

**JULIA CHARVOLEN:** Yes, thank you. We'll now start the meeting. Welcome to the ALAC ExCom call on Friday, 21 December at 14:00 UTC. On today's call we have Sebastien Bachollet, Tijani Ben Jemaa, Olivier Crépin-Leblond, Alan Greenberg, Carlton Samuels, Cheryl Langdon-Orr, Evan Leibovitch, and Julie Hammer. We have no apologies so far and we're trying to call back Rinalia.

From staff we have Heidi Ullrich, Matt Ashtiani, Silvia Vivanco, and myself, Julia Charvolen. May I also please remind everyone to state your name before speaking for transcription purposes? Thank you very much and over to you.

**OLIVIER CRÉPIN-LEBLOND:** Thank you very much, Julia, and immediately the next part of our call is to have a look at the action items from the At-Large and ALAC action items of our Toronto meeting. We already had a good look at them yesterday. I'm not going to read through the whole list of them. You will notice on the page that they are nearly all completed. Do we have any update, Matt or Heidi, about anything since yesterday or there's been no difference from yesterday?

**HEIDI ULLRICH:** This is Heidi; not that I'm aware of for those, no, none. Matt and Silvia?

**SILVIA VIVANCO:** No, no different.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

MATT ASHTIANI: No, no difference on my end either.

OLIVIER CRÉPIN-LEBLOND: Okay. Alright, thank you. So we can have a look at the action items from yesterday's call, and we'll just have a look at the newly assigned action items. And I invite you all to have a look at those and to also notify whether there is any action item that you see is missing. I'll read through the list.

The first one is Olivier is to send the ALAC Demarche to ICANN to the ICANN Board Chair, carbon copying the CEO and also the Chair of the Public Participation Committee. And there is a line which Jean-Jacques has developed during the call and it is added there in quotes: "Finally, you may wish to consider asking the PPC to invite the ALAC or designate representatives from the ALAC to take part in the work which will be carried out on these important issues. "

I'm not sure that this is the line to quote but I guess I'll just add a line that goes along that direction. The next three, four, no the next three action items are myself contacting, so Olivier to contact John Curran and Louie Lee on three different statements, well public comments to get a little more information prior to deciding whether a statement will be necessary or not. Alan, you were not around yesterday when we went through these public comments – do you have anything to add regarding these three: the Consultation on IANA, the Consultation on Internet Number Resources Performance Standards, and the second one, the Consultation on the IANA Customer Service.

ALAN GREENBERG: I personally have nothing to add.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. So next Heidi and staff are to help organize an At-Large conference call on the subject of the WCIT, inviting Nigel Hickson and we will take this in January. I think they had quite a lengthy discussion yesterday so it will be good to have that. Heidi?

HEIDI ULLRICH: Yes, this is Heidi, yes, may I ask for a clarification?

OLIVIER CRÉPIN-LEBLOND: Yes sure, you may.

HEIDI ULLRICH: I have been working with Mandy or I have been asking Mandy several times if they're planning, the Global Stakeholder Engagement Team is planning a webinar. I have yet to have a final response so she's looking into it, but if they do would you still like to have an At-Large conference or will that one be okay?

OLIVIER CRÉPIN-LEBLOND: Right, well if they do of course it will serve a double purpose. We've already got enough conferences ourselves so yeah, if they already have a wider ICANN one I'm happy to yield. If on the other hand there isn't any ICANN conference call then I think it would be good to have our

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own and also perhaps to publicize it elsewhere in ICANN since we are a very open community and we accept people from everywhere in ICANN to be on our calls. Evan has put his hand up... Heidi, did that answer your question?

HEIDI ULLRICH: Yes, thanks very much.

OLIVIER CRÉPIN-LEBLOND: Okay. Evan, you have the floor.

EVAN LEIBOVITCH: Thanks Olivier. To be honest with you and to go along with the tactic of not wasting compliments, I think really number one that there ought to be an ALAC call for the At-Large community; and to be honest with you I think you ought to lead it because the summary that you gave yesterday and the take on WCIT that you have been giving both to smaller groups and in a larger presence is probably the best take on that conference that I've heard from anybody. Even if you just took what you said to the ALAC call yesterday and published the transcription of what you said as a blog entry that would be a value to the community.

So on the one hand, Olivier, yes we definitely want to brief the At-Large community on WCIT. To be blunt with you I don't even know if we need any outside resources between you and possibly Avri and some others that were there. We had people on the floor there and we had a very good perspective, and I'm extremely appreciative of your take on this. So while we could have external resources on this and while there might

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be value in an ICANN-wide call, don't be falsely modest about this, Olivier. You could and should be leading a webinar that we do for our community. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Evan, and I'm going to have to listen to the transcript because it was all a big blur for me as it often is. I see that Cheryl has put her hand up as well.

CHERYL LANGDON-ORR: Thank you, at least in chat I did. I just wanted to point out that it's important if Heidi note the timing if and when Global Partnerships will be doing a stakeholder-wide one. I'm aware of well, certainly Internet Society chapters but in the wider context other organizations who were involved in the national-level briefings that were going on beforehand who are looking to February for their national debrief. So for example all of us Aussies will be gathering together down in Canberra with the poli's who went and with the team who went and doing a webinar and debrief and videoconferencing.

To have that immediately after something that the ALSes could be involved in would be very useful. But I don't know of any of them that are doing it in March; they're all doing them in February if not earlier. So we just need to be aware that Global Partnerships are not doing too soon we should do it ourselves anyway.

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OLIVIER CRÉPIN-LEBLOND: Okay, thank you Cheryl. Yes, Heidi, go ahead and then Carlton after you.

HEIDI ULLRICH: Thank you. Based on that I'm happy to start scheduling it today and we can have it for the first week or second week in January, first meaning the 7<sup>th</sup>.

CHERYL LANGDON-ORR: That's possibly too early for some. I'm thinking Asia here.

HEIDI ULLRICH: Okay, maybe the 14<sup>th</sup>, mid-January or the third week?

OLIVIER CRÉPIN-LEBLOND: That's probably more like it. Yeah, the second or third week of January because the first week people are usually still away. Carlton?

CARLTON SAMUELS: Thank you, Olivier. I wanted to endorse what Evan said because I think you should make this a bottom-up kind of webinar. And I really do believe that you and Avri and others who have been there, and we could invite probably Andres who was there from LACNIC could give a very good webinar, could give a very good account of what happened. And I think it'll cover just about everything. So I am endorsing a bottom-up kind, people from the edge doing the webinar – you leading and inviting others to speak. Thanks.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you Carlton. And I'm edging in the direction, thinking well we have Avri, we have Andres Piazza as you said; we've got myself. I just wonder.... Because I have found that Nigel also does have another angle as well from his part of the room and the people that he spoke to. Perhaps could we have a webinar with the four of us, each bringing an angle into this?

CARLTON SAMUELS: Oh yes, I'm not suggesting that Nigel is not. But the way it was structured is that Nigel will lead, and I'm saying no, you can invite Nigel but I think we have enough at the edge to get it rolling and we can bring in Nigel, yes. But I think it is more important to have it as an edge-produced event.

OLIVIER CRÉPIN-LEBLOND: I think we have a plan. Evan?

EVAN LEIBOVITCH: Thanks, Olivier. I agree, and if you really want to give a variety of inputs in fact you may want to invite Milton to make a contribution. [laughter] I found his take on this to be, although I didn't totally agree with it he gives a very impassioned defense for the side of WCIT that many have been portraying as the bad guys. And while I don't totally agree with Milton he makes some very, very good points about how this is not just a good guys and bad guys thing. Carlton, I think you've made some comments on that point of view, that we definitely ought not to simply

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paint this as the forces of freedom versus the forces against freedom. It's far more nuanced than that, and to come away with it as that much of a binary and polarized position is to really miss the point. I think that's also something that might be worthwhile to bring in.

