

OLIVIER CRÉPIN-LEBLOND: Good morning, good afternoon and good evening everyone. This is the ALAC Executive Committee conference call on the 21<sup>st</sup> of November 2012, the time is 20:07 UTC and we have a long, long call today. We'll start immediately with the roll call.

GISELLA GRUBER: Thank You Olivier, Gisella speaking. Welcome to everyone on today's call. We have Tijani Ben Jemaa, Alan Greenberg, Cheryl Langdon-Orr, Evan Leibovitch, Olivier Crépin-Leblond. From staff we have Heidi Ullrich, Silvia Vivanco, Matt Ashtiani and myself, Gisella Gruber. Apologies today noted from Julie Hammer, Rinalia Abdul-Rahim and Sebastien Bachollet.

And if I could also please remind everyone to state their names when speaking for transcript purposes, thank you. Over to you Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Gisella. And just as a quick advance notice, we do have a guest coming to speak to us later on, at 20:40 UTC; that's Denise Michel who will be speaking to us about the WHOIS Review Team recommendations, follow-up on that. So we might have to shuffle a few things around if we're not on time. Let's first immediately turn to the action items from the Toronto meeting. I invite you all to open the page and have a look at those, there were quite a few action items. We're unfortunately going to have to go through all of them quickly and swiftly.

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So first the ALAC and Regional Leaders Workshop, the Indian ALSes are to liaise through staff so as to better associate themselves with the multi stakeholder process within ICANN – any update on this? I see no one putting their hand up, I gather that – Heidi perhaps, would you know?

CHERYL LANGDON-ORR: Heidi is still guarding. She has yet to come up...

HEIDI ULLRICH: Olivier, I didn't get the first part of it.

OLIVIER CRÉPIN-LEBLOND: Indian At-Large structures are to liaise through staff so as to better associate themselves with the multi stakeholder process within ICANN.

HEIDI ULLRICH: I think that's – if I could put that as an action item to Silvia please to follow up on...

OLIVIER CRÉPIN-LEBLOND: Okay. So next, the IDN Working Group members are asked to join the ccTLD discussions...does anyone have an update on this one yet? IDN Working Group members to join the ccTLD discussions, Cheryl has there been any movement on that?

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CHERYL LANGDON-ORR: I had that...having responded to Silvia's question to me on what work group Rinalia was specifically listed to join, because I wanted to talk to Bart first, because I'm unsure why a ccNSO work group list would just open itself up to any old person who wants to join without permission. Now there may be no problem with that, but these work groups are all well matured, and in some cases, almost to the end of their run. And I'm a little loathe to just send Silvia back a list of work groups without checking with Bart first.

OLIVIER CRÉPIN-LEBLOND: Thank you Cheryl. That's a good enough answer for me. And perhaps could you check with Bart please and then you can come back to us on this?

CHERYL LANGDON-ORR: Okay. If Bart says "yes" then that's a done deal; that's fine. But I think it's presumptuous of me to respond that request.

HEIDI ULLRICH: Olivier, this is Heidi, if I could just jump in?

OLIVIER CRÉPIN-LEBLOND: Yes Heidi.

HEIDI ULLRICH: This is Heidi for the transcript. When I saw that note I let Silvia know that it's basically more of a Bart and ccNSO secretariat question. So

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she's going to be going back to them. Maybe Silvia, if you could do that and "cc" Cheryl into that that might be the best way to go.

SILVIA VIVANCO: Okay. I'm taking the AI, okay.

HEIDI ULLRICH: Are you okay with that Cheryl?

CHERYL LANGDON-ORR: I can give you a list of the groups, but it's much easier just to say the future Chair of the ALAC IDN Work Group wishes to be an observer on all IDN related lists including those in the ccNSO, therefore could you please advise what process needs to be followed to allow this to happen. Then Bart will probably just send you back the list and do the bunch of them. I just think it's that caution needs to be taken here.

SILVIA VIVANCO: Okay, I'm taking notes.

OLIVIER CRÉPIN-LEBLOND: Okay Cheryl, thank you, point taken. Next, Matt Ashtiani is to work with Bart, Bart Boswinkel on I believe the mapping of ccTLD operators. Matt I think, is Matt on the line? Have you managed to get hold of him yet?

MATT ASHTIANI: Hi Olivier, I haven't made any progress on that yet.

OLIVIER CRÉPIN-LEBLOND: Okay no worries. We can keep that as an ongoing concern. The next is the ALAC is to ask for a meeting with the Board Finance Committee. The timing is to be discussed. I think that's still in progress. So we'll move on to the At-Large Future Challenges Working Group public workshop – Heidi and Matt are to work with the Chairs of the Future Challenges Working Group to ensure that the ICANN communications department is to be approached for the purposes of outreach for the R3.

A call, a conference call has taken place with Sally Costerton and I think we are on track now for the R3 paper. You might have noted, in fact I think we'll touch on this a little bit later during the public comment, the list of the public comments. Matt and Heidi are to organize a webinar on the Future Challenges Working Group for mid-November. Members of the working group are to send staff and the co-Chairs suggestions for content by the 9<sup>th</sup> of November 2012.

HEIDI ULLRICH: This is Heidi. I think that's actually going to be early December now.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. The next, Matt is to send out a call for suggestions by the 26<sup>th</sup> of October 2012. I'm not quite sure what suggestion, it's an interesting action item. Could this be explained please? Matt, are you aware of the call for suggestions?

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MATT ASHTIANI: Perhaps a suggestion of what topics should be covered in the webinar.

OLIVIER CRÉPIN-LEBLOND: Oh okay. So the Future Challenges I gather probably would be the R3 end of it. I guess this is all in hand and it's going to take place soon. Let's move to the next part – registrant rights and responsibilities working group meeting. And Cintra Sooknanan is to go through the RAA negotiations report and determine which issues are relevant to At-Large and which are not. Do we have an update on this? Evan would you know?

EVAN LEIBOVITCH: Not particularly on that working group, no.

OLIVIER CRÉPIN-LEBLOND: Perhaps could we just remind Cintra of this action item please.

MATT ASHTIANI: Will do.

CHERYL LANGDON-ORR: And I'll put a hand up on this, just recognizing that your new ALAC member Holly Raiche has had a very keen and long-standing interest in all matters RAA.

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EVAN LEIBOVITCH:                   Actually Cheryl is absolutely correct Olivier. This is Evan. I think actually Holly is working with Cintra on that and would be a very good person to ask.

OLIVIER CRÉPIN-LEBLOND:       Okay, thank you. I'm just concerned that this was an action item that had been agreed with Cintra. I'm okay with asking Holly as well, it's just the double purpose basically which is a bit of a concern. Perhaps sending a reminder to Cintra with a copy to Holly and explain that Holly having a strong interest in this makes sense for either of them to check. I'm seeing nobody saying no, so that's fine. Let's move to the next one – the Outreach Subcommittee where Matt Ashtiani and Heidi Ullrich are to organize the webinar on capacity building for mid-November.

Now has this taken place? I don't believe so. In this case it will be early December again. Can you hear me?

EVAN LEIBOVITCH:                   I'm hearing you.

OLIVIER CRÉPIN-LEBLOND:       Okay. Heidi or Matt – webinar on capacity building?

HEIDI ULLRICH:                     This is Heidi. Is that Rinalia's working group or is...

CARLTON SAMUELS:                 Sala's working group.

HEIDI ULLRICH: Yeah, we need to get back to her.

OLIVIER CRÉPIN-LEBLOND: No the outreach is Cheryl's.

CHERYL LANGDON-ORR: No. I'm out reach but you just said capacity building, so which is it.

OLIVIER CRÉPIN-LEBLOND: Oh, so there's a mix here because it says "outreach Subcommittee" and then it goes webinar and capacity building. So we've got a mix here in the AI. If it's capacity building it seems to be Sala's, so maybe we can start with that.

CHERYL LANGDON-ORR: Well I am unaware of us needing to have a webinar in November or December.

HEIDI ULLRICH: I wonder if that might be the one related to the WCIT. Because the regional vice presidents were at your session Cheryl, and I think that might be in that context. And that's being planned.

CHERYL LANGDON-ORR: Well [it doesn't have anything] to do with capacity building-



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[crosstalk]

CHERYL LANGDON-ORR: ...is the new sharing, a melded sharing of anybody who is going to WCIT. Mandy is going to make sure that there is an ICANN based mail list.

HEIDI ULLRICH: Okay.

OLIVIER CRÉPIN-LEBLOND: Back to this action item, I think we have to follow up with Sala on this webinar on capacity building. And perhaps not call it a webinar on capacity building for the time being, but could I please ask staff to follow with Sala and find out what the next steps are in her point of view, and get some wording on that please.

CHERYL LANGDON-ORR: If I may Olivier, on that, it's Cheryl for the record, just to note that PAC INS is running as of today, I'll be joining them shortly, through the weekends through Tuesday-ish. So Sala will be head down and tail up on the ground in Fiji. So we probably shouldn't expect any interaction on that until mid to late next week, so you might want to put off the follow-up until then.

OLIVIER CRÉPIN-LEBLOND: Well just an email.

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CHERYL LANGDON-ORR: Emails get lost when you're in the middle of huge conferences, that's all.

OLIVIER CRÉPIN-LEBLOND: Okay, so let's put it off till next week when there's a bit more time. The At-Large IDN Working Group – I think this is just one specifically for the IDN Working Group to ask on this. The next one is the At-Large Capacity Building next steps, so that's again with Sala. With Matt Ashtiani and Heidi Ullrich are to develop a human resources matrix. And the ALAC is to vote on whether to establish a working group on capacity building in the wrap-up session on Thursday.

So the second action item, the vote from the ALAC was positive and that was created, a working group was created and Sala was the interim Chair for this. And with regards to the human resources matrix do we have an update Heidi?

HEIDI ULLRICH: Because of the lack of human resources in At-Large staff, being at a high bandwidth right now, or low bandwidth, no update on that.

OLIVIER CRÉPIN-LEBLOND: I gather the human resource matrix is blank.

CHERYL LANGDON-ORR: There's not enough human resources to fill it out. [laughter]

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HEIDI ULLRICH: Thank you Cheryl.

OLIVIER CRÉPIN-LEBLOND: We're needing human resources. Moving on to the Academy Working Group session, this is all on ICANN Academy, so we'll keep this aside. I just sort of invite you all to read through it to keep yourselves aware of what's coming up there. And I will follow-up with Sandra to find out the outcome of the second meeting that they have on Friday of the Toronto meeting as well. The APRALO meeting is also concerns the people with APRALO, so we'll pass on that. And finally, the ALAC and Regional Leadership – yes?

HEIDI ULLRICH: Could I just go back to the Academy?

OLIVIER CRÉPIN-LEBLOND: Yes, go ahead.

HEIDI ULLRICH: I've heard from Filiz that basically the survey is ready to be sent out to the AC SO list. So I think that's going to be very imminent if it hasn't already gone out.

OLIVIER CRÉPIN-LEBLOND: I haven't seen it yet, not as of this morning.

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HEIDI ULLRICH: This is Heidi. I think that Filiz just wanted to get confirmation from Sandra on the survey and then once that's been, the survey will be sent out.

OLIVIER CRÉPIN-LEBLOND: Okay perfect. I noticed Tijani has put his hand up; Tijani you have the floor.

TIJANI BEN JEMAA: Yes. We will listen to me or you hear me?

CHERYL LANGDON-ORR: Yes very clearly.

TIJANI BEN JEMAA: Olivier do you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes

CHERYL LANGDON-ORR: Yes.

TIJANI BEN JEMAA: Okay. Just to tell you that Sandra sent a report about the meeting on Friday, sent the report meeting of Friday in Toronto. That's all.

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OLIVIER CRÉPIN-LEBLOND: She sent it to the working list; Academy Working Group list? I might have missed that in the flow of emails.

TIJANI BEN JEMAA: Yes it was for the working group.

OLIVIER CRÉPIN-LEBLOND: Okay I will check for that then. So finally, the ALAC and Regional Leadership Wrap Up One meeting. And there OCL asked the gTLD Working Group to take the time and present the draft letter regarding registry SG DIDT on TMCH to the ALAC when it has been finalized. If I recall correctly this did – I don't think this proceeded forward. Evan, would you know?

EVAN LEIBOVITCH: No, sorry.

