the debate on comment number 4 charter question number 2 either online, and/or at the meeting in Kobe.

  b. Charter question #3 input (see template attached)

5. Review expected attendance for CCWG meetings in Kobe (see
https://doodle.com/poll/sccqqakgiup5vcbi)

Not sufficient support for the second timeslot in Kobe (Wednesday : 17:00-18:30). only 6 people indicated they can participate. Responses to the doodle poll displayed in the AC room.
Does the group want to keep the 2 slots? Preference to keep 2 slots.

6. Confirm next steps & next meeting (Kobe meeting)

First meeting will be on Monday

Action item #6:
Group members to review the templates ahead of the meeting, in order to be able to have an informed discussion in Kobe