CARLTON SAMUELS:

I totally agree with you, Evan. I read Milton and I made that point because I don't always agree with him along down the line, but Milton made some points and if you were following this thing and know the history of it, what he says – as I said on the list – I think he had a better grasp of what was happening than most of the people I saw who were making comments and making this a polarized kind of thing. It's the same thing with Olivier. Olivier understood that there were other issues, and even he saw it in the room. He was in the room; Milton was not even in the room but purely by virtue of actually listening and seeing what was taking place in the room Olivier came away with a nuanced view of what was happening which I believe is what really is the issue. And I totally support having Milton if you all can manage Milton.

CHERYL LANGDON-ORR:

Oh, we can manage him. [laughter] We've been managing him for more than a decade.

CARLTON SAMUELS:

Oh not you, darling, not you. I know you can manage just about anything. [laughter]



CHERYL LANGDON-ORR: I couldn't help myself, Carlton.

CARLTON SAMUELS: I have no fear about you, ever!

OLIVIER CRÉPIN-LEBLOND: You know, I'm not sure I agree... Carlton and Evan, I'm not sure I agree with you regarding Milton. I've had to grapple with some of his most delusional posts that he's posted I think yesterday or the day before. I just wonder whether he just writes his stuff just to provoke, because it's absolutely clear and I'm really sorry to disappoint you on that but it's absolutely clear that some of the stuff he comes up with – and the most recent blog post is an example of it – is absolute la-la land. It's terrible.

CARLTON SAMUELS: I appreciate what you're saying.

EVAN LEIBOVITCH: Then let's take it partway. I think between you and Olivier, you've been able to accept the parts of Milton's point that we need to consider and that I think many people have missed.

CARLTON SAMUELS: I agree Milton is a provocateur and that's his approach, and as an academic I've seen it too many times – I know the type and I'm not bothered by it at all. And there are people as Cheryl says who have

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been dealing with it for decades who understand how it goes, and you don't take everything he says literally because he's a polemicist – he likes to push the edge and so on. Even his writing – I mean look at the words he uses and all that. They intend to send heat, they are intended to send heat and that's okay. It's provocative, it's interesting.

But Olivier, I am saying that beyond just agreeing with Milton, Milton makes some provocative, asks some provocative questions that I believe even if you don't get to the point where he gets to those are the right questions to ask. That's my perspective on it.

OLIVIER CRÉPIN-LEBLOND:

Okay, well I've sent you a link on one of his recent blog entries and I wasn't quite sure whether I should cry or whether I should laugh reading it. But it's just one of these days when I just wished I hadn't read all the way down to the end of it because it made less and less sense the more you went down.

I'm okay with having Milton in the debate but I'm a little concerned that his inclusion in the discussion will completely turn what is really feedback from what's happened into something where we enter Milton's world which is quite far from reality as far as the ITU events are concerned. He wasn't only far geographically but he just appears to have extrapolated based on his own beliefs about what happened there without any measure of reality in his speech.

And it's interesting because I saw something similar with .nxt with...

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CARLTON SAMUELS: Kieran?

OLIVIER CRÉPIN-LEBLOND: Kieran, that's right – sorry.

CARLTON SAMUELS: Yeah, I read Kieran's note.

OLIVIER CRÉPIN-LEBLOND: ...the same thing with Kieran prior to being there wrote one thing and when he finally got there and I had a chat with him and he said wow, the thing is it's very difficult to know what happened there, what really happened there unless you are in the room because you are allowed... The press is allowed to be there during the plenaries, and the plenaries are actually an absolute, just a show basically. It's all fake. And I'm not sorry to say that but it's actually all for the webcast, and the serious work takes place under Committee 5 which was closed to the press and which was not webcast; and even more serious work takes place in the actual small ad-hoc working groups which are not webcast and which are actually just open to working group members and just government effectively. So sector members are not even allowed to go in the working groups.

It was just full of opaqueness and you would find out what happened in the small room was people being very close to actually strangling each other – that's how hot it went. I have a video of it as well. It's quite terrible.

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EVAN LEIBOVITCH: Olivier, can I offer you a compromise because I totally understand what you're saying? All I'm asking right now is that there's a handful of comments that Milton makes that I think people need to consider. Frankly I think Carlton would be very able to bring those points forward. I'd simply say that I'd like to see that other side of the story offered because right now everyone's been saying the Vint Cerf side of things: "This is freedom versus tyranny" kind of thing. And while I'm generally in agreement with what Vint has been doing there is a far more nuanced part of this that I think needs to be brought forward. Maybe Milton isn't the person to do it – maybe it's you or Carlton. I'm just suggesting that we make an effort to bring that out.

[crosstalk]

ALAN GREENBERG: Can I mention there have been several hands up for a while?

OLIVIER CRÉPIN-LEBLOND: Sorry, Alan, please you have the floor. I was looking at a document, so Alan and then Tijani.

ALAN GREENBERG: Thank you. Just a very quick comment and not on the substance but on the effect. Remember who we're aiming this at. The intent is not to have a lively debate on the issue – the intent is to brief people. So I would support the kind of thing Evan said, the last point. Milton is going to be inflammatory and we don't need that. We may need his side

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presented but I would suggest if you're going to have a useful webinar it's not going to be much longer than an hour. You can't have people pontificating; you have people giving their perception and impression. So-

[crosstalk]

ALAN GREENBERG: That would be useful. I'd point out we have a really long agenda and I don't want to go over today. Thank you.

OLIVIER CRÉPIN-LEBLOND: Which is the reason why Avri, Andres, Nigel and myself I think is a good list of those people who were there; and Carlton, if you wish to take on the line of Milton and basically insert pertinent questions perhaps that would be a good thing as well. Tijani?

TIJANI BEN JEMAA: Thank you. Thank you, Alan, you said exactly what I wanted to say because the aim of the webinar is not to discuss; it is more to inform people. And I don't think that the presence of Milton will help at all. Thank you.

ALAN GREENBERG: And Tijani, anytime you say I channeled you I'm honored, thank you.

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TIJAN BEN JEMAA: Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, so we have an action item out of this. Let's move on; let's look further down – Olivier is to draft a statement of his experiences at the WCIT. A statement is to be posted on the At-Large statement on WCIT outcomes workspace. Needless to say I have not managed to do this yet. It's not something that is so time sensitive. The first thing I'll do is to actually draft a report on what has been happening, and it looks as though this is going to be easy. I'm just going to have to listen to the APRALO call and the ALAC call but I'll probably beef it up here and there with a few more things.

And then afterwards I'll draft a statement, propose a statement on this – a statement for the Board effectively, because I think we really need to capitalize on the fact that there has been good engagement from several of our At-Large Structures, either through their government or through other organizations and it has actually made a difference. The back channel work was really, really helpful and thankfully we were there to do that.

Next, let's move on – Evan and Jean-Jacques are to lead the Future Challenges Working Group on a more extensive statement on the issues raised at the WCIT as compared to the At-Large statement on WCIT outcomes. Now, there is one thing which you might be interested in: on the IGC governance list, Salanieta Tamanikawaiwaimaro, who is also one of our ALAC who unfortunately did not make it yesterday on the call is leading an effort to try to draw up a list of lessons learned. And it might

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be interesting for both of you, Evan, to look at what they're doing just to see if we're not reinventing the wheel. Evan?

EVAN LEIBOVITCH:

Thanks, Olivier, I will keep my comments on this very quick because this was something that Jean-Jacques took to heart and I can go along with it. My own goal is going to be watching for [feature creep]. ICANN has a very, very small corner of the internet governance landscape and not everything that was in WCIT applied to us. I'm going to be very, very conscious of that and very, very mindful that we not see ourselves trying to drag ICANN into things like content regulation, DE packet inspection and things like that. While our members all have an interest in it our participation in ICANN really is tangential from it. So my own concern right now is yes, by all means let's get the Future Challenges Group involved; I'm personally going to be very mindful to make sure that we make an issue to ensure that what we're doing stays within ICANN's scope. Thanks.

OLIVIER CRÉPIN-LEBLOND:

Okay, thank you. So let's move on.

ALAN GREENBERG:

Olivier, it's Alan.

