

15 MARCH 2013

HEATHER DRYDEN:

Thank you. So I'm just going to give just a very brief introduction to explain the approach that we undertook to looking at the role of the GAC, and in particular its relations with the Board. So it wouldn't entirely suit the GAC to have others reviewing it, and that being the limit of the approach to looking at the role of the GAC.

So it was always viewed as something where GAC members and the GAC would be very much a part of reviewing itself, and working with others, like I mentioned, the Board in order to look at the role and what kinds of improvements or issues were really key from the perspective of governance.

So this explains why that... In terms of implementation, a particular role was giving to a joint working group of the Board and the GAC to really oversee the implementation of the recommendations. So it's a formulation that's perhaps a bit different than what we have seen with other recommendations put forward by the Accountability and Transparency Review team.

So we have a few slides that Jamie has kindly put together, and will take us through. We have consulted with the co-chairs of the joint working group that I described, [ma-nal as-file 1:30:47] from Egypt in the GAC, and Bill Gram from the Board are co-chairing that effort, in order to continue the implementation process.

So not everything was something that we could quickly determine was fully implemented and move on from. But they are perhaps substantially implemented. So that work is very much ongoing. So they have a role still to play in what you're going to see today, particularly in relation to a couple of the recommendations.

But at this point, I'll turn over to Jamie if you could take us through and then we can discuss.

JAMIE [no last name given]:

Thank you Heather. If you can go to the next slide please. I will just walk through each of the six recommendations and the implementation of them, some of them, as Heather mentioned, remain works that are ongoing. The first recommendation addresses, what is – asking for clarification of what is GAC advice that triggers bylaw requirements for Board consideration and, in some instances, Board and GAC consultation.

This is a foundational recommendation for the subsequent work on the following recommendations. And as such, it was one of the first recommendations to be implemented. The Board and GAC working group, the BGRI working group agreed to a clarification of what is GAC advice. It was posted publically at that link.

It was also incorporated into the GAC's operating principles. And it is embedded into standard operating process because it's – GAC advice is a precedent for, clarification especially for the other GAC related recommendations. Next slide please.

Okay. So recommendation 10, the ATRT report recognized some gaps in the tracking of the provision of GAC advice and methods for the Board to request GAC advice. It calls for a timely provision and consideration of GAC advice.

Two main things have, sorry. It requires two main things. One is developing a process for the Board, notifying the GAC and requesting GAC advice in writing. And secondly, developing an online tool for tracking advice from the GAC for Board consideration and response.

A number of implementation steps have been taken for starters, and Heather please chime in if I misstate anything. But the GAC developing new communique format, which sets out much more clearly the GAC's advice, or requests, or notifications to the Board. So if you look at the most recent GAC communiques there is a format that they followed, I think it starts initially with a report on the meeting, and GAC's work at the meeting, and then followed by GAC advice to the board.

The biggest implementation step was the development of an online registry, and there is a link for that, a GAC advice register. And if you go to that link, you will see various representations of advice provided from the GAC to the Board, whether and when the Board responded, how it responded, and it follows that process through to either implementation of GAC advice or disagreement with GAC advice and the subsequent required consultations.

It also allows for the GAC to request information from the Board. So not actually just giving advice but requesting information, background documents. And it also tracks board requests for advice or guidance from the GAC, and that's also been used recently.

So this... I think it's fair to say that this recommendation is fully implemented. The GAC advice register is, it's an iterative document, it's something that, it is live and being used but will be continuously improved. There is also a manual that sets out both the timelines and where things are supposed to go.

And it's also, this recommendation has been fully implemented by the new format for the GAC communique. Yes?

UNIDENTIFIED MALE:

So the first thing though, the formal documented process by which the Board notifies the GAC matters, where is that?

JAMIE:

So that's another thing where... That is another thing that goes into the GAC advice register. A lot of that goes more to 12 and 13, which is GAC

early engagement. But the... If the Board notifies... If and when the Board notifies the GAC of something that's coming up, it would be tracked in the online register.