OLIVIER CRÉPIN-LEBLOND: Alan?

ALAN GREENBERG: No.

OLIVIER CRÉPIN-LEBLOND: Okay. We'll have to check for this again. I'll ask Avri to find out what's going on on this, although we do know that there's been a lot of movement on the trademark clearinghouse and we will be talking about this later. Finally the issue of visas to be linked to the other travel

related issues discussed at the Toronto meeting; that has begun. We have discussed this. Just as a matter of advanced notice, several members of EURALO have indicated the wish to draft a short statement on that.

They will be sharing it with the other RALOs and if other RALOs agree with that statement then I suggest that we push it through with an ALAC statement.

ALAN GREENBERG: Olivier, back on the previous one, I thought there was an ALAC vote on that. I remember voting on it. That was the one with the wording in it that no one understood what the words meant that Hong had drafted. There was an ALAC vote on it.

CHERYL LANGDON-ORR: On the clearinghouse.

ALAN GREENBERG: No on the – well yes, it was regarding the registry statement.

CHERYL LANGDON-ORR: Yep.

ALAN GREENBERG: That was drafted, revised, still fuzzy and voted on.

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OLIVIER CRÉPIN-LEBLOND: I'll have to check the correspondence.

ALAN GREENBERG: Matt should remember; he must have called the vote.

HEIDI ULLRICH: Yeah I can see that trademark clearing house – approved 7<sup>th</sup> of November.

CHERYL LANGDON-ORR: Yep.

OLIVIER CRÉPIN-LEBLOND: Okay, excellent. Yes correct. I just didn't look...DIDT was taken out. Fine, sorry.

CHERYL LANGDON-ORR: On the travel – hang up, on the travel related issues...

OLIVIER CRÉPIN-LEBLOND: Yes go ahead.

CHERYL LANGDON-ORR: Thanks, Cheryl for the record. Two things that strike me when we're looking towards Beijing, obviously we have the potential for specific assistance from the ministry, which may be slightly different to previous experiences in other countries, and that could be both for or against, but it will be an [unarguable] with. And we've all agreed that it needs to

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be done sooner rather than later so that there are no late surprises. But I think for many countries, including for example even Australia, two things need to be noted with the matter of visas for Beijing.

One is that it is extraordinarily rare to get a visa that is more than three to six months in advance of the travel date. So we actually have to be organized and out all of these in at the earliest possible time, but not too early, or visas will be issue which will have no time left on tem when people actually get to travel. So we need to be very aware of that; they're very "date specific" visas.

The other thing is for many countries Chinese visas are absolutely specific or dates of travel, so no flexibility will be allowed. It will say you come in on date X and you leave on date Y, and we need to make sure that those dates are absolutely accurate. And those dates are, for many countries, are also extrapolated from what needs to be pre-existing travel arrangements made. And that is going to put, I think, considerable pressure on the too little, too late planning that ICANN often does its constituency travel supported people.

Now, the way around that, and certainly I've done it in the past, is to have what is the most probably itinerary printed out but not paid for, and then a new itinerary conserved and paid for closer to the date. But we will, I think, have a number of problems happen in a number of countries if we're not aware of all of those things. Thank you.

ALAN GREENBERG:

Is it not possible to get a date from constituency travel when they plan to send the call out?



CHERYL LANGDON-ORR: They've already sent out a notice that says "do your stuff early." What they fail to realize is to do a visa application for China, from many countries, you have to supply the Chinese Embassy with a copy of your travel itinerary. And six months is a little bit ahead of their ability.

OLIVIER CRÉPIN-LEBLOND: So, we've actually discussed this with Heidi and it is a conflict matter. I have given the green light with regards to the people that we are 100% sure are clear to travel to Beijing. And that's of course members of the ALAC and the regional leadership that has concretely said "yes we are ready, we're able to go." There are a couple of problems – as you mentioned Cheryl, it's a three to six month advance – well you can apply three to six months in advance.

But I've actually heard from some people that in some cases you cannot apply before three months, just before the meeting itself. It is true that in the meantime, I do believe that Constituency Travel will have to, as you said, have a most probably itinerary backup. I'm not sure how that is progressing. Perhaps can Heidi inform us on this?

HEIDI ULLRICH: This is Heidi. So they do have ALAC information. ALAC and those that we know are going from the regional officers. So they're working on that and the messages should be sent out shortly. And I know they are very aware of the visa issues, so in terms of those details Cheryl that you just mentioned I'll have to follow up with Joseph just to make sure he knows that.

CHERYL LANGDON-ORR: But this is basically travel. Because they don't, constituency travel don't do their own ticketing they will have to use the right pressure to make BCD. I mean I'm okay, I do mine separately. But anyone who's going through BCD, BCD will have to actually issue itineraries which are not paid for, and then reissue itineraries close to travel date. Now that shouldn't be impossible, but they need to set that up.

HEIDI ULLRICH: Okay.

OLIVIER CRÉPIN-LEBLOND: Thank you Cheryl for that. I'm sure BCD is going to enjoy this.

MATT ASHTIANI: Hi, this is Matt. BCD has done that for us multiple times in the past though, I'm sure they'll be able to work with Joseph.

CHERYL LANGDON-ORR: Remembering Matt, of course, that we're also thinking about the APRALO General Assembly, which means you've got a whole lot of additional as well; including from some countries if not even more problematic than others.

OLIVIER CRÉPIN-LEBLOND: Okay thank you. Go ahead Heidi.

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HEIDI ULLRICH: Yeah, this is Heidi. We've had long talks with Steve and with Joseph on particularly the APRALO one, so they are aware of what's coming.

OLIVIER CRÉPIN-LEBLOND: Okay. Now I see two hands in the queue; Evan you had put your hand up a while ago, was that related to travel?

EVAN LEIBOVITCH: Yes it was. And in terms of the statement that was being considered to be done, frankly I think that Tijani has already done a pretty good job in talking about the visa issues going forward in the comment on the ongoing meeting strategy. So anyway, just to comment, I don't know if it was raised before, but in terms of ALAC making a statement on that, to a certain extent, through what Tijani's done with the comment on the travel strategy, that has already been done. Thanks.

OLIVIER CRÉPIN-LEBLOND: Okay thank you Evan. In fact, I think the gist of the statement that Yrjo Lansipuro wants us to draft was to deal specifically with those people that have official positions at ICANN being provided with, well being pushed basically by ICANN itself as people that are vital to the meeting. But we'll wait until that draft comes out and see then if it's already been covered by Tijani or if it adds more to the discussion. Alan?

ALAN GREENBERG: Yeah, thank you. I was rather disturbed by the answer you got back from Steve or whoever that if our liaisons do not need the travel funding we will not get it. That is, among other things, the GNSO has

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been funded for 23 people, which includes 2 liaisons which don't even exist. And they've had access to that funding and continue to have access to that funding.

CHERYL LANGDON-ORR: Good point Alan, you need to watch that very closely Olivier.

ALAN GREENBERG: It's already a done deal at this point. They said "no." Actually they said they'd fund you forgetting that you probably have NomCom funding.

HEIDI ULLRICH: Alan, can I comment on...

ALAN GREENBERG: Sure please.

OLIVIER CRÉPIN-LEBLOND: Heidi, you have more information, so go ahead.

HEIDI ULLRICH: Again, it's basically it's not you Alan, or Cheryl, it's that liaison slot. So if there is someone in that role, that liaison slot then they will be funded. But if there's no one in that slot, again, if they're not ALAC then they will be funded. But if it's an ALAC person who's also the liaison then no, the ALAC position takes precedent.

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ALAN GREENBERG: Heidi, I understand completely what their ruling was, I'm saying it's unfair. Because, for example, the GNSO has 23 funding slots with 21 council members and 2 liaisons that don't even exist.

HEIDI ULLRICH: This is Heidi. Again, At-Large has 25 plus two if those are for those two ALAC positions if they're not ALAC members.

ALAN GREENBERG: Well that "if" was never said at the time they were approved. As far as I know, ICANN is budgeted for 27 spots. I can't change the rules; I'm just saying I don't think it's equitable.

HEIDI ULLRICH: Okay, my memory, which is fading, but my memory was when Steve mentioned that that funding, he did specify that was only if that was a non-ALAC person because I remember that rather distinctly actually.

ALAN GREENBERG: I wasn't privy to that.

OLIVIER CRÉPIN-LEBLOND: Okay I think we have to move on from the staff issues, otherwise we'll never make it through what we have in front of us and we'll be very late; we already are pretty late.

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HEIDI ULLRICH: Yeah. And Olivier this is Heidi. We have four minutes before Denise is scheduling to dial-in. I'm trying to see where she – I'll let you know when she's joined.

ALAN GREENBERG: And note that I put something in the chat that there's an agenda item that you don't have that you really need to have.

OLIVIER CRÉPIN-LEBLOND: Yeah we'll do that in the "any other business" I was going to touch on that.

ALAN GREENBERG: If we ever get there.

OLIVIER CRÉPIN-LEBLOND: We should. Let's move on. Let's go on to the policy advice development, and I invite you all to look at the listing that we have here, which is a very long list, just for the record, as I'll read through the recently approved ALAC statements, documents or groups. The community input draft 2013-2016 strategic plan, thank you very much Tijani for having held the flag on this one. There is much going on as far as strategic planning is concerned, and of course, budgetizing of things, I just wanted to take this opportunity to ask you Tijani, when, if you do remember just off-hand, when the next cycle is starting, with regards to requests from SOs and ACs for additional funding?

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TIJANI BEN JEMAA: Do you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes we can, go ahead.

ALAN GREENBERG: Yeah, we can hear you.

OLIVIER CRÉPIN-LEBLOND: Tijani, we can hear you. There's a little bit of delay, but that's fine.

TIJANI BEN JEMAA: Okay. The next meeting of the ad hoc group will take place at the end of this month. It will be (inaudible) and at this time, because the final (inaudible) has not taken part yet but I think that for the next meeting that we have, the group will have the first conversation about the budget. And we will talk about the [efforts of the community], the additional [items reported].

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you Tijani. If you can then relay, at that point, the new calendar, so we can plan forward to have our requests, to build our requests rather than be told at the last moment and have three weeks to build requests, i.e. RLAOs and ALAC requests, that would be great.

CHERYL LANGDON-ORR: And can Silvia make sure it goes out to the RALOs as well?

OLIVIER CRÉPIN-LEBLOND: Now, there is an additional thing. I'm planning to call for a Finance and Budget Subcommittee meeting and a call for members, because of course we've gone through another year and we have some people that have left active, we need more blood in the Finance and Budget Subcommittee. That is something that we should be doing, I think, in early December perhaps, or if we can do it yes, sometime in early December then we'll be able to get the ball rolling. And by that time I gather you will have had the meeting of the ad hoc group already.

TIJANI BEN JEMAA: Yes. Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes Tijani, go ahead. It's very faint though if you could speak a little closer to the microphone.

TIJANI BEN JEMAA: I have a problem with the telephone. I think that really we need the subcommittee to be more active. We didn't meet just a very long time, and I think that we need to discuss everything that we, as a group, because the group is only one or two persons, and we need to – the point of view of the subcommittee about all this is a call for membership as possible to that. And December we will have a committee that can work and we have to work.



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OLIVIER CRÉPIN-LEBLOND: Okay thank you. So let's move on. I know that the clock is ticking but let's do this, we'll touch on this again in the any other business. There's one last thing I wanted to discuss in AOB with regards to finance and budget requests. Let's go to the next – let's see if I can find the page, here we go – use of a drawing for prioritizing new gTLD applications. That was approved, right? Another one of our working statements that have hit the nail on the head; maybe should I say that won the lottery.

Next, the proposed Bylaw amendments to align Board terms – a very short statement to say that we are, we agree for the Board terms to be aligned; it makes sense. Speaking to Sebastien, I think he was entirely supportive of the fact, many of the Board were entirely supportive of this. Draft recommendation and overall policy for the selection of IDN ccTLD strings – great statement from the IDN Working Group. The Trademark Clearinghouse documents, of course there was a statement that was sent, but of course a lot more work that took place afterwards.