OLIVIER CRÉPIN-LEBLOND:

Yes, Alan, I don't see your hand? Oh! It's just come up now. There must be a delay or something. Alan please, go ahead.

ALAN GREENBERG: We have a delay; it's been up on my side for a while. Evan said to a large extent what I was going to say, just... And I think whatever statement comes out of that process should say that, that this is not an attempt to fix all the ills of WCIT but a perspective that is relevant to ICANN. Clearly the other things that are not within ICANN's mandate would impact us because they would impact the nature of the internet – again based on some people's perception. But I think we want to make sure that we're not trying to fix the world in ICANN, thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you, and this is noted. So the next AI is for the ALAC and regional lists, and that's Matt who took that AI – this AI is currently being clarified. Matt, have you managed to clarify what this AI is: ALAC and regional lists?

MATT ASHTIANI: Hi it's Matt, no I have not been able to. But once the recording's up I'm just going to go back and listen to the conversation.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. Does anyone else know what that action item might be? I see Silvia's put her hand up. Silvia?



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SILVIA VIVANCO:                   Actually I know this is an action item, the next one for me, and it's related to ALAC objections to the new gTLD applications. So I need to send this to the regional lists – that's the action item.

CHERYL LANGDON-ORR:           Cheryl here. I think things have got somehow... When Matt asked me about this today I said the only one in my memory was for Silvia, the action to ensure that it goes to... Well, in fact it was further than the regional lists – it ended up being directly to the ALS representatives via the Secretariat as well. But I really don't remember anything related to Matt to be with ALAC and regional lists.

HEIDI ULLRICH:                   This is Heidi, may I clarify? It's not for Matt. It says Matt took the AI, that's all, so Matt just takes all the AIs. So that's why

CHERYL LANGDON-ORR:           We'll make it for Silvia, an AI. Great.

SILVIA VIVANCO:                   Yes, it's my AI.

MATT ASHTIANI:                   Okay great, and I'll update the list and the summary notes.

SILVIA VIVANCO:                   Yes, and so my action item has to be clarified and say the subject matter, which is filing the objections to the new gTLD applications. The

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information on timing of objections has to go to the regional Secretariats to each ALS.

CHERYL LANGDON-ORR: Yes, and that is what I said to Matt today when he asked about it.

SILVIA VIVANCO: Yes.

OLIVIER CRÉPIN-LEBLOND: Okay, I think we've got a consensus here. Alan, you've put your hand up.

ALAN GREENBERG: I did. I wasn't at the meeting when that AI took place so I don't know what it means, I'm not going to pretend. But I will note that one of the associated activities with the Rules of Procedure is a document which would clarify what ALAC lists are used for and who should be members. So whatever this is it shouldn't duplicate that or should feed into that. That's all, thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you Alan. So let's move on. Let's go back to the main agenda and we've got the items for discussion, the Policy Advice Development Page. Let's move directly over to two of them which were currently being developed – the first one, the ALAC Demarche to ICANN which we just spoke about; the second one being the Trademark

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Clearinghouse Strawman Solution. And there I turn over to Alan to provide us more info based on what we have discussed yesterday.

ALAN GREENBERG:

Alright. In essence the GNSO has decided, not unanimously by the way, that they should not take any formal action in terms of letters or something like that until the public comment period is closed. Given that I think we really need to be on record for what we feel both based on the substance of it and on the process, and so I do think we need to file a statement. And I think Evan and I privately agreed, I'm not sure how private it was – there may have been other people in the email – that between the two of us we would draft something over the next week or so and have it ready essentially for the 1<sup>st</sup> of January. Evan will be gone the first two weeks of January and may or may not have good email access, so the intent is for us to have closure on it prior to that period.

OLIVIER CRÉPIN-LEBLOND:

And will you be able to respond to the actual questions that are even there, because I note there are a number of questions there? Or is that statement going to be a general statement.

ALAN GREENBERG:

I'm not sure we're going to limit it to that but we'll certainly make sure we do that. I don't remember what they are but I can flippantly say that I'm sure we'll look at them and try to answer them.

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OLIVIER CRÉPIN-LEBLOND: I just find it a bit strange because there was so much talk about this for a while and then it wasn't really moving forward, but okay, that's great. We know where we're going with this.

ALAN GREENBERG: Sorry Olivier, one more thing. One of the issues is from significant parts of the GNSO there is pushback on far more than the one item which was deemed to be policy. And there are claims that several of the others, which Fadi has deemed – Fadi and staff have deemed – to be implementation that there is a strong belief it's policy and nothing could happen without formal GNSO action. And you can translate that to read something which is going to take a long time. There's a push to push it off unto the more generic "Do we need to change rights?" and if they do that, that's likely to imply "Let's wait for some experience first."

So I think we need to weigh in. I'm not quite sure where we're weighing in because our philosophy started off at the base of "Let's not make changes at this point," but I'm not sure stonewalling on that is really a way to go forward.

OLIVIER CRÉPIN-LEBLOND: Are we seeing arm wrestling between Fadi and his group and the GNSO?

ALAN GREENBERG: I think we're going to see, there's a good chance that there will be a strong statement from the GNSO saying "The Bylaws state we are the policy organization. You cannot do end runs around us period." But at the same time there is a growing acknowledgement within the GNSO

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from the same people who say this that there is a perception and perhaps a reality that the GNSO is just too slow to react to the world that we're living in. That feeling is not unique to the GNSO. Some people outside of the GNSO including some people on the Board feel that's true in spades. So I think we have to straddle the ground, and as I said, Evan and I are going to need to do some talking because we-

OLIVIER CRÉPIN-LEBLOND: I should just urge caution of course because if this opens up into a battle between the GNSO and the Board, I'm not sure whether we want to be in the middle of the battle or whether we just want to be on the side and say "Well, told you so."

ALAN GREENBERG: I understand. On the other hand, we have to give advice that we... I mean-

OLIVIER CRÉPIN-LEBLOND: Oh, that we believe in, definitely.

ALAN GREENBERG: if the ALAC believes that yes, it would be nice if we could follow due process for everything but the reality is, given the pressures from the business communities and who has their ear and things like that, that may not be a world we can live in. I'm not sure what we want to say at this point; it's going to require more discussion. But I think we have to say something.

OLIVIER CRÉPIN-LEBLOND: Okay. Alright, thank you Alan. Evan? Go ahead, Evan. Have we lost Evan? Ah, Evan's put his hand down, okay...

EVAN LEIBOVITCH: Sorry I was muted. Okay. I want to back up Alan 100% and agree with everything he said, especially when he brought me into it. We're generally of the same mind on this. One of the things that has cropped up is of course the marsh between policy and implementation, because yes, the GNSO is the group that should be talking about policy but does the fact that a notice to potential infringers be done 60 days rather than 30 days constitute policy is I think a valid question and gets into the issue of micromanagement, which is a valid one.

And Olivier, like it or not when we came out with R3 that was unanimously endorsed that essentially said "The current system is broken" – we've already drawn a line in the sand saying that we're asserting that something is broken here. So I don't think we're breaking any new ground by you know, by trying to say "Yeah, Fadi is trying to do some very, very reasonable things and trying to take the less contentious stuff off and put it into a more lightweight decision making process." I don't agree totally with how he's done it but I'm absolutely applauding the fact that we're even trying. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you. Alan?

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ALAN GREENBERG:

Yeah, just a follow-on comment. There are so many sides to this and so many ways you can spin things that to say that going from 60 days to 90 days when 60 days was agreed to is substantive. And it is substantive and it may have business impacts. On the other hand, the policy that came out of the SGI which was not a traditional GNSO policy process said zero days. So you know, and it became 60 based on the very long implementation of the Applicant Guidebook, so these things are fuzzy. It's easy to side with one side or the other and look at the arguments.

If you look at the letter that Mason Cole drafted you can agree or disagree on it but it was masterfully drafted – citing the Board Chair and the current CEO and things like that, and testimony to Congress. And from the US perspective you can't do testimony to Congress and then disavow it because that person isn't with the organization anymore. That's not going to hold a lot of water.