UNIDENTIFIED MALE:

Right. But my understanding, the first thing is the Board needed a process by which it would determine when, if and when it would seek advice. So is there a statement of that that is now out there somewhere?

JAMIE:

I don't know that there is a statement. I mean, the SOP is that the Board would formally communicate to the GAC that there, there notification there is an ongoing matter of policy.

UNIDENTIFIED MALE:

Right. But when do they... How do they know when to do that? What's the process by which they decide to do that? Which, I think, is what the first part of their recommendation was aiming at. Steve?

STEVE CROCKER:

We know when to do that [laughter]. So I understand your point. I'm not aware that we have a checkpoint, sort of a standard criteria that we would say, whenever we discuss this or whenever we fall into the following area we have to go and get advice from the GAC.

So that probably doesn't fit... I mean we're probably aren't at the state that you're suggesting. In practice, whenever we are talking about things that effect governance or so forth, we typically will have that discussion.

I don't know enough work examples, so that's probably worth looking at to see for the flow of things to come, which things did go, could of gone, should have gone. Heather, do you have perspective on this? I mean in principle, and Heather has caught me off her position of having to be in two places at once frequently with being both on the Board and chairing the GAC. But in principle, her presence is supposed to be helpful in identifying and bridging that gap. Over to you Heather.

HEATHER DRYDEN:

[Laughter] Well, I would agree that the liaison role can assist in flagging a perspective and identifying where there is a need or likely an interest from governments to be providing inputs. But really, that's not the equivalent of having a procedure in place and understanding around that procedure that would really facilitate that happening. And I don't think it's good practice to place the onerous, if in fact that is what's happening on the liaison position.

And I think there has been a tendency to be overly focused on that. So, in other words, is Heather on the phone call? Oh fine then we don't need to worry about a GAC perspective. You know, I don't think that's particularly good practice.

So from my perspective, having procedures would really reinforce that function that's served by the liaison.

UNIDENTIFIED MALE: Maybe this was not as fully implemented as we thought. But let me ask this, because obviously this was in response to an issue that was identified three years ago, which was largely wrapped in recommendation nine as well which was this lack of clarity as to what was advice was. Do you think this is still a continuing issue that this team ought to be concerned about?

Or has by resolving the issue of what advice is, is this issue of when the Board actually asks you for advice a continuing issue? Or is it basically gone into the background because the Board and the GAC fixed the primary issue which was defining what advice was?

HEATHER DRYDEN: I don't have a definitive answer on that because we're still implementing the register. And I think by that process we're drawing out the issues that you're referring to, about whether there is really a need, as outlined in the bylaws, for the Board to be saying to the GAC, "Please advise on this."

I don't have specific examples of them doing that. Did someone mention that they had in mind one... Of where the Board has explicitly gone to the GAC to say, "It would be likely of interest to you or beneficial for you to advise us on this." [INAUDIBLE 1:42:20]

STEVE CROCKER: I think that there is certain examples and GAC coordination on ongoing policy issues. So within the new GGTLZ program protections for certain names, Red Cross, IOC, as well as [IG-o-n-ing 1:42:40] and that's...

It seems to me... And that's an example of the Board and the GAC working together, the Board advising the GAC of what the Board is hearing, what letter's it's getting.

HEATHER DRYDEN: Thank you. So my understanding is that that is a different issue from how the GAC initiates advising on a particular issue, how it identifies those issues. And that's a particular function.

To come back to the point about either the Chair of the GAC or that liaison function to the Board, it's not enough, in my view, to leave it to them to be tracking and identifying those issues.

So I think it's worth looking at. Yeah.

UNIDENTIFIED MAN: Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Brian, it's Oliver here. I've been looking at the GAC just advice, and I just wondered how mature was this so far? Is that ready? Is it still under testing? Because I must say, I just had looked at it and I'm a bit confused because there is very little response from any of your requests from the Board, or maybe that is the actual situation.

But looking at the tracking of each one of what is on there, there is a lot of blank spaces and very... I mean, it just brought more questions to my mind here.