And we'll have a section of the call here to have an update from Alan and from Evan. The ALAC statement on community input and advice process – that was also a statement that was approved on the 18<sup>th</sup> of October. And then finally, the R3 Whitepaper from the Future Challenges Working Group. That was of course approved unanimously already on the 29<sup>th</sup> of September 2012. Can I just take the opportunity at this specific thing to have a quick update on what has gone on since that time. Evan or Heidi?

HEIDI ULLRICH: This is Heidi, Evan go ahead.

EVAN LEIBOVITCH: Sorry, I got pulled away; remind me.

HEIDI ULLRICH: Just an update on the latest.

EVAN LEIBOVITCH: Okay. Essentially what's happened is that the public comment period has started. It has gone out in David's policy update to the global community and it's showing up in the ICANN official Twitter feed. And now we're going to start to work with figuring out the format of the meeting that we want in Beijing. We're hoping to have a kind of panel discussion of the kind that the NPOC actually had at the Toronto meeting, which was very well done and a very small room, and we hope to essentially repeat that success in a larger scale.

OLIVIER CRÉPIN-LEBLOND: Fantastic, thank you very much Evan. So, it's good to see that this is on track. And as you all well note that this has not turned up on the policy advice. There is actually an open public comment process now. I gather that the ALAC will not be contributing to this since the ALAC will be on the receiving end for, I understand, the second time in its history. So it's a big thing for us to have something out for public comment.

I have been informed that Denise Michel has joined us on the call, and since we have so many statements to still go through and open policy forums to discuss, I think it would be unfair to make her wait for too long. And what I suggest is that we slice the current agenda and jump

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to item number four, the briefing on WHOIS Review Team recommendations. And after Denise Michel has provided us with an update, we can then jump back to item number three B, the statements currently being developed, reviewed or voted on by the ALAC.

I don't see anyone shouting away or being displeased about this, so let's move and jump to item number four. Denise Michel, you have the floor.

DENISE MICHEL: Thank you. And how much time would you like me to take? And I'm hearing a big echo; how am I coming across to you?

OLIVIER CRÉPIN-LEBLOND: You sound very distorted at the moment.

DENISE MICHEL: Let me try something else. Hold on.

OLIVIER CRÉPIN-LEBLOND: In the meantime, whilst you try something else, I'll just remind you all that there has been an ALAC analysis of the affirmation of commitment WHOIS report recommendations. And I invite you all to click on your Wiki and have a look at the correspondence which was, at the time sent out, and that provided detailed analysis. And as you know there was a detailed analysis with various questions that were asked and the answers were provided by the ALAC.

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Of course this is a follow-up to the ALAC statement and the WHOIS AC/SO request.

DENISE MICHEL: Hi, this is Denise. Can you hear me?

CARLTON SAMUELS: Yes, I'm hearing you better now.

OLIVIER CRÉPIN-LEBLOND: Yes, we can hear you.

DENISE MICHEL: Great. I'll start. How much time would you like me to spend on this overview?

OLIVIER CRÉPIN-LEBLOND: You have 15 minutes according to our agenda, Denise.

DENISE MICHEL: Okay. I will...

HEIDI ULLRICH: That includes questions, Denise. This is Heidi. That includes questions.

DENISE MICHEL: So I'll quickly go through this (inaudible) and action in about five minutes and then leave most of the time for questions. So about a

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week ago, the Board passed a resolution acting on the WHOIS Policy Review Team's final report. I think most of you know that the WHOIS Review Team is one of the Affirmation of Commitment community review, and Avri represented the At-Large community on that Review Team.

The Board accepted the teams recommendation, then decided to take a two-pronged approach of the WHOIS. They actually used the WHOIS Review Team's report as a stepping off point and not only acted on the Review Team's recommendation but gave a lot of thought and discussion to the underlying findings of the Review Team about the WHOIS, the protocols and processes in many ways have not kept pace with the evolution of the internet, and there is a broad agreement over the purpose of the WHOIS data and access and accuracy and a number of other things.

And so the Board voted to launch a new effort to define some gTLD registration data and directory services broadly. They directed the CEO to launch this new effort. The CEO will be convening an Expert Working Group to address some of the foundational issues not only raised by the WHOIS Review Team but also in particular underscored by the [FFact] and their input to the Board to provide sort of foundational expert input on reformulation directory services and provide a strawman that will be used as a stepping off point for a new GNSO policy development process.

So the intention here is to use a tightly-scoped expert working group to provide an input into a [preliminary] policy development issue report, and the Board will it's felt direct the GNSO to start a PDP. The

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expectation is that with the Board starting the policy development process and with the policy development process including a potential starting point, rather than a greenfield effort, that that will result in a much quicker and hopefully successful consensus within the diverse groups of the GNSO and of course including At-Large and the GAC as well.

So that's the first prong of the Board's action, and the second prong addresses the whole range of 16 recommendations that were in the WHOIS Review Team report. I will drop a link in the Adobe chat window and I will email it to staff to make sure that you have it. The Board included material, a table that lists all 16 of the Review Team's recommendations and the Board requested action for each one.

And so on the second prong the Board has directed the CEO to address all of these recommendations and in particular to increase efforts to support validation and auditing of the WHOIS data, significantly increase enforcement and compliance efforts, increased efforts to communicate and engage a broader range of interest in WHOIS – not only policy work but also to ensure that the access to the whole WHOIS database, Inter NIC is much more consumer friendly and providing the information that's needed. So there's a whole range of actions that will come out of the second prong approach.

And the staff will be following up with much more detail and implementation information for the community over the next several weeks. I'll stop there and open the floor for questions.

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OLIVIER CRÉPIN-LEBLOND: Thank you very much, Denise. So the floor as Denise said is open for questions if anyone wishes to start... I see no hands going up at the moment. I do have a question myself: with regards to the working group itself that would be looking at a complete reformulation of directory services, would this be a working group that works with remote participation? Would it be several calls that take place or will it meet face-to-face?

DENISE MICHEL: I would anticipate that like most of ICANN's working groups it would work through conference calls and the internet, but also have at least one or two face-to-face meetings.

OLIVIER CRÉPIN-LEBLOND: Right, so that leads me then to the next question, being that if there are face-to-face meetings would there therefore be funding for those members of the working group to meet face-to-face?

DENISE MICHEL: Yeah, so the sort of practical and administrative details of the working group really have not been addressed yet. So we'll be happy to get back to you with information on those details.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. I'm touching on these due to recent other work that has taken place, specifically on the Trademark Clearinghouse where members of our community who are not funded could go to these things did find it very difficult to attend remotely whilst other parties

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were in the room itself. So it's one of these things where if we want to have a multi-equal-stakeholder system I really urge the organizing team to think of this quite carefully. I thought I'd flag it in advance so as for you to know that we are-

DENISE MICHEL:

Certainly, and I appreciate the head's up on that. This will be a CEO working group. I'm sure expenses will be paid and travel will be provided, and I would note though that perhaps unlike the recent discussions on the Trademark Clearinghouse where representatives from all the different SOs and Stakeholder Groups and Constituencies and Advisory Committees were invited to send representatives, the intention of this expert working group is while there's an emphasis on the expert part... The intention of this working group is not to mirror the broad diversity of interests and full representatives from every single constituency and committee within ICANN.

Rather it is to try and tap the best minds and the various individuals of course keeping in mind the diverse interests and (inaudible) of the WHOIS database. But I don't want to give you the expression that every single current interest group that's within ICANN will be asked to represent in this because it's not intended to be a representative democratic group; rather it's an expert working group whose output will go to the GNSO and all the broad interests within the GNSO community. And At-Large and the GAC will be responsible for ultimately making the decision on policy.



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OLIVIER CRÉPIN-LEBLOND: However, you do know that the composition of the experts as such, depending on which party they come from, would vastly influence the direction in which the results would go. If one is just looking at technical experts that's one thing, but I think the issue itself being so hard fought and having been in the battlefield for so long, the lines are clearly drawn between those that want to have a strict minimum and those that want to have a strict maximum. But let's not start the work right now; we'll let the working group work it out.

I see hands up and I'll take the questions, and first we have Carlton Samuels who is the lead on WHOIS.

CARLTON SAMUELS: Thank you, Olivier; hi Denise. A couple of quick questions: the first one is I have a concern that this new working group will not go re-plowing new areas that have been plowed already and probably extend the implementation of some things that we think are fairly obvious and ready for implementation. For example, we've had the Internationalized Registration Data Working Group that was a GNSO joint SSAC working group that dealt with the issue of display of internationalized registration data. We've had a working group that has reported what a new dataset, a WHOIS dataset would look like. We had a working group that has come up with a new service, what they call a data directory service; and we are in the middle of looking at adopting this term.

So I am concerned that this new working group would not be chartered so that a lot of the work that has already been done is rehashed, and therefore would delay implementation of some of the simple things like

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data accuracy regime. There's even a Data Accuracy Working Group report that was sent out. So is there any assurance that we will not get bogged down with this new working group in areas that have already been determined?

DENISE MICHEL:

So the Board took great pains to reference much of the work that's been done in the past in the ICANN community, and made it clear that this work – both the past work and the work that's ongoing – should be taken into account as the expert working group goes forward. So we'll have more information on how these current efforts fit in when the working group's charter is defined and we have more information for you on that. But certainly the intention is not to in any way delay the work of the IDN-related efforts.

OLIVIER CRÉPIN-LEBLOND:

Thank you, Denise. Next we have Evan Leibovitch.

EVAN LEIBOVITCH:

Hi there, it's Evan. Hi Denise. I have two questions, one of which is to go back onto some of Olivier's comments and to the idea of this or the terminology used was a CEO working group. Now, this may not really be what it's called or whatever but we're now starting to see a pattern that started with the Trademark Clearinghouse is now being extended into this and I really am a little concerned that we're reinventing the wheel from time to time.

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Is this concept of the CEO working group or whatever it is this format is going to be called, is there going to be some formal structure to it? Because it looks like we're going to be seeing more of these in a way to if not circumvent the processes of the PDPs and that kind of thing at least to try to give some expediency to some of the more lightweight issues? I don't know if I see WHOIS reinvention being a lightweight issue so I'm not sure if this is suitable to that but can you say anything about going forward with the sort of lightweight community meetings that are being envisioned?

DENISE MICHEL:

Sure. So I can appreciate it's maybe tempting to connect the recent discussions on the Trademark Clearinghouse with the Board action requesting the CEO to create an expert working group but they're actually very different. Setting aside the Trademark Clearinghouse discussions that just occurred over the last two weeks, this is a new effort that the Board has directed the CEO to manage. And I think we can all agree, especially those of us who have been involved in efforts to improve or change the WHOIS policy and practice over the last well, more than ten years now – I think you can appreciate the desire and the need for some new thinking and a new effort in this area.

But as the Board made clear in its additional supporting material and as I will make clear to you now, this is in no way a replacement for the policy development process; and in fact, the Board has made clear in its papers that the intention here is to underpin and support a GNSO policy development process and hopefully give a PDP a jumpstart in a

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direction that will lead to a successful consensus. So the Board here is very much in support of PDP and in no way does this replace it.

The Board has been very clear that the output of this working group is not only to be fed directly into a PDP but the Board took pains to note that it's also asking staff to write a preliminary issue report being the first step to requesting a PDP, and that the output of this working group will be folded into an issue report. And the Board will use that to direct the GNSO to start a PDP. This very much underpins the PDP process.

And depending on what comes out of the working group it may also provide some guidance for additional action, be it staff enforcement or additional negotiations with registrars and the RAA or registries. Does that answer your question?

EVAN LEIBOVITCH:

Yeah, and it sort of leads into my second question which is the second part of the Board direction. So part of the Board direction is looking forward and re-envisioning things. We've already seen some significant steps in the area of Compliance with Maguy being elevated to VP position and given direct charge to Fadi. Can you speak a little more on what you foresee as being the very short-term consequences of the Board direction to the CEO to get more involved in vigorously enforcing the existing WHOIS structures in place?

DENISE MICHEL:

Sure, sure. So as you know, Compliance now reports directly to the CEO. It has had a significant, over the past couple of years a significant

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increase in resources and staffing in addition to the CEO's attention. It is continuously noted as a strategic priority for the corporation.

EVAN LEIBOVITCH: Right, but does the Board vote change anything that was already not in motion?