So the issues are complex and I think they need to be resolved one way or another. The Board has to make a decision and I think we need to weigh in on it even if we're not popular based on it, but it does have to be a balanced position. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thank you, let's move on. This is firmly in your hands. Let's go to the currently open public comments and we've got here a number of them which have "no statement" next to them. There are a number where there is no label next to them. The Proposed Modification of GNSO PDP Manual to Address the Suspension of a PDP – Alan, we had asked that having not really decided whether there should be a statement or not on this....

ALAN GREENBERG: No, we did decide there should not be a statement. Both Cheryl and I vehemently said there does not need to be a statement, and besides, the whole concept is so trivial that I don't, we're spending more time on it than the group did I think to write it. [laughter] For the record, the statement was not voted on yesterday as it was supposed to be, the change as it was supposed to be because of something not related directly to suspension; but it was pointed out that giving the GNSO the right to suspend and for that matter terminate a PDP which was mandated by the Board – remember, a PDP requested by the Board the GNSO does not vote on, they simply have to do. To give the GNSO the right to say “Ah, we're stopping” has some jurisdictional problems with it and they've taken it back to committee to look at that.

OLIVIER CRÉPIN-LEBLOND: Leave it in the hands of the GNSO to deal with their own thing.

ALAN GREENBERG: Indeed, and I don't think we need to weigh... I think that is one of the many things we do not need to weigh in on. If they come up with something really offensive I'll let you know and someone else will read it and let you know, but let's not debate forever when we've decided not to make a statement.

OLIVIER CRÉPIN-LEBLOND: So let's scan further down – the other public comments and the other papers that are out there. Most of them are marked as “no statement.”



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Of course the Consultation on the IANA Secure Notification Process, the Consultation on Internet Number Resources Performance Standards and the Consultation on the IANA Customer Service Complaint Resolution Process relate to my action item and I'll affect this later on today.

The Protection of IGO and INGO Identifiers in All gTLDs will be our next agenda item, and the Statement on WCIT Outcomes we've already spoken about; and so have we spoken about the ALAC whitepaper on Future Challenges. So any comments or question on any of these statements currently under development or currently not under development, depending?

ALAN GREENBERG: Well, the IGO/INGO one we haven't discussed at all. Are you including that in this generic discussion?

OLIVIER CRÉPIN-LEBLOND: No we're not because we can wait another ten seconds to reach agenda Item #5 which is Protection of IGO and INGO Identifiers in All gTLDs.

ALAN GREENBERG: Okay, let us wait till we get there. [laughter]

OLIVIER CRÉPIN-LEBLOND: Now we can talk about them, yep. Yeah, so the floor is open for discussion and I gather, Alan, you are raring to go.

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ALAN GREENBERG:

Well yes and no. Given that we have relatively little representation and certainly little active representation on this group I don't think the ALAC *cannot* weigh in on it, unless we're willing to be silent about any outcomes. And since we're not likely to be silent on any outcomes... We have all sorts of people who get very irate when they don't like the results someone else created but are not willing to put any effort into creating them themselves. At the very least we need to make a substantive statement on this.

By the way, my personal position at this point is I don't see how this group is going to do anything other than be deadlocked. That's not the tone of the discussion right now but looking forward to when we stop the easy stuff and get on to the hard stuff I'm not sure where this group is going. And by the way, the Board's motion a month or so ago I thought was masterful because it essentially says "We're doing this until we get GNSO input if we ever get GNSO input." That isn't how they worded it but essentially... Which I thought was a good position.

And of course we have the situation where if for the Red Cross and IOC and IGOs we do not get – and certainly for the first two they do not get protections we're going to see a showdown between the GAC and the Board that the previous one pales in comparison.

CARLTON SAMUELS:

[Maybe that's not a bad thing].

ALAN GREENBERG:

So certainly on the Red Cross and the IOC.

OLIVIER CRÉPIN-LEBLOND: So we've basically asked for a PDP to take place in one of our previous interventions, and this is now taking place. The public comment is not actually an official public comment process as one has. It was an email that was forwarded to me and to the ALAC finally from Glenn de Saint Géry of the GNSO Secretariat and I have also spoken to Thomas Rickert who is the Chair of that working group. And they really need input from At-Large to lean in one direction or another, to provide I guess more cannonballs for one side or the other depending on which side one leans on and so as to show there's due process on this. And I think it's really important for us to put our point across. Alan?

ALAN GREENBERG: Olivier, if I may get in, we tend to get wrapped up in public comments. The PDP process mandates and requires a solicitation of input from ACs and SOs and the community at the beginning of the process. That's a mandated requirement. They're not doing this just because this is a difficult issue or things like that. This is required and I think if we care about the issue and if you look back to the discussions on the temporary protections that the RC/IOC Drafting Team came up with and how much heat there was in the comments on that ALAC apparently cares and At-Large apparently cares. Then we cannot sit back and say we have nothing to say.

OLIVIER CRÉPIN-LEBLOND: Yep, absolutely. So now who wants to hold the pen on this?

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ALAN GREENBERG: I'm certainly willing to participate.

EVAN LEIBOVITCH: As am I.

ALAN GREENBERG: But if we do not get input from other people then they're going to be unhappy in the end because we may not say what they want to say, and I may not say what Evan wants to say and vice-versa but at least we'll talk with each other.

[crosstalk]

OLIVIER CRÉPIN-LEBLOND: At the moment the way the actual question is being formulated is probably not punchy enough. Inside the report there are several questions which are asked. What I would suggest perhaps is to have child pages with each one of these questions being asked and then those questions to be punted over the At-Large list and see the input, which we got last time. We had a lot of proponents for people who had several different ideas on how this should be dealt with.

ALAN GREENBERG: Olivier, that is true but I will state and I'll state this in a calm way, but you can read whatever you want into it. Saying "We don't like your legal arguments because we just don't like that group," is not going to hold a lot of weight. Saying as someone has said already, luckily not At-

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Large, that “We don’t like the Red Cross because they’re really just a commercial organization, they’re in this for the money and therefore it’s commercial and therefore they shouldn’t get any protection either,” you know, people say a lot of things and they’re not going to hold a lot of sway. So we need to make sure that our arguments hold water.

EVAN LEIBOVITCH: But Alan, you and I [agree] on that and we understand those issues, and we know the ability-

ALAN GREENBERG: But I’m saying we do need input. We may need to shout some of that input down but we need involvement.

OLIVIER CRÉPIN-LEBLOND: So just to let you know, if I could, Alan, I think we’ve got the whole overall point of this whole argument. Just to let you know, I have spoken to Jovan Kurbalija a few weeks ago and have been in touch with him, and I have asked him as someone who lives in Geneva and has been involved in the UN processes and in the whole process of Red Cross and International Olympic Committee, etc., all of the NGOs and IGOs that take place in Geneva – whether he could provide us with a little background on this. And I will follow up with him to make sure we also have information from him to help you in drafting something.

And that would be arguments that are based on our...

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RINALIA ABDUL RAHIM: Hi, this is Rinalia. This is Rinalia, I have something to say about this.

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

RINALIA ABDUL RAHIM: Thank you. I've been in communication with Jovan actually because I did say I was going to follow up on what he was going to submit to us as input; and he did confirm I think around last week that he would put something in writing. So I would expect after the Christmas vacation if that's okay then we can expect something from him, unless it's urgent. Is it very, very urgent?

ALAN GREENBERG: I don't actually remember the timeframe that they asked for input on. Olivier, do you?

OLIVIER CRÉPIN-LEBLOND: The close comment date is the 15<sup>th</sup> of January.

RINALIA ABDUL RAHIM: Okay, so then we have a bit of time.

ALAN GREENBERG: No, but Evan to a large extent is not available for the first two weeks. So if we can get something sooner rather than later that would help.

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EVAN LEIBOVITCH: I mean I will be available to help but my connectivity is unsure. Obviously I'll be able to edit documents but my availability to participate on things like real time calls may be problematic.

RINALIA ABDUL RAHIM: Okay, so my question is perhaps if a paper from Jovan is a bit much, if you have a draft statement that we could show him and he could comment on it or provide specific paragraphs, that might be faster. If not then we just wait for his paper. Which would you prefer?