HEATHER DRYDEN:

So in terms of implementation, what we're doing is we're populating the register with the advice that we provide to the Board, and what we can identify as a response to that advice. So that's all being put in.

And the GAC has the responsibility of inputting that data. In terms of the process, the administration of it, then you have various points where information is sent to the GAC and the GAC is asked to confirm, is this your understanding of what our advice is?

Does it represent [AUDIO BLANK SPOT 1:45:01 – 1:47:08]

[Computer voice: Joined]

UNIDENTIFIED MALE:

...pause and get this straight back up. Heather please.

HEATHER DRYDEN:

I think that's an interesting idea to increase the automation of it. So yeah, thank you.

UNIDENTIFIED MALE:

I've got Al and then Avri in the queue.

ALAN GREENSBERG:

This may just indicate my state of mind right now, but I know that recommendation talks about the Board asking for advice. It doesn't say that the GAC has to respond. [Laughs]

HEATHER DRYDEN:

I don't have the bylaws language off hand, but that might help us work out what was the related information to that.

UNIDENTIFIED MALE:

I've got Avri and then Fiona.

AVRI DORIA:

I just had one quick question, and it was a phrase you used it was what you could identify as a response. And I was wondering, does that mean that you get responses, or you get things back and you're not really sure when you've been responded to and when you haven't?

Because it was just things that I can identify as a response, so it struck me as sort of ambiguous.

HEATHER DRYDEN:

Yes. If you imagine, for example, that the response comes in the form of a letter, if someone is going through that to say, "Okay that's a response to this issue. That's a response to that issue." And putting that into the register.

And so then, the next step would be the GAC saying, or perhaps the board saying it at the appropriate moment, "Yes we agree that those are the right contents, or the right places that you've put them in the register." And so it's to get around... There is a step in there, and need

to get confirmed at each stage, that there is agreement that yes, that was the advice that was the response and so on. Yeah.

UNIDENTIFIED MALE:

Thank you. Fiona.

FIONA ASONGA:

Mine is an observation. I just visited the link provided, and I realize you can't get any information, and I'm just wondering the interest of transparency, is it possible for us to know what like there is there a link we are [INAUDIBLE 1:49:35] I can board regarding early warning and GAC advice?

As a member of the community, I'd be curious to know what the GAC feels about some of the issues that the community is handling. Can that be made public? Because I realize the login and therefore you can't get anything.

HEATHER DRYDEN:

The register is public, it has been public. If there is a problem with the link, then we need to correct that. But that the register is certainly intended to be public.

FIONA ASONGA:

I'm on right now, and it's not... There is a login, there is a login that, you need to go public access. [Laughs]

HEATHER DRYDEN:

Yes...

FIONA ASONGA:

I don't have your...

HEATHER DRYDEN:

I repeat, it's a public register, it's meant to be a public register, and if there is a problem with the [AUDIO BLANK SPOT 1:50:27 – 1:50:31]

Well, the links keep breaking on the GAC website. That's the fact. And so we're having a real challenge keeping up with the links, links continually breaking. So yeah, thank you. [AUDIO BLANK SPOT 1:50:46 – 1:50:51]

UNIDENTIFIED MALE:

Okay. Any other questions? Okay. Jamie, was it you?

JAMIE:

Thanks. Okay. So moving to the next slide. Recommendation 11, this ties to recommendations nine and 10, and deals with two issues. One is the Board and GAC working together to have the GAC advice provided and considered on a more timely basis.

And establishment of a formal documented process by which the Board responds to GAC advice. On the first one, the GAC advice register is a key enabler. The draft manual that Heather mentioned lays out timeline for every step along the way, so the – going from the issuance of the GAC communique to Board acknowledgement, Board response, through implementation and lots of iterate steps along the way in which Board and GAC communicate and provide opportunities for additional inputs.

The other... On the second issue, the formal documented process by which the Board responds to GAC advice, there is, the Board GAC recommendation on the implementation working group has a draft paper before it, laying out this formal process in six steps.