DENISE MICHEL: Yeah, so it does a few things. It increases the, it'll be increasing action and attention to outreach and engagement and it will specifically support staff efforts to expand the Inter NIC WHOIS, undertake efforts to make access to that data much more consumer friendly, to make sure that the whole range of interest groups who should be engaged in not only the WHOIS policy but who should be aware of their access to WHOIS. So that sort of whole set of communication and outreach effort will be increased because of this Board resolution.

And the auditing is a more proactive effort on the part of Compliance. I think you'll see that in the future. That has been supported and encouraged by this Board resolution. So those things in particular, and as I said over the next several weeks staff will be providing more information on implementation of all of the WHOIS team recommendations.

OLIVIER CRÉPIN-LEBLOND: Thank you, Denise. I realize we have run out of time. I just have one last question for you with regards to you mentioned the use of experts

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in that working group. Has it already been worked out how those experts will be selected?

DENISE MICHEL: No, it has not.

OLIVIER CRÉPIN-LEBLOND: Okay. Okay, well we've run out of time so thank you very much for joining us and explaining to us this very important process. I think there will be a lot of satisfaction I guess in the ranks of ALAC and probably in the ranks of a lot of people at ICANN that the CEO is trying to push on this and break the deadlock that we've been stuck in for a long, long time. There's also some concern as Evan has mentioned and Carlton has mentioned also with regards to the PDP and the multi-stakeholder process. We will be checking again of course on how this is progressing and I do hope that we will see several people from the ALAC who are experts in the matter to take part in this working group. So thank you for joining us.

DENISE MICHEL: Thank you for having me, and thanks to the ALAC and the broader At-Large community. It's because this community has continued to be a very strong voice in this area of WHOIS that we've been able to make the recent progress that we have. So thank you and I hope you'll continue to make it a priority for the community.

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OLIVIER CRÉPIN-LEBLOND: Thank you very much. So we'll now move back to our previously scheduled program, and I can hear myself echoing. So we're jumping back now to agenda Item #3B – statements currently being developed, reviewed or voted on by the ALAC. There are several of these.

The first one, the ICANN Consolidated Meeting Strategy Proposal – the vote has started. I have explained in other fora and in other calls the gist of the statement which was very kindly drafted by Tijani Ben Jemaa. Some regions have been concerned that they are losing us on meeting and are thinking, or have – well, I'm not quite sure whether they have or not but they were looking at producing their own statements. I have looked at the current meetings rotation which is found at [www.meetings.icann.org](http://www.meetings.icann.org), and looked at the proposal. The only regions that would be losing a meeting would be the African region and the North American region.

That said, when the matter was discussed on the EURALO call last night we were also told that these are just proposals and thoughts at the moment – we are far from having something agreed to change those meetings. It really depends on a number of factors and of course, we have mentioned in our statement that the diversity and the measure of global reach is really important for our community. So we'll see more happen on this. This really was I guess more of a public comment period to test the waters and see how much support or what people thought about this. I don't want to spend too much time on this one.

We'll move to the next one which is the IDN Variant TLD Program Interim Report Examining the User Experience Implications of Active Variant TLDs. Edmon Chung is to write a statement. In fact, at the

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bottom of the agenda page we have two updates from Rinalia, the first one being that Edmon has confirmed that a draft statement is being prepared for the IDN Working Group discussion prior to ALAC consultation or votes. We understand of course that we have somehow missed the initial comment period and so we'll take the liberty to file the submission during the reply period which closes on the 13<sup>th</sup> of...

HEIDI ULLRICH: This is Heidi. Have we lost Olivier?

CARLTON SAMUELS: It appears so.

HEIDI ULLRICH: Gisella?

CHERYL LANGDON-ORR: Cut off midstream. [laughter]

HEIDI ULLRICH: Okay, let me just see what's going on.

CHERYL LANGDON-ORR: Just a little bit of background noise from me at the moment while I put a dog out.



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GISELLA GRUBER: Hi Heidi, sorry, it's Gisella. He's still showing on the bridge so we'll ask him to disconnect and then we'll call him again.

HEIDI ULLRICH: Okay, thank you, I'm just letting him know that we can't hear him so if he is talking then there really is no need to.

Okay, he's lost his network. Gisella, let's see what we should do. Let's see what's going on... He has it back?

OLIVIER CRÉPIN-LEBLOND: Hello everyone.

CARLTON SAMUELS: Yes, we can hear you.

OLIVIER CRÉPIN-LEBLOND: Oh it cut out just as I was on a roll, that's terrible. Sorry about this. It's the network which just dropped me off. I'm not sure where I cut out. I was speaking about Edmon having confirmed that a draft statement is being prepared for the IDN Working Group discussion on the Interim Report Examining the User Experience Implications of Active Variant TLDs. The statement will be submitted in the reply period.

Moving on to the next one, the expired registration recovery policy, and Alan Greenberg was to confirm whether a statement was necessary. In fact, Alan it would be great if you could now provide us with an update on this, please.

ALAN GREENBERG: I provided you with an update via email a few hours ago – that one, let me check email to see if anything came in in the interim...

OLIVIER CRÉPIN-LEBLOND: The question being whether the ALAC submits a statement or not and how-

ALAN GREENBERG: I understand but it's relevant to whether I've gotten any answers to some questions I've been asking.

OLIVIER CRÉPIN-LEBLOND: Correct, yeah. Do you wish to pass over this for the time being? Maybe you can come back to this.

ALAN GREENBERG: Give me one minute and then we'll come back. Or do one more item and then come back.

OLIVIER CRÉPIN-LEBLOND: Yep. Well, we have another IDN Variants TLD Program – my goodness, are these people busy. And they are busy which is great to see, and it's great to see so many At-Large people on these Variant TLD Programs. The next one here is the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels. Of course I understand that for all those people who are not involved in

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the IDNs, internationalized domain names, this sounds like Chinese and actually deals with Chinese and deals with all sorts of characters which many of us are not able to read.

But for this one specifically a response in the form of a letter to the IDN Variants TLD Program Team has been drafted and commented upon by members of the IDN Working Group with concurrent ALAC consultations. So the ALAC is scheduled to vote from November 20<sup>th</sup> to the 26<sup>th</sup> and submission will be made directly to the IDN Variants TLD Program by Rinalia Abdul Rahim outside of the public comment period as agreed upon in Toronto during the IDN Working Group meeting. And this was specifically because the comment period has been closed a while ago, but thankfully Rinalia was able to liaise with the Chair of the Working Group and the staff member in charge of the Working Group so as for our comments to go directly to the process.

And that's great – it's one of these things that we can do at ALAC. We're happy to be able to do so when given the opportunity. Alan, are you okay with your minute or should we continue just another minute?

ALAN GREENBERG: No, I'm not going to need a few more minutes.

OLIVIER CRÉPIN-LEBLOND: Okay, Expired Registration Recovery Policy.

ALAN GREENBERG: Okay, I call your attention to the email I sent out about two and a half hours before this meeting because that is still the current state of

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events. To summarize for those of you... Is everyone on the call up to date on what we're talking about?

CARLTON SAMUELS: Yes.

CHERYL LANGDON-ORR: Yes.

ALAN GREENBERG: Then I will not go into the ancient history. The policy that is posted includes some provisions that say... The policy says that registrars must post certain information on their website so that a potential registrant can see it at registration time. The understanding that the Working Group was working under, and Cheryl, please correct me if you think I'm using anything resembling wrong words, was that – and I'll quote from the email that Michele Neylon sent regarding the posting recently – is that "Registrars are responsible for ensuring that all their requirements are carried out regardless of whether they use resellers or not."

We attempted to put explicit language in the PDP regarding resellers and the registrars yelled us down essentially and it was not possible, but their explanation is "Don't worry, it's there anyway." In the final version of the draft policy, staff – and when I talk about staff I'm presuming it is written by the Registrar Liaison in conjunction with Legal, I don't know exactly who penned the words but this is an amendment to the RAA so I'm presuming Legal staff was involved also – they included specific

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provisions say, if a reseller is involved they must post the information on their website.

At the very last moment, actually a day after the end of the formal comment period, Michele posted a note saying “Hey, we didn’t agree with that.” And that’s where we stand now for all intents and purposes, except I also did ask for advice from Maguy Serad and I asked “Can you get us an answer, and if it’s not official because of the timing still get us an answer?” and she did. She got me an answer by last night saying their reading is that if the RAA says a registrar must post something on their website it means just that. There is a global clause about resellers but it’s about if a registrar must have something in their registration agreement then so must the reseller.

There is no language regarding websites and therefore... The only language regarding websites is if ICANN posts what is a registrant rights and responsibilities document then the registrar must point to it. There [is an] explicit stamen about the reseller. Curiously, there is a statement in the RAA about redemption grace period fees which is not paralleled in the reseller part. Okay, so it is clear from what Maguy said that if the language that was drafted by ICANN is not there these provisions do not apply to resellers. That essentially said the intent of the Working Group, that we make sure registrants have access to some information, will only apply if they deal directly with a registrar.

What staff did is implement the intent of the recommendation, not the verbatim of the recommendation. And that’s where we stand right now. Staff has suggested that if everyone doesn’t agree that this can go back to the GNSO. That’s a nonstarter in my mind. If we simply let

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nature take its course and we say yes and Michele stands by his “no” they’ll probably take the language out in that they have no grounds to put it in. If we can convince Michele to change his comments, well, so be it but so far he hasn’t answered my email I sent to him yesterday.

So we may or may not get the language in the RAA. If we do get the language in, fine – we still have to raise an issue that there are other conditions in the RAA which are null and void if a reseller gets in. And if we don’t get the language in then we really need to raise that issue, and I guess it’s an opportunity for embarrassment or something? I don’t know. I believe Michele really thought that this provision applied to resellers.

CHERYL LANGDON-ORR: Yeah, I believe so.

ALAN GREENBERG: Certainly his language in the email he sent to the public comment reflects that. Whether the other registrars knew it or not I don’t know. It’s an interesting question. That’s where we stand. My recommendation is number one we try to press Maguy or Legal or someone quickly to get permission to actually say that without those words there it doesn’t apply to resellers.

CHERYL LANGDON-ORR: Yep, clarify the interpretation.

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ALAN GREENBERG: Okay. Now if we can't do that we can still post something saying "We don't know if it applies" in our statement. Eventually we will demand a ruling and get it. The question is will we get it in enough time? The Registrar Liaison person is on vacation this week, so he'll be back on Monday. He may well be in a position to say if we don't put the language in it doesn't apply to resellers – that means we don't need it from Compliance. I don't know. He's back Monday; we have an ALAC meeting on Tuesday. I think if we're going to do any statement at all I have to at least brief the ALAC that it's coming even though the words may not come until Monday or it may get changed on Monday based on what happens that day. I don't think we can not comment.

OLIVIER CRÉPIN-LEBLOND: Agreed.

CHERYL LANGDON-ORR: Yep.

ALAN GREENBERG: And if we have to play dumb and we don't know whether resellers have an obligation even if the words aren't there, I had already drafted something that played both sides of the fence because when I drafted that I really didn't know. Either way we're really saying that unless we have global words that cover everything in the RAA that it's a sham with regards to resellers.

CARLTON SAMUELS: That's right.

OLIVIER CRÉPIN-LEBLOND: Correct, yeah. I think we have full agreement here.

ALAN GREENBERG: I wouldn't mind using words like that. And not only that but you know, four years of a PDP and the rules don't apply to half of the sales?

CARLTON SAMUELS: Can you recall that line and use that line in our response?

ALAN GREENBERG: What, the "sham?"

CARLTON SAMUELS: Yes, you just said.

ALAN GREENBERG: As some people have already seen, I already think I did.

OLIVIER CRÉPIN-LEBLOND: Okay, so Alan, just to get movement on this I see agreement from Tijani, I see apparent agreement from Carlton as well. Evan has put his hand up, Evan?

ALAN GREENBERG: Yeah, Evan, Rinalia and Cheryl had seen earlier versions of my draft, so he speaks from that point of view.



OLIVIER CRÉPIN-LEBLOND: So Evan?

EVAN LEIBOVITCH: Thanks, Olivier. I guess my question is, is whether or not the current draft that Alan, Rinalia and myself have contributed to, whether or not this accomplishes what we want it to. The issue was number one, not trying to read staff's mind, not trying to read ICANN Legal's mind and essentially attack this on face value in saying that there's a couple of things. Number one, it's bad on the substance and there's a significant accountability and transparency issue also going on here. And I guess...