ALAN GREENBERG: Okay, we'll try to do that.

RINALIA ABDUL RAHIM: Okay, thank you.

ALAN GREENBERG: Rinalia, you'll be around over the next several weeks?

RINALIA ABDUL RAHIM: Yes, I will be around.

ALAN GREENBERG: Okay, then we'll involve you as necessary.

RINALIA ABDUL RAHIM: Okay.

ALAN GREENBERG: Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. I think we have a solution for this. So that means we've gone through agenda Item #5 and let's move on then to agenda Item #6, the follow-up on yesterday's ALAC meeting. That's the one from the 20<sup>th</sup> of December. There were two issues which we had to fly through very quickly and decided to discuss here, the first one being the At-Large Travel Support and dates of departure which was brought as an "any other business" by Tijani and which I must say I completely agree and sympathize with. I saw a number of people who agreed with this yesterday. I'd just like to open the floor for more discussion here.

I just wonder whether... I don't think this is worth a statement because that's just going to sound as though the ALAC is behaving like divas again. However, what I do believe is that it needs an actual letter to either the Board Chair, because I don't think Steve Crocker is aware of these things although I have mentioned it to him. I guess there are so many things that get mentioned to him; but also maybe to the CEO because I don't think the CEO is aware of this penny pinching going on. And I think it's absolutely outrageous. Tijani, go ahead.

TIJANI BEN JEMAA: Yes, thank you Olivier. I do think that if we have to write a letter, obviously the CEO must be informed either if he's the main destination or if he's copied, too. I think that this point has to be solved definitely. I personally suffered from this point a long time ago, because before they



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put on the guidelines of the travel, they put that for the ExCom the departure is on Saturday. Now they put the ExCom to depart on Friday. Why they changed this I don't know because we still have meetings mid-day, and I think that it is a kind of, I don't know – an interpretation of staff. I don't think it is a decision made by the senior staff or the Board.

The point is that if they want us to depart on Friday we have to finish our work on Thursday. If we work on Friday we have to depart on Saturday. Why we should have the stress to run to catch, and then to pack and unpack etc., I think it's not normal. It's not normal because we are not asking for anything. I don't think it is a privilege for me to come to the meeting. It's a privilege because I like to work and to come to the meetings but it is not a privilege. I am not given anything for this meeting – I come to work. And I need to have the adequate or the appropriate condition to work in a good manner. So this is my point, thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Tijani. I see that Alan has put his hand up. Alan, go ahead.

ALAN GREENBERG: Yeah, thank you. In no rational world should this be the responsibility of the Board to make this decision, that's point number one. So I don't believe the letter should be addressed to the Board. Should we copy Steve? The Board has the responsibility to make sure they have volunteers to do their job and for better or worse At-Large and the

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public interest seems to be important to them right now. So yes they need to be copied.

I do recall that this decision I'm sure was not made at the level of the CEO, but the CEO has made similar penny pinching decisions in the last several weeks also. So I think we need to make the case with the CEO, some targeted at him, some targeted at people under him. And I think we need to stop this penny ante game and I don't think that's going to happen unless there is explicit direction from the CEO. So yes, I think it must go to the CEO; the Board should be copied. I think it should be wider than just the departure day for an ICANN meeting. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. Thank you, Alan. I see Tijani, you still have your hand up?

TIJANI BEN JEMAA: No, no.

ALAN GREENBERG: It's Carlton and I heard Cheryl.

OLIVIER CRÉPIN-LEBLOND: We've still got Carlton and then Cheryl afterwards, so first Carlton.

CARLTON SAMUELS: Thank you, Olivier, this is Carlton for the record. I'm supporting Tijani. I think I want to emphasize the last line that Alan says, which is that it has

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to go beyond departure date. My problem has always been getting there and so far the travel staff has taken my suggestion. I know Matt is helping me in the background and I'm thankful for that because he can explain it better than me sometimes it seems. It's about getting there. I hate when I have to make a transcontinental flight and the expectation is I get there at midnight and I start 9:00 the next morning. It really does bother me. In this case they made some adjustments based on what I pointed out to them and as it is I get there at 6:50 the Saturday evening so I am okay.

So I want to make this a lot broader than about the travel dates because if you come in a day early they tell you you have to pay for your hotel. Naturally I wouldn't pay but I would prefer not to go, but it needs to be brought. There's a whole set of issues around it and the basic thing is how do we get volunteers to the place in time so that they can work effectively and productively? Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Carlton. And next is Cheryl.

CHERYL LANGDON-ORR: Thank you. I think we just need to also remember that not everything, not everything needs to go for the CEO's attention but occasionally needs to be available for him to see. So I agree with what you're saying but I would also remind you that there is someone specifically in charge of Stakeholder Engagement and I would have thought we were very much the meat and potatoes of stakeholder engagement, at least in the At-Large community. So you should I would have thought, Olivier, be

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talking to Steve Antonoff and to Sally and to Xavier and suggest that Sally copy the CEO. But that's just the way I would be approaching it.

CARLTON SAMUELS: Valuable, very valuable. That's exactly how you start it.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Cheryl, that's noted as well. So Sally would be the person, Sally and Steve. The problem you see is that I have asked Steve Antonoff in the past and it seems to be that this type of question is above his pay grade. So it would have to probably be Sally at that point. Carlton, your hand is still up or is that a previous one?

CARLTON SAMUELS: It's down, Olivier, it's down.

OLIVIER CRÉPIN-LEBLOND: Okay. So Alan next.

ALAN GREENBERG: Yeah, thank you Cheryl. In retrospect Sally should be the lead person targeted, I agree. We can give a courtesy copy to Steve but it's not all Steve's issue. It only gets to Steve when a decision is made to fund someone – this is a larger one than just once the decision has been made. It's making the decision to fund and then funding at a reasonable level without playing something games – I won't use the word I was going to use. So yes, I've dealt with Sally a bit and Sally is definitely the right one to target this at. Thank you.

OLIVIER CRÉPIN-LEBLOND: And would you say a letter or a statement?

ALAN GREENBERG: Oh, a letter.

CHERYL LANGDON-ORR: Oh, statements are over used. Even I'm getting bored of statements.

ALAN GREENBERG: You don't make a statement to a person.

OLIVIER CRÉPIN-LEBLOND: Tijani?

TIJANI BEN JEMAA: I think that we should write a letter, not a statement. And second, why I say it might be not the decision of the senior staff, I mean CEO, because this issue came before the arrival of the new CEO. So it might be something that was ordered by the previous CEO and it is still running. But I think that if we write to Sally we need to copy the CEO. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, so I take it that a letter should be written, sent to Sally Costerton with a copy to the Public Participation Committee, so that would be Sebastien Bachollet; and also with a copy going to Steve Antonoff. And this letter should explain the points which were made here and the

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points being that it is insensitive to ask for volunteers to leave on the same day that they still have a meeting, irrespective of the fact that the ALAC is one of the only groups that has a meeting on the Friday morning; and that we therefore ask that we be funded until the Saturday so that at least we can get one night's sleep after having worked like crazy for the whole week like this. I think that's the overall gist of the discussion.

I see that we just happen to have Sebastien here on the call, so Sebastien Bachollet, you have the floor. And you might be muted because we can't hear you at the moment. You might be muted or I might have been cut off, that's another thing- No, no, so I'm still here.

SEBASTIEN BACHOLLET: Can you hear me?

OLIVIER CRÉPIN-LEBLOND: We can hear you now, Sebastien, go ahead.

SEBASTIEN BACHOLLET: Okay, sorry. It's a different button I have to click here. Yeah, I was wondering if we can't start by lower case or a lower type of interaction. Frankly if you just send me a few lines on what is happening, what is not working – for example, this is the first time I'm hearing that you are having to travel on Friday afternoon. And I can tell you that it was the fact that the Board didn't have any more meeting on Friday was not something to change anything for At-Large in particular or ALAC or ExCom in particular. It's something I can raise quite easily.