ALAN GREENBERG: Evan, I know what you're referring to but I disagree with you. The whole concept of now having an Implementation Review Team on PDP outcomes is to ensure that the implementation not only follows what the recommendation said but the intent of the recommendation.

CHERYL LANGDON-ORR: The intent, yes.

ALAN GREENBERG: And that is what staff did in this case.

EVAN LEIBOVITCH: Okay, but now here we are arguing over the intent – whether or not the inclusion or exclusion of particular words means that something was

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intended or not. Here we are, we're not even into that review and we're already unsure about the difference between the letter of the law and the spirit of the law.

ALAN GREENBERG: No, Evan, when I started this several days ago we weren't sure. Now we are sure. Now we know exactly why they put it in. We may not be able to say that in the public forum but we do know.

CARLTON SAMUELS: Okay, well I think Evan makes the case, though, on the standard response you have to start at the top. I totally agree with everything you say, Alan, but I think the framework that Evan was articulating here is a principle from where we should start.

ALAN GREENBERG: Well, I'll tell you that principle which Rinalia had rewritten – and it's not fair to the other people who haven't seen these documents, but I put out something basically as I described today and Rinalia took most of it out and basically just said "We were trying to help the registrars, why are they protesting?" And it turns out that that is not the reason. That was one of the hypotheses-

CARLTON SAMUELS: Yeah, but that's no reason for us to intervene at all.

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EVAN LEIBOVITCH: Okay, Alan, can we possibly as an action item going forward from this, now that we have a clear idea of what's going on can I suggest that you, me, and Rinalia go off in a corner, produce a statement and have ALAC vote on it on this specific issue? Or is there too much of a timing issue?

ALAN GREENBERG: Monday may change everything. Maguy coming back to me later today may change everything. We don't have to say "Hey, one of the options is we were trying to be nice to registrars and they refused – why are they objecting if there's no substantive change in the registration agreement?" We may find out that we can say that that wasn't the option at all.

EVAN LEIBOVITCH: Okay. Is it fair to say that we've agreed on this call that we have a fundamental problem with the idea of registrars who deal with the public having a different set of rules from registrars that go through resellers?

ALAN GREENBERG: Well, that was the intent. The intent of the Working Group was that we provide registrants with certain information. We now find out that based on the recommendations, which I will point out we had ICANN staff who clearly were under a different impression also, because the ICANN Policy staff person also believed that the section in the RAA talking about agreements implied the website also. So she was under the wrong impression, we never got a formal ruling. We can be

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criticized – we did not get a formal in writing opinion from Compliance or Legal on this. We perhaps should have. We didn't think to do it.

CHERYL LANGDON-ORR: Cheryl here, Alan. We did call and ask Compliance to join us and they were to say the least fuzzy in their answers.

ALAN GREENBERG: Well, the Compliance at that point was a complete [beat] – that was two generations of Compliance ago.

CHERYL LANGDON-ORR: That was a crock of shit is what it was, yes.

ALAN GREENBERG: But I've heard the statement from ICANN Legal, I can't tell you exactly what venue I've heard it from, that the rules are the rules regardless of whether they have resellers. Well, the rules are the rules but the effect of the rules are not the same.

CHERYL LANGDON-ORR: Yep, and we need to check on that and have a ruling on that.

ALAN GREENBERG: Well I can forward what Maguy said. There is just no doubt that that is the interpretation.

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CHERYL LANGDON-ORR:           Okay.

OLIVIER CRÉPIN-LEBLOND:       I can see this is now starting to rework itself around. I think we have a path forward. Go ahead, Alan.

ALAN GREENBERG:                What I propose is I'm going to send out, it's a reworked version of what I sent out to Evan and Rinalia and Cheryl originally. If Rinalia or Evan want to rewrite it that's fine. I will tell you that if ALAC does not make a statement that it has sufficient power in it then I will because it needs to be said one way or another, but I will leave it up to the ExCom and to ALAC to decide if they like the statement I'm drafting and how they will want to change it.

CARLTON SAMUELS:               Send the statement, Alan. Based on what you said here I think I understand why and I think I would support it.

EVAN LEIBOVITCH:                Me too.

CARLTON SAMUELS:                I would want to ensure though that the principle that was espoused by Evan is laid out as well.

ALAN GREENBERG:                Which principles are you talking about?

CARLTON SAMUELS: The issue is that you have a situation where a decision is made and then there comes a time for the implementation, and we have some kind of mechanism to ensure that the interpretations of what is intended is what's implemented.

ALAN GREENBERG: And we have that in place. I did not ask the question on the Implementation Review "Why did you put those statements in?" I was absolutely pig-shit happy to use strong words that staff had put it in and it was absolutely clear. At the very last moment Michele, who I thought was going to be silent and decide to just let it go, didn't and now we have a situation that somebody complained about the wording; therefore, there's a good chance that it will not go through.

CHERYL LANGDON-ORR: It's got to be tested.

ALAN GREENBERG: And it opened up the general problem which is perhaps a somewhat larger one than that. I haven't gone through the RAA with a fine-tooth comb and see if there's any other provisions that have fallen through the cracks because of this kind of problem. There may be or maybe Legal staff did a good job in May, 2009-

CARLTON SAMUELS: Okay, well let's put it out, let's see.

OLIVIER CRÉPIN-LEBLOND: Okay everyone. I know it's an important matter but I see the clock ticking, and we have already been one and a half hours into this call. I'm a little concerned this is going to be one of those very, very long ExCom calls. We've got a plan forward so Alan, we'll leave it in your hands. If you could circulate this by email first and of course we'll then be able to discuss this further I guess on Tuesday depending on what happens until then.

ALAN GREENBERG: Yep, but I'm going to have to do at least a head's up if not the text to ALAC also. There's no way we can't.

OLIVIER CRÉPIN-LEBLOND: Definitely, definitely. Yeah, absolutely. It needs to be said and it needs to be told, and I see broad support for this to happen. If no information points otherwise then it's good to have that statement ready to support-

ALAN GREENBERG: Yeah, we do have a bit of time. The deadline is the 7<sup>th</sup> of December.

OLIVIER CRÉPIN-LEBLOND: Yes, but then again, well...

ALAN GREENBERG: I said we have a little time. I didn't say we have a lot of time.

OLIVIER CRÉPIN-LEBLOND: Great. So let's move on then to the current open policy forums – I thought we'd never reach this: the Proposed Modifications of the GNSO PDP Manual to Address the Suspension of a PDP. I ask you, Alan, to let us know whether this is something we might wish to consider a statement on.

ALAN GREENBERG: We do not need a statement.

CHERYL LANGDON-ORR: Nope.

OLIVIER CRÉPIN-LEBLOND: Thank you. Next, the IRTP Part C Policy Development Process Recommendations for Board Consideration – we tagged it as no statement. I gather it's still no statement?

ALAN GREENBERG: Unless somebody thinks there is. I think we're replying to far too many statements at this point.

OLIVIER CRÉPIN-LEBLOND: There were questions on this one because some people... Cheryl, if I could just say there were some people who have said that we had commented in the past on some of the IRTP policies and they thought we might need to do a statement on this as well. And my response was



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to ask you but I did not think that we needed to do a statement on every single IRTP Part Development, whether it was the first TP, second or third or fourth.

ALAN GREENBERG: Olivier, my response is maybe I am completely irresponsible and I haven't read it carefully enough to know that there's something of crucial importance. If there's someone else who thinks we need to reply let them put some substance to that, and I may well say "Hey I was wrong."

CARLTON SAMUELS: For what it's worth Holly thinks that there might be something to it, so we might just ask her to do it.

ALAN GREENBERG: Then let Holly suggest something. But I would really suggest since Holly doesn't always understand the background of these, she doesn't have enough history in it that she suggest what the issue is before she starts drafting something.

CHERYL LANGDON-ORR: Yep, she can shoot from the hip and that's not necessarily a good thing.

OLIVIER CRÉPIN-LEBLOND: One of the points though that one has to take up is the fact that there was a comment period which closed on the 12<sup>th</sup> of November, 2012. Because no comments were received during the first part of this there

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was no reply period. So the reply period is canceled. The forum is closed. If we really want something to be drafted on the list it really is trying, in my point of view, to squeeze blood out of a stone somehow. I'm a little concerned about spending time on things where the battle is long gone.

CHERYL LANGDON-ORR: I agree. Cheryl here, I was going to say-

CARLTON SAMUELS: I totally agree with that.

OLIVIER CRÉPIN-LEBLOND: Yes, Cheryl, go ahead.

CHERYL LANGDON-ORR: What I was going to say is I think Holly is enthusiastically entering into her world of ALAC and was busy looking at things. She is without the appropriate background on this. She needs to learn to take some of Alan's expertise and do the homework as well, and there's plenty of things which are more worthy of ALAC's time in my view. This isn't one of them.

OLIVIER CRÉPIN-LEBLOND: Excellent. I hear also Carlton saying the same thing, so let's move on to the Expert Recommended Improvements to ICANN's Accountability Structures. It's tagged as no statement at the moment. I recall Alan mentioning specifically that we didn't need to say anything about this.

ALAN GREENBERG: I don't think I [ruled it out].

OLIVIER CRÉPIN-LEBLOND: Okay, well someone did. Do you think otherwise?

ALAN GREENBERG: No, I don't. I mean one half is under Board reconsideration and the other one is on the Ombudsman if I remember correctly?

CARLTON SAMUELS: Yes, you're correct I think.

CHERYL LANGDON-ORR: Yes.

ALAN GREENBERG: I don't have any strong statements to make on it. I read it through. Most of it was beyond me and the mind boggles as to understanding the impact of it. Cheryl is our ATRT person from the past.

OLIVIER CRÉPIN-LEBLOND: Okay, Cheryl?

CHERYL LANGDON-ORR: Cheryl here. The only thing that would in any way, shape, or form feel of merit would be something in the affirmative and supportive. Your

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ALAC statements in support of the original ATRT 27 recommendations included (inaudible) support for the intent of what this document does. I'm very comfortable with it. The rest of the ATRT that put these recommendations together is very comfortable with it. It's taken too damn long but I don't see any benefit in penning something that says "Thank you for finally getting your act together; you should have done it months ago," which is pretty much all I think you can say.

ALAN GREENBERG:

And moreover, saying we actively support all of them, I don't think most people in the ALAC have an appreciation, I certainly don't, to say that.

CHERYL LANGDON-ORR:

I'm sure they don't. Yep, let it slide.

OLIVIER CRÉPIN-LEBLOND:

Okay. We could add a couple of swear words for form as well since we've already had a couple during this call. Let's move on: Application for New GNSO Constituency Candidacy: "Public Internet Access/Cybercafé Ecosystem." I did ask and was rebuffed quite vigorously by several people saying "Keep GNSO politics in the GNSO," so we will not be providing a statement on this and I entirely agree.

Preliminary Issue Report on the Inter-Registrar Transfer Policy Part D – the comment period closes on the 14<sup>th</sup> of December. Alan, any difference from Part C?

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ALAN GREENBERG: Put it on my to-do list and have someone remind me in a week. I haven't even looked at it.

OLIVIER CRÉPIN-LEBLOND: Okay.

HEIDI ULLRICH: Alan, is that's going to be an action item you're holding the pen? Alan, this is Heidi.

ALAN GREENBERG: I'm making a recommendation on whether we should do it or not. I'm not necessarily penning it.

HEIDI ULLRICH: Okay, perfect.

OLIVIER CRÉPIN-LEBLOND: Alan to provide a recommendation is the AI. Okay, so we can now-

ALAN GREENBERG: We can either assign someone else the task in parallel or once I say yes or no let's not revisit it this time.

HEIDI ULLRICH: Yeah, so I'll say "Alan Greenberg to confirm if a statement is necessary."

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OLIVIER CRÉPIN-LEBLOND: Alan, may I ask you, offhand which one of the IRTP policies was Avri working with? Was it Part C or Part D?

ALAN GREENBERG: She was on the Work Group for C. D, I don't think... D is only a preliminary issue report, so the question at this point is do we advocate the PDP and did they forget anything from the issue report? I haven't read it so I can't answer either of those.

OLIVIER CRÉPIN-LEBLOND: Okay. Let's move on. We're starting to be a bit tired so let's jump now to Item #5 in our agenda, the Trademark Clearinghouse Los Angeles Meeting Update. If we could just have five minutes on this. I know most of us have been briefed about what has happened and in reading Fadi's blog. There has also been some feedback on the NCSG mailing list that has been shared on the At-Large mailing list. Perhaps a few more words from those two heroes Alan and Evan.

ALAN GREENBERG: I sent out a rather detailed report to the ALAC on public things and I sent out an even longer one to this group on off-the-record things. I don't think I have a lot more to say. There's a meeting on Monday where Fadi among other things is going to discuss how he sees going forward on the Strawman Proposal and I'm assuming that's going to say he's going to tell the GNSO or the Board is going to tell the GNSO that they have two months to do something. Or I don't know, I'm guessing that may be an option.

OLIVIER CRÉPIN-LEBLOND: Would you be able to provide an update to the ALAC on Tuesday, on the Tuesday call?

ALAN GREENBERG: Oh sure. There's not a lot that I'm likely to say then that wasn't in the report, but yes, if you want me to speak I will speak.

OLIVIER CRÉPIN-LEBLOND: Just on the latest, basically on what's happened on Monday – just a quick last update.

ALAN GREENBERG: Yes, certainly. The only thing that I think we need to discuss is do we as representatives, the five of you because it's not me, believe that this kind of process with some tweaking to how it's arranged and how the representation is selected, and whether there's funding or not – whether this process is a good one or not. If you read Robin's statement, which I presume all of you have, this is completely counter to the bottom-up process. I personally think it is very close to what the STI did and is perhaps the second, after only the STI, was one of the more productive set of hours I ever put in in ICANN; and this kind of thing we need to do more to get moving on problems that otherwise get stalled. Fadi seems to believe this is something we need to do a lot more. I don't know how effective they're going to be if he doesn't lead them but I agree in principle.

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CARLTON SAMUELS:

If you remember the argument we were making about what kinds of things the Board has the capability to do without going back to a PDP and the GNSO, and this is exactly the kind of thing you want to do. I'm for looking at the objective and seeing how we can move it along. If there's broad agreement as to what needs to be done, having a new process or tweaking a process to get it done in a timely fashion to me just makes sense.

EVAN LEIBOVITCH:

And this is why I was trying to get that information out of Denise when she was on the call, because we're now starting to see a recurring thing. It was mentioned there as a CEO working group. If we're going to see something on the Clearinghouse, if we're going to see something on WHOIS, Fadi has already mentioned that he wants to see more of this lightweight process – I think we've got to make sure that we intervene to make sure that number one, there's some consistency in the way that it's done; number two, that there is some accurate and understandable preparation going into these because one of the things we ran into in the Trademark Clearinghouse is that there was documentation that was shoved on us the day of that could have easily been represented to us in advance so that we would have had a better idea of how to deal with it.

So hopefully there's some takeaway from the Trademark Clearinghouse in terms of the structure of this kind of lightweight cross-community thing. For WHOIS frankly I think it's not appropriate at all. For something that's more implementation than policy and where the policy stuff can be extracted and punted back to the community for a



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broader process it's a good idea and I don't have a problem out of hand the way, say, Robin does. But at the same time we've got to tread really, really carefully because there's a real opportunity to get shed out of the process if we're not in there and making sure that it is, to use Fadi's term multi-equal-stakeholder. We found massive problems with the first go around of this and I'm hoping there's some lessons learned.

CARLTON SAMUELS: I agree.

OLIVIER CRÉPIN-LEBLOND: Thank you, Evan, thank you Carlton. Alan, you have your hand up again?

ALAN GREENBERG: Yes I do. What Evan said, I basically agree on most of it and I think that's the kind of question I was asking. If we support the process as opposed to flat out saying "This is a travesty of the multi-stakeholder model and we better never do this again," which is what some people are saying-

CARLTON SAMUELS: No, that's not what I'm saying.

ALAN GREENBERG: I didn't say you are.

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CARLTON SAMUELS: No, it's what Robin said.

ALAN GREENBERG: No, no, but other people are saying it too, and Olivier happens to know at least some of them. If we do not believe that then yes, we should be saying "We support the process but..." and give our list of but's. I don't think we need to do it in the timeframe of this particular issue because this one is almost closed at this level already.

EVAN LEIBOVITCH: I agree, Alan.

ALAN GREENBERG: May I finish? With regards to WHOIS I did not hear anything in the Board resolution saying "This is a multi-stakeholder thing, this is bottom-up, this is representation from all the groups." I heard them say a high-level CEO's group to look at things. I don't know what that means but I'm pretty sure it doesn't mean one person from every AC and SO or something like that. So I don't think it's the same thing. I think it's something completely different and I think we would not want to mix the two. Now I'm finished.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. We've had some insight into this from Denise just now, so we just have to be vigilant. But I am concerned, and you might have heard I am concerned about the meaning of "experts" as saying "Well experts are really people in the business and At-Large people, this

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is not your business and so you don't qualify as experts." I think that's absolute bullshit! And now that I've said it that makes it three.

EVAN LEIBOVITCH:

Olivier, that's exactly what happened to us in the STI and we've got to be really, really careful that under the guise of being an expert meeting they don't shut us out the way they did in the STI. You're absolutely right.

ALAN GREENBERG:

There's no question about that, but since we haven't heard at what level or whether these are people from ICANN or something like the expert panel they put together on the previous issue of revisiting ICANN policies under reconsideration I don't know. They called that one an expert panel, too. They found three out of four academics from around the world so I don't know what it is they're talking about here. If someone else does I think we need to comment on it then, but...

EVAN LEIBOVITCH:

Well Alan, on things like WHOIS I think ALAC is, At-Large is perfectly capable of finding within our community some subject matter experts on the issue, unlike in STI. If we're being asked to bring forward people who have an At-Large sensitivity who can speak with some authority on the techniques of WHOIS and the principles of having to do a registrant disclosure, I think we have that kind of expertise. So-

ALAN GREENBERG:

If that's what they're looking for. I don't know that.

CARLTON SAMUELS:           Yeah.

OLIVIER CRÉPIN-LEBLOND:    Right. I'm very mindful of the time and we are running over time already. I think we've got an understanding here. Again, we will probably touch on this as I said in the ALAC call and we'll make it short. And I'm sure we'll probably have to rehash what we said today to some extent. I want to move on-

ALAN GREENBERG:            Just one quick statement: there's no question that if this is a representative group from the operational parts of ICANN, there's no question we have to be represented. I just haven't heard that yet.

OLIVIER CRÉPIN-LEBLOND:    Okay.

EVAN LEIBOVITCH:            Represented and on an equal level. Sorry, I just had to put that in, Olivier, and I think you'll agree with me – representative *and* at an equal level. If it's all virtual then that's fine. If there's people at the table then we've got to be at the table.

CHERYL LANGDON-ORR:        Yep.

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OLIVIER CRÉPIN-LEBLOND: Agreed, I see everyone agreeing so that's good. And since we are doing a few things for the record I would like to give you a round of applause, Evan and Alan, for having been our real stars for this. A twelve-hour call is no small feat.

CARLTON SAMUELS: Good lord!

OLIVIER CRÉPIN-LEBLOND: Two hours is already taxing; twelve is just insane.

ALAN GREENBERG: Nineteen over two days.

CHERYL LANGDON-ORR: Alan has been well trained in those, Olivier, you see. [laughing]

EVAN LEIBOVITCH: In honesty Alan deserves most of that. I took some, I had to take some breaks if only to preserve my own sanity. [laughter]

CHERYL LANGDON-ORR: Great job.

CARLTON SAMUELS: So you're calling Alan mad, huh? [laughing]

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CHERYL LANGDON-ORR: Madder.

ALAN GREENBERG: Any of us who are doing this are mad. [laughter]

OLIVIER CRÉPIN-LEBLOND: Come on everyone, shape up, [suss] up your madness. We're now on Item #6, At-Large Activities of the IGF in Baku and a quick follow-up as only Olivier and Tijani are here. You might have seen the short update that I provided on the [statement] that I went to over in Baku that touched on the AFRALO and APRALO workshops. Tijani, would you wish to say a few words on the AFRALO Workshop? Yes, I see your hand up so Tijani, you have the floor.

TIJANI BEN JEMAA: Yes, Olivier. I don't see my report that I sent to Matt on the agenda but it doesn't matter. We had a wonderful workshop I think that was successful on several sides. The only thing that may be a bit disappointed is that there were seats in the room that were empty. It is a comparison to the [many different workshops] that were organized there and in each the room was absolutely full, and we had all the Board members that came to our workshop. I had only that thing to say and we have (inaudible). As well, when I came to the main session about the internet governance for development, in each I reported on our workshop. Attendance was very, very poor and after that I was not (inaudible).

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Now speaking about the content of the workshop, it was a very good workshop because the contribution of the (inaudible) is very, very good and we had an output from this workshop. The IGF must have outputs and for us it was an output that for a further remedial round of the (inaudible) and I think it will give us ideas of what we have to work on and what we will work on the New gTLD Working Group of ALAC.

The IGF was for me a real successful IGF for ICANN. Plus we managed to make a contribution, a coordinated participation between the staff, between the Board members and the community. This is the first time that the ICANN community contributed in the workshops as ICANN constituency. We had pretty good events coming from ICANN – two workshops organized by ICANN itself in cooperation with other organizations; two other workshops organized by the RALOs, APRALO and AFRALO; one organized by the ISOC NPOC and four other workshops organized by the ICANN (inaudible) other organizations.

I think that all this plus the ICANN Open Forum plus the ICANN booth gave ICANN the right visibility and a good visibility in the IGF community. I will stop here because I know we are going to run out of time. Olivier, you can continue.

OLIVIER CRÉPIN-LEBLOND: Okay, I'm back on. Thank you very much, Tijani, for your report. And now Cheryl wishes to provide a report on the APRALO workshop and her activities as well. She was also in Baku.

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CHERYL LANGDON-ORR: Thank you, Olivier – Cheryl for the records. Not so much a report because Rinalia has provided a report from the Baku activities but I certainly wanted to do two things: one was now agree very much with everything Tijani has said and of course your report also reflected the amount of work, Olivier, that was being done in the guise of ICANNers in the IGF at Baku. And I think that was a credit to all those involved including of course the manning of the ICANN stand in the Global Village. I think everything worked extremely well indeed.

Specifically from the APRALO workshop point of view, I wanted to mark two things, one of which was the excellent way that the leadership of Rinalia – and I'd like that on the record, I think you need to recognize Rinalia's superb work in the organizing of her team for this workshop. I was a part of three or four workshops in Baku so I was subject to a number of management and guidance profiles from those people who were organizing the workshops, and I'd like to single Rinalia out in particular for the excellent way that she wrangled all her cats. And I think the outcome of that workshop was not only extremely useful but I think we should note extremely well attended including by people who were there more than for just idle curiosity.

So if you could have on your formal outcomes perhaps at the ALAC meeting a vote of thanks to Rinalia for her work and obviously to Tijani for his. I think that would be well worthwhile, but also note that Team ICANN performed extremely well indeed. Thank you.



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OLIVIER CRÉPIN-LEBLOND: Thank you, Cheryl, and that's completely noted and I totally agree. Both Rinalia and Tijani did an enormous amount of work. Staging a workshop at IGF is not a small feat at all. You need to have a panel, you need to-

CHERYL LANGDON-ORR: Olivier, we should probably note Oksana.

OLIVIER CRÉPIN-LEBLOND: Yeah, well there's Oksana, but then there's also Sandra, there's also... The thing is the two official ones of course, the two official ones that were funded or partially funded by ICANN were the APRALO and the AFRALO workshops. I do note that many more At-Large Structures put together workshops and these are no small feat – they're hard. They take the most of six to eight months to organize for one and a half hours of discussion and it's something which yes, we totally need to recognize.

We've run out of characters in the notes part, that's interesting. It sounds like a (inaudible). Just with regards to the thanks, I noted in my report the astounding amount of work that was also done by a staff member and that's Matt.

CHERYL LANGDON-ORR: Yay!

OLIVIER CRÉPIN-LEBLOND: And I have to say the poor guy did not sleep for the whole week. He was working 24/7 and it really was incredible to have had him in Baku. Personally I had a lot of things going on and thanks to Matt it all kept on

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making sense which is no small feat in such an environment. But I just wanted a virtual round of applause for Matt on this call please.