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I met Sally quite often because she's the one who's in charge of the PPC and I have a lot of interaction with her, and I saw her in London two days ago and I will have a meeting in Brussels the beginning of the year. And if you want me to start the discussion and try to find the solution before you write a letter I will do that with great pleasure. Just put me a few bullet points, even not a letter but just bullet points of what are your main concerns today and I will try to advance the idea with her as soon as possible. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you Sebastien. I see Alan Greenberg?

ALAN GREENBERG: Yeah, thank you. On the last point, Sebastien is free to intercede on our behalf and I welcome it but I think we do need to take action because Olivier, I disagree with you. The substance is not the Friday departure. That is the example. And it's an important example, and by the way that is a formal policy change – a low-level policy I'm sure, not done at the level of Sally and the CEO, but in Toronto where I had a total of a one-hour trip home I was given a Saturday departure. So this is a change and it's a change because either someone forgot or someone made a conscious change. I don't know which, I don't much care which. I don't feel like fighting it.

By the way, I'm late in making my arrangements. My preferred flight which is a nonstop from Chicago to Beijing, and it's preferred by a large amount, gets in at 11:30 at night. I'm waiting to see how they react. Normally if you get in at 5 past midnight they will pay for your overnight

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stay but if you get in at 5 minutes before midnight you're coming in the previous day.

CHERYL LANGDON-ORR: Yep.

ALAN GREENBERG: And I'm waiting to see how they react on this one. So I'm not going to predict, maybe they'll be rational – we'll see. But I think this must be done formally. If we can fix the short-term problem with Sally or at least give her a head's up through Sebastien that there is unrest among the rabble so be it, I think that's a good thing. But I think this is an important issue and we've wasted far more time on it over the years, and I'm tired of it. And I'd be glad to work with you, Olivier, on drafting a letter.

OLIVIER CRÉPIN-LEBLOND: You can say we've wasted a lot of time on this over the years because we have, because we have said that many times over. And as you said, you appear to have had your Friday night taken care of and I paid for my Friday night – there you go. So it's just so inconsistent it doesn't make any sense.

ALAN GREENBERG: In Toronto?

OLIVIER CRÉPIN-LEBLOND: Yep.



ALAN GREENBERG: In Toronto you paid for your Friday night?

OLIVIER CRÉPIN-LEBLOND: Yep, I did.

ALAN GREENBERG: Oh God. Then it's worse than I imagined.

OLIVIER CRÉPIN-LEBLOND: Mm-hmm.

CARLTON SAMUELS: They asked us to pay for Friday night.

OLIVIER CRÉPIN-LEBLOND: Friday night after the meeting, not the Friday night before the meeting.  
The thing before the meeting I...

ALAN GREENBERG: I know, but I was given a Saturday departure from Toronto. I didn't  
have to beg, I just got it.

CARLTON SAMUELS: Well they gave me a Friday departure. I had really [preferred] anyway a  
Friday departure.

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OLIVIER CRÉPIN-LEBLOND: My point on this one is they asked me for this. I thought I'm not going to beg for \$200. I'm not, I'm really sorry – I'm not going to get down on my knees and say "I'm sorry, can I just get another free night from you please?" [Because they know me].

ALAN GREENBERG: Let's capture that last line. I think that's part of the letter, Olivier.

OLIVIER CRÉPIN-LEBLOND: There you go.

CHERYL LANGDON-ORR: Olivier?

OLIVIER CRÉPIN-LEBLOND: Yeah, go ahead Cheryl.

CHERYL LANGDON-ORR: You said it [great] because it is one of the reasons that bad if not appalling management of volunteers keeps getting done, because I've seen it in so many organizations where a volunteer will do things like even pay for postage because it's too bloody hard for it to be properly dealt with in a cost center. You either manage your volunteers properly or you lose them, and it's about time they are reminded of that. And we have argued and won this so many times and it keeps getting eroded away again. So Sebastien, I think your lobbying will be very valuable and you might just remind them that it wasn't the intent of having all of

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our work compressed back just because the Board wants to have its timetable readjusted.

ALAN GREENBERG: And I dare say most Board members will stay over the day and not have to pay extra for it.

OLIVIER CRÉPIN-LEBLOND: Ah, but these are Board members, Alan.

ALAN GREENBERG: I understand that and I said it very carefully. [laughter]

OLIVIER CRÉPIN-LEBLOND: They also have their expenses paid.

ALAN GREENBERG: I'm tired of some pigs being more equal than others, forgive me for my language.

OLIVIER CRÉPIN-LEBLOND: Okay, I think we should move on. We've got an action item on this. Let's liaise with Sebastien. If I can ask Tijani to let me, because Tijani, you brought this up – send just a sort of a few lines and I'll build up on this and send something to Sebastien and take it from there. Alan, you still have your hand up.

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TIJANI BEN JEMAA: Okay, will do.

OLIVIER CRÉPIN-LEBLOND: Alan, are you still waiting?

ALAN GREENBERG: Sorry, I'm not at my computer right now, I forgot to put it down.

OLIVIER CRÉPIN-LEBLOND: Ah, okay. Right, so then the second one was the follow-up from the report of our GNSO Liaison. I just thought I'd give you, Alan, a few more minutes to let us know if there was anything else that we needed to be aware of on the GNSO side of things aside from what you told us already.

ALAN GREENBERG: I was running so fast after my six hours of conference calls yesterday or whatever it was that I haven't gone back to look. So I'm not in a position to answer that. I think there was at least one other thing but for the life of me I can't remember what it is. I'll take it up on email.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. And finally we have any other business now, and in the any other business I thought we might have a quick feedback from staff on the advancement of the Beijing events and what's happening in Beijing if that's okay with you, Heidi?

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HEIDI ULLRICH: Yes, absolutely, this is Heidi. Silvia, are you okay with me providing a quick update?

SILVIA VIVANCO: Yes.

HEIDI ULLRICH: Okay, thank you. Basically I think things are going pretty well. We've had two organizing committee calls. They have divided themselves into various subcommittees working on the various activities as well as the sponsorship. That's going well; there are lots of comments coming in on those various Wiki pages. The travel is coming together and we're going to have today be the deadline, and Matt and I are just finalizing the travel data page for the ALSes. We're now able to, thanks to Matt, work on getting urgent messages to the people who have not responded – we're now up to 19 of the ALSes out of the 25 we were expecting, so that's good news as well. So I think everything is under control. Any particular questions?

OLIVIER CRÉPIN-LEBLOND: The floor is open for questions. Does anybody have... I'm not sure if Rinalia is still on the call, do you wish to add anything?

RINALIA ABDUL RAHIM: This is Rinalia. I have a question, Heidi.

HEIDI ULLRICH: Yes, go ahead.

RINALIA ABDUL RAHIM: My question is I wrote an email to Xiaodong Lee and you were copied on it, and I did not receive a response. And I was wondering if you could find out why.

HEIDI ULLRICH: Okay, so what happened is Xiaodong Lee or Jack Lee is...

[background noise]

ALAN GREENBERG: I'm sorry, I can't hear what's going on.

CARLTON SAMUELS: I can't hear anything.

HEIDI ULLRICH: Okay, Rinalia, can you mute yourself please? Thank you, okay. So what's happened is Jack, that's the name that he's using on the calls, he's been on the two organizing committee calls. He is a member of Hong's organization in Beijing, CDNUA I believe. I've just now... He confirmed, he told me that he was actually going to be the representative for that organization however I've just heard from Hong this morning that actually to wait until she confirms that. So that's the latest, that there may be another person from that ALS who is going to be going instead. So Rinalia, does that answer your question?

RINALIA ABDUL RAHIM: No, actually my question was about the mail that I sent to Xiaodong Lee who's Vice President for Asia-Pacific or maybe just Asia now. That question is about, I was basically asking him about whether or not we can draw synergy on the Policy Roundtable and I did not receive a response.

HEIDI ULLRICH: Okay, this is Heidi. I need to look into that then, Rinalia.

SEBASTIEN BACHOLLET: It's Sebastien if I can jump in?

HEIDI ULLRICH: Sorry, okay, now I'm getting it – I mixed the names up. Okay, I will follow up with him on that. I'm mixing up names.

OLIVIER CRÉPIN-LEBLOND: Okay, Sebastien is trying to jump in. Go ahead, Sebastien.

SEBASTIEN BACHOLLET: Yes please. May I suggest, Rinalia, that you resend your mail directly to Sally Costerton and if you want me to follow on you can give me a copy and I will ensure that you will get an answer. And that's the best way to do now what you are asking for. And I don't know what you're asking for but it's the best way given the period where it's happening. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sebastien, that's noted.

CHERYL LANGDON-ORR: Sebastien, Cheryl here if I may. It would be nice for all of the Vice Presidents to understand in Global Partnerships, and several of them do and they go above and beyond the call of duty – but unfortunately that's not the universal truth as yet – and to recognize that when a leader in this community in their volunteer time asks a paid employee of ICANN a simple courtesy of even "Thank you for your email, I'll get back to you shortly," would be appreciated because we go from excellent reactivity and response in working relationships to black holes.

SEBASTIEN BACHOLLET: I totally understand this, Cheryl, and it's... Sorry I can't say more but you may find into my different lines what I am telling something else. But do like I tell you and it will be handled. Sorry about that, it varies.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sebastien, and thank you, Cheryl. And I'll just insert a personal comment – I think that we should get rid of black holes and keep those people that respond to us. But anyway, that's just a personal comment. I see Julie Hammer is here with her hand up. Julie, you have the mic. I'm not quite sure I can hear you at the moment.

CHERYL LANGDON-ORR: Could you hit the mute button, Julie?



ALAN GREENBERG: It says she's trying to talk through Adobe Connect but we're not hearing anything.

OLIVIER CRÉPIN-LEBLOND: Yep, that's rather strange.

ALAN GREENBERG: She's typing.

CHERYL LANGDON-ORR: Ah.

LIVIER CRÉPIN-LEBLOND: Right, so maybe I can speak on her behalf. So Julie is going to be coming to Beijing because she has been among the people selected in the SSAC to come to Beijing in person. So her question was whether she should arrive, well what time she should come to Beijing. And in order to attend the ALAC meeting on Sunday she should be looking at being there on Sunday morning and the answer is yes.

ALAN GREENBERG: Preferably awake, though.

CHERYL LANGDON-ORR: You may be coming on Saturday rather than Sunday, Julie. [laughter]

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OLIVIER CRÉPIN-LEBLOND: I think it's more likely to be arriving on Saturday.

CHERYL LANGDON-ORR: I know it's only a ten-hour flight but you know.... [laughter]

ALAN GREENBERG: That's just a hop for Australians.

CHERYL LANGDON-ORR: Julie's north, she's already halfway there up in [Glenglade].

ALAN GREENBERG: Ah. [laughing] Normally ten hours only gets you into the middle of an ocean.

OLIVIER CRÉPIN-LEBLOND: Easy as they say.

CHERYL LANGDON-ORR: Yeah, but you've got to remember how far up she is.

OLIVIER CRÉPIN-LEBLOND: Okay, right. Well now we have a space for any other "any other business." Just to check in with Rinalia to see if she's had the answer, you're clear about what's happening, Rinalia, now with your inquiry?

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RINALIA ABDUL RAHIM: Yes, Olivier, I'm clear. I will do as Sebastien suggested and I will copy the relevant people.

OLIVIER CRÉPIN-LEBLOND: Perfect, thank you very much. And now I see Sebastien has put his hand up, so go ahead, Sebastien, you have the floor.

SEBASTIEN BACHOLLET: Thank you. I wanted just to ask you if you want me to give you some update of the Board meeting last night, for me last night and for some this morning if you want.

OLIVIER CRÉPIN-LEBLOND: As far as I'm concerned any information you may share with us is very welcome indeed.

SEBASTIEN BACHOLLET: Okay. Then we were quite a long, two-hour – I know for ALAC it's not long but for the Board it was quite a long meeting yesterday night. And we do our various things but there is a different items I think which would be of some interest to you, the first one – not in order but the place of the meeting at the end of the year will be Buenos Aires in Argentina. And regarding the meeting we decided after all the comments made on the proposed policy for meetings in the next three years to take it just into account for next year and as a proposal made for the places, and the places we were supposed to go in another rotation but the same year will be in Singapore in March or April, I don't

remember the dates exactly; it will be in London in June and it will be North America at the end of the year.

And that is out of the Board meeting but the PPC is working on how to involve the community to have an in-depth discussion about the next three years or five years, how we want to organize the meetings and so on and so forth. And we have a short time decision and we will have a more in-depth work, I hope to be able to have something decided by the Board in the next meeting in January. We take a decision about the new gTLD fund investment policy because currently the place where the funds of the new gTLDs are put will stop at the end of this year and we needed to have a new policy. And I hope that it was preserved as that and at the same time be usable easily when we will need it for the New gTLD Program.

The Board voted on the term alignments and it was split in five different motions to allow people to abstain. I decided just to let you know not to abstain even where the motion came just for the At-Large seat, and the reason it was was if for any reason we did not get the majority of any of them we will be in trouble. I was not agreeing with the process and one way was to show that sometimes we need to take decisions, either you are incomplete but you need for the good of the organization even to take that decision. It will not change anything but just to explain my vote, and the terms of all the SOs and At-Large seats are expensed at the next General Assembly. But the time to select the one taking the seat will need to be still before June to allow the NomCom to have the result and to take care of the balance within the Board.

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We voted for the recommendation IRTP Part C and I guess there were no decisions about the Nominating Committee, but we will certainly start some discussion and work on the organization of the Nominating Committee. One of the reasons amongst others is that the NPOC asked for a seat on the Nominating Committee and the Board or the seats, the Structural Improvement Committee thinks that it's not a good idea to do that one by one because we think that there will be other constituencies and we have to have a full review. But it's not yet a Board decision but it will be, you will see some work done on that issue.

I guess that's the main points that were discussed and for some of them decided yesterday night. Thank you very much.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sebastien, for this extensive review of yesterday's Board meeting or Board call. Tijani is waiting with his hand up so Tijani, you have the floor.

TIJANI BEN JEMAA: Yes, thank you. Sebastien, if I have well understood you used the proposed consolidated strategy for the meetings for the next year and then we will discuss it with the community afterward; and perhaps after that we will have a new strategy. Is that what you said?

OLIVIER CRÉPIN-LEBLOND: Sebastien?

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SEBASTIEN BACHOLLET: Yes, exactly Tijani. We were supposed to have a meeting, I guess it was in 2014 Europe, North America, and Asia-Pacific. We just put the Asia-Pacific as the first meeting, Europe the second and North America the third because the staff have a good deal for the first and the second meeting. But it will not change the overall structure of where the meetings are taking place, and we will discuss for the next year's, yes.

TIJANI BEN JEMAA: Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sebastien. There is a question on the chat from Cheryl with regards to the transcripts or minutes or record of the meeting, will they be published? Because I note from the 2012 Board meetings that this meeting only has an agenda that's published but does not have any Board briefing materials or preliminary reports or adopted resolutions posted yet. Is this forthcoming?

SEBASTIEN BACHOLLET: Frankly I can't... I think it will be like always but I will check and I will come back to you.

OLIVIER CRÉPIN-LEBLOND: Okay, we need to keep a watch over this.

SEBASTIEN BACHOLLET: I can say one thing, just one thing is that staff – and I hope that you will be able to take (inaudible) that staff will take leave later tonight and the

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office will reopen the beginning of January. And I don't think that there will be too much publication during the holiday season but I will check on that and come back to you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Sebastien. Perhaps it would be worth firing an email now so as to make sure that we know what's going on and that will provide some ample bedtime reading for our colleagues and friends in At-Large during their festive season. [laughter] Alan?

ALAN GREENBERG: Yeah, with regard to that last point there was a significant gap for a number of meetings where things were not published for several consecutive meetings. I would like to hope that holidays notwithstanding that at least they'd be posted for this Board meeting and let's not wait till January. I won't say any more on that.