[applause]

OLIVIER CRÉPIN-LEBLOND: Tijani, your hand was up, now it's on applause. Do you have a few more words to say or are you finished? I think that's it, okay.

TIJANI BEN JEMAA: Yeah, no.

OLIVIER CRÉPIN-LEBLOND: So Matt, we'll do that again next week. [laughter] Or maybe not, whatever your pleasure. So let's move on then. Let's get down to the ALAC and ExCom working smarter, not harder. Because we are now two hours into this call I thought we'd keep that reasonably short. You've all read the email from Rinalia to me and carbon copied to you all on several items to improve the way we work and perhaps things that we should implement so as to help both staff and ExCom and ALAC members in working smarter but not harder.

The response from Carlton was actually quite eloquent in saying it's a fulltime job, and I somehow agree that if we want to implement all of these things in one go it's going to take another person to assume the function of running this. It's just pretty strong. So what I wonder, I mean I think that we should just go on a stage-by-stage basis and just

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keep this in mind to start working on one or two of these, and go down the list as we go along. I'm personally pretty accepting and positive about these. I just thought I'd ask you all here what your reaction was and whether you think that starting a plan to improve ourselves and the way we work on a step-by-step basis is the right way to go.

And it's a shame that Rinalia isn't here for this because I would have liked to have heard from her, for her to be able to let us know about this.

CHERYL LANGDON-ORR: Olivier, Cheryl here.

OLIVIER CRÉPIN-LEBLOND: Go ahead, Cheryl.

CHERYL LANGDON-ORR: Because Rinalia isn't here and because time is very short, and knowing that after your November ALAC meeting you will be holding an early December ExCom, could you devote a reasonable lump of time in that next ExCom agenda to a full, frank, and fearless discussion of this? Because this is important stuff and it needs to be I think... I mean I'm supportive of staged implementation but even that needs to be planned and managed well.

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OLIVIER CRÉPIN-LEBLOND: Okay, yeah, I'm happy with that. In fact I'm very happy with that because then we'll be able to discuss this with Rinalia. This was really meant for discussion with her.

CHERYL LANGDON-ORR: Yep.

OLIVIER CRÉPIN-LEBLOND: So let's move on to the next, the agenda items for the 27<sup>th</sup> November ALAC meeting.

ALAN GREENBERG: Olivier?

OLIVIER CRÉPIN-LEBLOND: Oh your hand has just come up on my screen now. Alan?

ALAN GREENBERG: It took a while. I may be negligent but I'm not sure I know what message you're talking about. Did it go to the ExCom list or privately?

OLIVIER CRÉPIN-LEBLOND: That was sent privately.

CHERYL LANGDON-ORR: It went privately. You and I don't know about it, Alan. So don't worry about it.

ALAN GREENBERG: Okay, and I don't know the contents either so then I have no comment on it. Thank you. [laughing] I thought I may have missed it, thank you.

TIJANI BEN JEMAA: Alan?

OLIVIER CRÉPIN-LEBLOND: That went privately as a bit of a brainstorming. But we're not brainstorming things-

TIJANI BEN JEMAA: (Inaudible)

ALAN GREENBERG: Sorry, I can't-

TIJANI BEN JEMAA: Yeah, it was really [divided] and you don't need to know about it.

ALAN GREENBERG: Apparently Carlton, but Tijani's on the ExCom. If Carlton knows about it presumably Tijani should also.

OLIVIER CRÉPIN-LEBLOND: Yeah, you were copied into the note. It was just brainstorming and I-

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ALAN GREENBERG: I wasn't asking to be made privy. I just wanted to know if I had missed it or it wasn't sent to me. I now understand the latter, thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. So let's move on then, let's go a little further down our list if I can find the right window again... Here we go, we're back – agenda items for the 27<sup>th</sup> of November ALAC meeting. We'll have all of our standard items. I just wondered whether there was anything that you wanted to add to the meeting that you thought was important for wider ALAC consideration. Alan?

ALAN GREENBERG: Well, I think the item you put under any other business in our thing has to be discussed and we really should go into that meeting with some guidance to the ALAC. So we can talk about it now or talk about it under any other business – your call. Hello? Am I still here?

CHERYL LANGDON-ORR: You're still here but Olivier has been cut off again as it says in the chat.

ALAN GREENBERG: Oh, it says "Alan, please go ahead." I really need him here, though.

HEIDI ULLRICH: This is Heidi, he dropped.

CHERYL LANGDON-ORR: He'll be back shortly.

HEIDI ULLRICH: He's having network issues, challenges. And he's listening through Adobe so Alan, go ahead.

ALAN GREENBERG: Okay. The ATRT calls for applications are due on December 5<sup>th</sup> I think.

HEIDI ULLRICH: This is Heidi, correct, the 5<sup>th</sup> of December.

ALAN GREENBERG: Right. In theory the ALAC endorsements are due twelve days later on the 17<sup>th</sup>. At this point if you believe the website no one has applied to anything but maybe they're just not keeping it up to date with the exception of GAC member and independent experts. I'm not sure it's a secret but I said I will be applying. I ran the endorsement process last time, therefore I don't think it's quite appropriate for me to run it this time. If anyone would like to differ with that... Yes?

CHERYL LANGDON-ORR: Alan?

ALAN GREENBERG: Yes?

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CHERYL LANGDON-ORR: Cheryl here. Rinalia has already asked me how it ran last time because as I understood it she'd been asked to run the endorsement process this time.

ALAN GREENBERG: Well, I didn't get to that yet.

CHERYL LANGDON-ORR: Okay.

ALAN GREENBERG: I did have a talk with Rinalia in Toronto and she did agree that if someone can give her some guidance as to it she would be willing to do it. Nevertheless we do have to get our act together relatively quickly. You should know the GNSO is writing a letter to selectors I guess with two points in it. Number one, they want four people like they had last time because otherwise they can't do anything given their four different stakeholder groups; and number two, they're asking for an extra month until January 17<sup>th</sup> to do the selection because they cannot do a bottom – up endorsement in twelve days and have the Council act on it.

So I don't know if we want to do something similar to that... Pardon me? I thought someone said something.

OLIVIER CRÉPIN-LEBLOND: How was it run last time?



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TIJANI BEN JEMAA: ...to Olivier and then to [apply the persons].

CHERYL LANGDON-ORR: Yes.

ALAN GREENBERG: Sorry, you were saying Olivier is going to apply also.

OLIVIER CRÉPIN-LEBLOND: Yes, I'm also going to apply.

ALAN GREENBERG: Okay, that's fine.

OLIVIER CRÉPIN-LEBLOND: The thing is I don't know how many slots the ALAC will be provided but I've seen in the request that they're asking people from SOs, ACs and outside as private individuals applying on this. Ideally I'd like to have more than one person from our circles; perhaps one as an official ALAC person and I would suggest that I'd be going in as the official ALAC person but also have another person who might not be the official as such. I don't know how many slots the ALAC will be given but if given only one slot...

ALAN GREENBERG: Olivier, they have explicitly not said how many slots they're going to give to each group. If we want two, given that we only had one last time we need to say that. So that's point number one.

CHERYL LANGDON-ORR: Olivier, if I may?

ALAN GREENBERG: Olivier?

CHERYL LANGDON-ORR: Go ahead, you're on the floor, Alan.

ALAN GREENBERG: My other points are we were talking about, okay sorry, two more other points. Number one, one of the issues is do we want to ask anyone who applies for endorsement by the ALAC for any additional information which is not on the normal statement of interest. We have the right to do that; if we do we need to say so pretty soon because we have to have that information by the time the ALAC starts to do its selection. That's point number one.

Point number two: I would suggest that the ExCom consider carefully what the process is that's going to be used. Last time we basically did a full vote of the ALAC. No matter what words we put around it we did not get around the fact that if an applicant came from a region, no matter how useless and inappropriate their background was they were supported by that region. That happened with more than one region. We cannot do that.

Last time we ended up putting in about five names and we had two categories – really, really endorsed or not so much endorsed – and

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hoping that that was language to the selectors. And I know there were some private conversations held between the Chair at that time and the selectors, saying that the lower level of endorsements were not really an endorsement. I think this time we have to manage it a little bit better than that because it could have turned out you know... There was a lot of finessing to get people selected who know how to spell ALAC and knew how to spell ICANN.

OLIVIER CRÉPIN-LEBLOND: Any suggestion as to how to make it better? Alan or Cheryl or Evan or Carlton... Well, Carlton's gone, or Tijani?

ALAN GREENBERG: Well I would suggest that perhaps the ExCom do a first pass. Now, that's a little awkward if one of the ExCom members is applying so you're going to have to figure out how to do something other than that. I don't know but what happened last time really, really was bad and we came within a hair's, a nose of doing something that would have been really stupid.

CHERYL LANGDON-ORR: If I may?

OLIVIER CRÉPIN-LEBLOND: I think... Yes Cheryl, please go ahead.

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CHERYL LANGDON-ORR: Thank you. Look, you've got a couple of things in your favor. The first is this is the second time around and the first time around nobody knew, including those aspirants, what the hell they were going to be in for. I think you'll find it's a far less attractive proposition to those who think this is [cc] building this time around than the first time around, so hopefully some of the crap will be [coddled].

Secondly, you've got the precedent where you have had a Chair of the AC act in the capacity as spokesperson for the AC when the number of seats at the table had been reduced from two to one. And remember, we were to be given two seats and then it was deliberately reduced to one to allow for additional seats for others when there was some fear for the (inaudible) involved in running the ATRT.

ALAN GREENBERG: And note the GNSO was asking [again].

CHERYL LANGDON-ORR: Yes, I know. So the fact that we were [grateful] last time and it also suited us to not get the crap floating as well as the cream at that time – but that's then, this is now. So a couple of things: in terms of your endorsement process I think Alan, you were quite reasonable in suggesting that the ExCom propose to the ALAAC that with Rinalia in the management role of the process that a first pass of endorsement selection to anyone who puts their name in in the name of the At-Large happens and happens under ExCom control. But there's no reason why, and I give strongly that there should be, a by definition endorsement of the Chair of the ALAC under the same rationale as we used last time.

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I think we should argue for two seats, not one, and in fact by definition the seat [pick] happened very easily in the first ATRT by the ATRT convincing ICANN that it would allow seconds or assistants to a number of stakeholders who only had one seat at the table. So it ended up technically being two for some groups anyway.

I think we'll probably only end up with Alan and Olivier in the mix anyway, and so I think if you want to write and say "We trust at this time that we will have the two seats at the table which we were to be given the first time around..." Our performance last time means that that would be I think more affirmatively met than negatively met, but if you prefer to remain silent on it that's okay, too. But I do not think we need to ask to extend to January. I think we're more than able to meet this by the 17<sup>th</sup> of December. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Cheryl, and I take your suggestion and Alan's suggestion to write, to ask for the two seats and I think that unless anyone else objects to this I shall be sending an email out to ask for the two seats. Evan, Tijani?

EVAN LEIBOVITCH: I just think we've got to keep this going. We can't finish this on the call.

HEIDI ULLRICH: Olivier, this is Heidi. Do you want that to be an action item? Is that a decision that the ALAC is going to ask for two seats.

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OLIVIER CRÉPIN-LEBLOND: Irrespective, the very fact that we had been allocated two seats but it was cut back to one is something we're so used to. We really do have to have a fight on this one and ask for two again.

ALAN GREENBERG: Olivier, if you do that prior to next Tuesday you should mention it in the ALAC meeting and ask if anyone had any problem with you asking for two instead of one. I can't imagine anyone having a problem but just pro form you should pass it by the ALAC, even if the letter's already gone out which it should.

CHERYL LANGDON-ORR: And also remind the ALAC that the precedent of having a chair acting has been hugely positive in the last round and would be equally positive in this one.

ALAN GREENBERG: Assuming this chair is gullible enough to want to do it.

CHERYL LANGDON-ORR: I'm sure he's more than capable.

ALAN GREENBERG: I didn't say "capable," I said "gullible."

HEIDI ULLRICH: Olivier, this is Heidi again.

OLIVIER CRÉPIN-LEBLOND: ...a couple of hours a month? Yes Heidi, go ahead.