I do have a question though: is it currently the practice... And I tried doing a bit of research and for reasons I'll explain I couldn't find the answer. Is it currently the practice that for all Board votes it is recorded who votes no if someone votes no? I know abstentions are generally recorded these days and the question is are you recording no? At one point it was only a roll call vote was taken and if it was not a roll call then it simply reported how many people said no. I understand if someone makes a statement that is published but if they vote no without a statement is that recorded in the minutes right now? I couldn't find any recent votes no so I couldn't know what the practice is. I would like to have positive confirmation that you have a record-

SEBASTIEN BACHOLLET: I will check. I don't see any reason not to publish the names of the people who say yes, who abstain, and who say no. Maybe there were not so many people saying no in the last meetings but I will check on that and come back to you.

ALAN GREENBERG: I would appreciate that because for a long time unless there was something called explicitly a roll call vote which normally the Chair did not deem necessary there was no record in the past. I don't know what the current situation is and yes, we would like a positive answer coming back. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, well thank you very much for joining us, Sebastien, and speaking to us about last night's or yesterday's call. I note that we are reaching the end of our time and we've actually reached the end of our agenda. Is there any other business that might make us late? No pressure.

EVAN LEIBOVITCH: Olivier, this is a quick thing and it's a question that can be answered in email rather than something that needs a discussion.

OLIVIER CRÉPIN-LEBLOND: Go ahead, Evan.



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EVAN LEIBOVITCH: There is an issue that has been raised about our connectivity while in Beijing. Alan has indicated that we have received assurances from the host that during the conferences our emails, our use of Gmail and things like that will not be blocked. As Tijani has mentioned and I agree, and I have the same situation – some of us are going to have to be doing some day job work from China and it's going to severely impact our ability to do that if things like Gmail are restricted to us. This is a request to staff to get confirmation of exactly what is going to be the nature of our connectivity while we're there. That's it, thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. I know that staff will be able to ask the Meetings Team about this.

ALAN GREENBERG: Well staff did ask the Meetings Team and the answer we got back was the meeting will have open connectivity; no guarantees about hotel.

SEBASTIEN BACHOLLET: No guarantees about hotel. Yeah, and it's exactly the situation. The meeting place will be open and we don't have the guarantee for the other hotel yet, but we are also working on that issue.

OLIVIER CRÉPIN-LEBLOND: Okay. Well that's it for the call, unless there's anything else...

RINALIA ABDUL RAHIM: Hi, this is Rinalia.

OLIVIER CRÉPIN-LEBLOND: Rinalia, please go ahead.

RINALIA ABDUL RAHIM: Hi, can you hear me?

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

RINALIA ABDUL RAHIM: Okay, just one item, Olivier, just to remind you we had discussed the problems associated with public comments that are open in December and that's a very tight timeline for a lot of consultations on substantive issues. And you said that you would do something about that.

OLIVIER CRÉPIN-LEBLOND: Yeah, the issue is a little tough because yeah, as you know there are several public comments that are open throughout December which really no one has taken the time of looking at any kind of blackout dates or anything like that. It's really I would say very disappointing, bearing in mind we have spent so much time both in Prague but also in Costa Rica speaking to the relevant people who were in charge of these public comment systems.

It's been now a year since the new public comment system has been implemented. It was started in January, 2012, and I would have really hoped that we would have had an answer or at least some kind of plan to implement what the community has discussed for one full year.

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Unfortunately I haven't seen any plans or openings or declarations to that effect so I'm not quite sure, Sebastien, whether there is going to be some movement on this.

But it is something rather futile to spend a few hours talking about how to make the public comments system better and how to make sure that the community is not stressed with too much work when you have a good half a dozen public comments that run over the Christmas holidays which I do believe is a major holiday throughout the year; and perhaps New Year being even more of a major thing. Any movement on this front, Sebastien?

SEBASTIEN BACHOLLET:

Yeah, I can tell you that it's a subject we are handling and I was talking with Sally about that three days ago, and we are working on that. I will take into account the question specifically for Christmas and New Year but generally speaking we will work on moving the comments. We'll try to find another solution but it takes time sometimes to find the right solution. But I hope that it will come soon but I will take possibly the question of this holiday season period to see how we can handle that. I'll come back to you also on that, thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you, Sebastien. And Rinalia, to respond to your inquiry in the meantime I will check with all of the public comments that we are currently responding to, and if we do run out of time I will ask for an extension. In general we have been given extensions. We have been afforded another seven to 14 days in addition to the usual period so you

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shouldn't be too worried if we are in the situation where we will be late for filing. Alan?

ALAN GREENBERG: Yeah, just for everyone's amusement, on the Strawman for the Trademark Clearinghouse... Rinalia, can you mute your line?

RINALIA ABDUL RAHIM: No, I cannot.

ALAN GREENBERG: Oh. Can someone mute it? Thank you. On the Strawman comment period it was due to close on the 21<sup>st</sup> if I remember correctly, the 22<sup>nd</sup> of December. It's been extended till the 15<sup>th</sup>. There are only two comments posted so far – one is asking for an extension to the 31<sup>st</sup>, which they gave them half of; and the second one is asking for help in getting \$5 million out of Cote de Ivory. So I'm glad we're getting really good responses to our comment period and how effective they are.

CHERYL LANGDON-ORR: You're getting value there for sure.

ALAN GREENBERG: They're willing to give 25% to whoever's willing to help I believe by the way.

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CHERYL LANGDON-ORR: Hey, maybe we could sort our travel issues out if we did some of that, do you think? [laughter]

ALAN GREENBERG: 25% or 50%? 20% for your cordial assistance and 5% for any expenses.

CHERYL LANGDON-ORR: Very generous.

OLIVIER CRÉPIN-LEBLOND: That's more than what we get for ICANN. [laughter]

CHERYL LANGDON-ORR: With the blackout dates and things like that I think we all need to probably revisit for those of us who can get to the Public Participation meetings and forums in Beijing and perhaps remind them of what the ATRT discussions and recommendations were. And of course you will need to be ready to put all of this back into ATRT #2 because a second ATRT should be able to build on what the first ATRT was proposing. And it ain't happened yet.

OLIVIER CRÉPIN-LEBLOND: Well, I just hope it's not going to be another *Groundhog's Day*.

ALAN GREENBERG: I was just assuming you proposed something bad and that's why it's not working. [laughter]

CHERYL LANGDON-ORR: Yeah, right.

OLIVIER CRÉPIN-LEBLOND: Okay, everyone, I think we're starting to feel that [sepsis] feeling invade us and this call has only one way to go, which is down, down. So I really have to thank-

CHERYL LANGDON-ORR: Hey, it's 2:45 in the morning again.

OLIVIER CRÉPIN-LEBLOND: I know, and it's coming to 2:45 in the morning for all of us at some point, realizing that we are still alive. We still are all alive on this illustrious date of the 21<sup>st</sup> of December, 2012 – 21-12-12 or if you live in the States, 12-21-12. I do have to thank all of you for this amazing amount of work you've done this year. Without you I wouldn't have been able to do half of the stuff that I'm credited with and I must say that you should all be credited equally if not even more for all the stuff that you do and all the work you do in your part of ICANN and the ICANN world.

I also have to absolutely thank our staff. You know, we keep on complaining about so many things in ICANN but I have to say, our staff are the best! That's one thing we don't have to complain about, and in fact I think we don't thank them enough for all of the work that they do, and many, many times the thankless work that they do because they sometimes are at 11:00 at night on a Saturday night having to fix

something because otherwise all hell breaks loose on the Monday morning, this sort of thing. So it's really appreciated that you're all here.

And with all of this I think it's time for us to go and get that festive feeling going very soon, so thanks to all of you and good morning, good afternoon, good evening and good night, everybody.

EVAN LEIBOVITCH:

And whether it's the New Year or the end of the world I'll see you on the other side. [laughter]

CARLTON SAMUELS:

Boy, you certainly are hopeful.

[End of Transcript]