HEIDI ULLRICH: I've just put the AI: the ExCom is to ask for two At-Large seats on the ATRT Part 2 – is that correct?

ALAN GREENBERG: The Chair is to ask.

CHERYL LANGDON-ORR: The Chair. And it should also be "inclusive of the Chair."

HEIDI ULLRICH: Okay.

OLIVIER CRÉPIN-LEBLOND: Okay, that takes us to the next item in our agenda and that's the any other business.

CHERYL LANGDON-ORR: If I can just take you back one moment – Cheryl for the record – back to #8. I assume you will be having a short report from Baku and the various votes of thanks and recognition for all of the wonderful work done will be part of sort of a pro forma vote of thanks? I just wouldn't want that to be missed. You should probably also under that same agenda item make it very obvious to all of the ALAC that the next

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Internet Governance Forum will be held in Bali in Indonesia in 2013, but I can't find specifics on the dates. So I wondered if staff might be able to ask what dates it is because that's going to affect certainly some regional requests for funding, etc. I would assume for example APRALO would want to take another [big] role in such activities.

OLIVIER CRÉPIN-LEBLOND: Yes Cheryl, the IGF is usually set up in autumn here. I believe this year was particularly late. In previous years it was in September or early October. The date itself is only given a few months in advance – that's how it's organized. And I remember that for the Baku conference the date was found out very late indeed. So it's impossible. I mean I don't even think they've got the exact dates now already. We might have to ask a couple of people who are sitting on the [MAG] to work-

CHERYL LANGDON-ORR: Yeah, we need to ask the MAG, you're right.

OLIVIER CRÉPIN-LEBLOND: ...what time they might have in mind at the moment but I don't think that they have an exact timing worked out yet.

With regards to the vote of thanks and with regards to the announcements and so on, yes, I will be providing with such at the time. And I will be inviting both Tijani and Rinalia to speak about the workshops as well.



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CHERYL LANGDON-ORR: If you've got an IGF topic in your agenda can you also put in a placeholder for an AP Regional IGF announcement? Because we have settled the, not exactly the dates but certainly the location of the 2013 and 2014 regional IGFs. And you can stick my name next to that if you want.

OLIVIER CRÉPIN-LEBLOND: Okay.

HEIDI ULLRICH: Cheryl, this is Heidi. I'll make it a general IGF agenda item for Baku.

CHERYL LANGDON-ORR: ...you can do it under a single sort of topic then we can [roll it off].

HEIDI ULLRICH: How long do you need for that?

CHERYL LANGDON-ORR: Two minutes.

HEIDI ULLRICH: Okay, thank you.

OLIVIER CRÉPIN-LEBLOND: Alan, your hand is up. Is it-

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ALAN GREENBERG: Yes, my hand is up. I realized that I forgot something when we were talking about the ERRP, and that is in my email I mentioned if any staff help is possible to try to squeeze an official statement or something we can quote out of Maguy or someone regarding this that would be useful. I understand that might not happen until next Monday given the Thanksgiving holiday but you know, either from Maguy or what's his name in Registrar Relations, [Zupke].

HEIDI ULLRICH: Okay.

ALAN GREENBERG: Heidi, I'll send you another brief note. I think I already copied you on that one but I'll send you something.

HEIDI ULLRICH: Yeah, and I'll write Maguy immediately after this call to see if we can get something back.

ALAN GREENBERG: Okay, I think I did copy you on the last one so you should already have that information.

HEIDI ULLRICH: Okay, thanks.

ALAN GREENBERG: Okay, thank you. That's all.

OLIVIER CRÉPIN-LEBLOND: Okay, so a couple more things. First with regards to the IGF in Bali Indonesia, we will also have to think quite carefully about the requests for additional funding for the IGF due to the fact that we are also going to initiate the request for funding for an At-Large Summit. Now, you know, can we have both a Summit and everything else as well? What do the updates look like? How much could we ask? Should all of the RALOs ask separately or should the RALOs have a unified cross-RALO session or a couple of cross-RALO sessions? These are all points which will have to be discussed by the Budget and Finance Subcommittee.

That's what I intend to start the discussion with because these are really important. And I know that everyone is very happy about what's happened in Baku but even though it has worked very well this year there might be different circumstances next year and we cannot take it as granted that we'll be funded in Bali Indonesia although I would want us to be. But what we want and what we can get are sometimes two different things.

One other piece of business which I wanted to touch on was the, let's see.... And here we go, I've lost it now. Any other points and I'll probably come back to this?

CHERYL LANGDON-ORR: If you're on to any other business, Olivier, it's Cheryl.

OLIVIER CRÉPIN-LEBLOND: Yes, Cheryl.

CHERYL LANGDON-ORR: Thanks. When I had an email interchange with you earlier this week I mentioned that under any other business I'd like to ask staff if they could look at dates for reconvening the Rules of Procedure Review in this next fortnight. I think we need first of all a committee as a whole of all of the sub-teams, and then establish what if any sub-teams need to meet and their meeting programs until we can bring this to a close – recognizing that there is still a little bit of work still needing to be done in most of the sub-teams but not all of them, and that we certainly need to I think have a meeting as a whole which probably needs to be in early December and then at that meeting of a whole establish what if any follow-up meetings need to be done. And they'll need to be done in short order.

I also wanted to ask traditionally the ALAC has not met in January but during December. Are you going to continue that practice? I'm ambivalent of it. I have meetings in January, it doesn't bother me even though the country's on holiday. But I guess you might want to see whether there's, if there's not an ALAC meeting whether you'd want to do something online in terms of ratifying your rules. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Cheryl. Yes indeed, the ALAC monthly call in December falls on the 25<sup>th</sup> of December which is likely not to yield a lot of people on the call, let alone any staff on the call. So this one will obviously be cancelled. I think we will keep up on the ExCom side of things by having a call in the early part of December and perhaps having

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updates over email of any issues that we need to discuss is the way forward.

In January we will need to have an ALAC call; it's on the 22<sup>nd</sup> of January, it's towards the end of January. And I do know that in Asia-Pacific there is a general problem with this part of the year since there is a lot of, I should think a lot of holiday things going on.

CHERYL LANGDON-ORR: There's all sorts of things, yeah.

OLIVIER CRÉPIN-LEBLOND: But you know, it's one of these things. I think we'll have to move forward. If we have any items for decision I'll make sure that those are done online because we only need quorum really for the items for decision. The rest of it would then be done online; well the discussions and such can be done on the call.

CHERYL LANGDON-ORR: Olivier, I would strongly recommend that you do your decision on your new Rules of Procedure as an online process. I think far too much time would be wasted in teleconference.

OLIVIER CRÉPIN-LEBLOND: The decision on what?

CHERYL LANGDON-ORR: On your new Rules of Procedure should be done online.

OLIVIER CRÉPIN-LEBLOND: Ah yes, yes, yes – absolutely. Sorry, I wasn't sure I had heard you correctly.

ALAN GREENBERG: In that case we better make sure we have a rule that allows that.  
[laughter]

CHERYL LANGDON-ORR: Thanks for that, Alan – I think that comes under your team.

ALAN GREENBERG: For next time that is, yes. [laughter]

CHERYL LANGDON-ORR: So the AI being for Gisella to organize a meeting in early December, a meeting of the whole and at that meeting we will establish what other meeting protocols and timings might need to be met.

ALAN GREENBREG: Yep.

OLIVIER CRÉPIN-LEBLOND: Excellent. I see both Heidi and Alan having put their hand up – I don't know who came first.

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ALAN GREENBERG: I was just going to say that my two Rules of Procedure Subgroups will have work restarting online within a week and will be requesting meetings, so Cheryl, you can deal with Gisella whichever comes first if you care.

OLIVIER CRÉPIN-LEBLOND: Heidi?

HEIDI ULLRICH: Yes, this is Heidi, thank you Olivier. Could you just confirm, Olivier, did you say that you were going to cancel the ALAC meeting in December? Because Gisella and I are Skype'ing and we thought there may be a decision or a possibility of moving it forward one week to have it maybe be the 18<sup>th</sup>. Or did you want to just go ahead and cancel that?

OLIVIER CRÉPIN-LEBLOND: The 18<sup>th</sup> already has a full day, doesn't it? Or do we have space? If we have space on the 18<sup>th</sup> that's fine, I'm okay with moving it forward. The only problem is on the 18<sup>th</sup> I'm actually going to be on a flight on that day. So I can't do it on the 18<sup>th</sup>.

HEIDI ULLRICH: Ah. Okay, so did you want Gisella to work-

OLIVIER CRÉPIN-LEBLOND: ...on the 19<sup>th</sup> or the 20<sup>th</sup>. I'm going to Frankfurt for the day on the 18<sup>th</sup>.

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HEIDI ULLRICH: Okay, so did you wish to cancel or did you want to work with Gisella offline to see if we can come up with a date?

OLIVIER CRÉPIN-LEBLOND: ...Gisella was bringing it one week forward then, that probably is the easiest way.

HEIDI ULLRICH: Perfect, thank you.

GISELLA GRUBER: Gisella here, sorry about that. Sorry Olivier, I see that you're in Frankfurt on the 18<sup>th</sup> but I didn't see your flights on when you were actually flying. So the 18<sup>th</sup> we can do. We've only got EURALO on that day at 19:00 UTC.

OLIVIER CRÉPIN-LEBLOND: The flights I don't have online here because I haven't taken them yet, I haven't had the time to book them.

ALAN GREENBERG: And note there's a possible conflict with thick WHOIS if you do that.

GISELLA GRUBER: Yes, Alan, with regards to the thick WHOIS, Marika is waiting on the dates from me. The date that we have ALAC calls the Secretariat will be at 21:00 UTC so she's waiting for that date from me.



ALAN GREENBERG:                    Alright, I thought December may have already been settled. Thank you.

OLIVIER CRÉPIN-LEBLOND:        I have asked for Evan. Has anybody heard me here?

EVAN LEIBOVITCH:                 Hello?

OLIVIER CRÉPIN-LEBLOND:        Hello? Oh Evan, you've put your hand up. It's just I say "Evan" and then Gisella and Alan speak, that's why I thought it wasn't on the line.

EVAN LEIBOVITCH:                 It's just a phone echo. Okay, we're really late into this call – I think it's what, two and a half hours in – and so I assume we are not going to at all touch on the issue with LACRALO. I think we have to take this into probably a Skype chat. We can't wait for the next meeting but at the same time we certainly can't do it on this call. I do think that we need to deal with the issue, to discuss it. I'm really upset at the way things are going and while I just want to mention it in AOB I'm totally understanding that there's absolutely no way to deal with it here.

OLIVIER CRÉPIN-LEBLOND:        Okay, thank you Evan. Yes, the short story is that there will be a call between myself and the Chair of LACRALO and the ALAC members of that region, and the regional leadership, to find out what the deal is

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because I'm particularly confused. I have read the emails which he has sent to the internal list yet I have learned that these are not regional views, that these are views of the Chair. So this has to be cleared up before we discuss it any further and go any further with that, but certainly following up on Skype is a good thing.

EVAN LEIBOVITCH: Yeah, and Tijani made a very, very good comment on the issue that I was going to follow up on as we go forward.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. And last but not least Heidi, could you please advise us of the staff details for next week? I think it's important for us to know.

HEIDI ULLRICH: Yes, thank you everyone. If I could just start actually just to remind everyone that this week, tomorrow and Friday is the US Thanksgiving holiday, so Matt, Silvia and I will be offline. I'll be online probably a bit Friday. Then next week all of the Policy staff will be in the Los Angeles office for their annual workshop, particularly starting with Monday afternoon LA time At-Large staff will be having a workshop there. And then Tuesday and Wednesday are particularly heavy days for the Policy staff. So there is flexibility at the end of the week and there will be some calls.

Now we all know that there is an ALAC meeting next Tuesday so obviously we'll all be on that call. And there will be a little bit of slowing

down in responses to emails, etc., but they will be responded to within due time I hope. I think that's it, Olivier, thank you.

OLIVIER CRÉPIN-LEBLOND:      Yep, thank you very much and I think we've pretty much spent up all of our credits for today's call. So I really thank all of you for having lasted two and a half hours, or just over two and a half hours. And if there is anything else that we need to discuss let's follow on on the mailing list and online. Thanks to all of you. This call is now adjourned.

[End of Transcript]