And also laying out timelines for each step along the way, and dealing it directly with the issue of what happens when the Board may disagree with GAC advice. And how the consultation takes place, the timeframe for the consultation, and as well as....

Right now, the default is there would be a six month consultation period, it could be... Either party could ask to extend it. The other part that's in there is, that in the event that the Board decides it is not going to implement the GAC advice and do something with which the GAC disagrees, that it only do so after a two-thirds vote of the Board or whatever section of the Board is responsible for that matter.

And that would require a bylaw change. This paper is going to be discussed further and likely finalized in Beijing, which will trigger subsequent action.

UNIDENTIFIED MALE:

Before we go to questions, just a housekeeping matter on the agenda. We need to get some other work done today, we've been talking about what we have to do for the rest of the day, and we obviously want to maximize the inputs from ICANN staff. It's critically important to do today.

In talking with Denise, I would suggest at this time that we... If everyone is willing to take a working lunch at the table? So that staff could continue to make presentations to us, we will continue the staff presentations until about 2:15, at which point we will have to turn our attention to the balance of the work that we have to produce before we leave today.

So is everybody comfortable with taking that approach to the balance of our time today? [Laughter] Working lunch? [Laughter] If there is no objections, I'd say why don't we take a pause right now and grab something to eat, bring it back to the table. With the GAC stuff? Okay.

Are we close? Okay. Terrific. Great. Okay. Let's finish the GAC stuff and then we'll break, come back for a working lunch.

JAMIE:

Next slide please, sorry. So recommendations 12 and 13 address GAC early engagement in the policy development process. And it really deals with improving GAC opportunities to engage earlier. And a prerequisite for this is, obviously, ensuring that the GAC is fully informed of policy activity within ICANN.

There is a lot of work that's continuing to go on and further consideration by the BGRI working group. As we mentioned earlier, this

is deceptively complex set of issues that they need to be dealt with to implement the recommendation.

The implementation tasks that have been implemented so far, include increased face to face for GAC meetings at ICANN meetings, and discussion of policy issues at each ICANN meeting. The GAC website has been redesigned, and is continuously being improved. And the advice registry has been launched.

And then there is also increased staff coordination and support for GAC processes and involvement within ICANN. Next slide please. As part of the continuous work, there was a pilot project that was launched back in November 2012 after consultations among the policy staff and working group at the Toronto meeting.

A lot of it is aimed at making sure the GAC is informed of policy activity within ICANN, and thereby enabling, ideally, the GAC to engage. It is... The policy support teams, the David Hollis team, produces a monthly report on all of the policy activity within ICANN that is posted to the GAC website.

There is a director from David's shop who is dedicated to managing this process. And then in Beijing, there will be an assessment by the Board, GAC group, BGRI working group of this pilot. We'll discuss possible improvements and other ideas for GAC early engagement.

The sense is that this is a time for experimentation to see... Because challenges there have been in the past where GAC, for the GAC engaging earlier in the process and how it works. It works with some of the other SOs. So.

UNIDENTIFIED FEMALE:

Please do, yes. I apologize, he left me with the mic, so thank you. Please.

UNIDENTIFIED MALE:

So, Jamie or Heather, help me understand. With this earlier notification, is the idea that this invites individual GA members to participate? Or is the idea that the GAC will do something more formal to have a GAC representative engage in these processes? Or is that still to be worked out?

HEATHER DRYDEN:

It's still to be worked out. I think what's being reported on here is really a first step as a pilot. So the working group that's overseeing this, is very much alive, that's the Board GAC working group. And so I think this is one of the ways that have been identified as a potential solution to get us around the challenge of engaging particularly in the GNSO, where they have lots of working groups and so on.

And then to try to align the GAC's working methods with the GNSO's working methods. So it's ongoing.

UNIDENTIFIED FEMALE:

Thank you. Any other questions or comments at this point? No? In which case, then perhaps... Oh. You have one more slide, okay I thought you had stopped. I'm sorry.

JAMIE:

So the last recommendation is 14, and it looks at enhancing participation within the GAC, particularly from countries, governments from the developing world. And creating a process around engaging senior government officials on issues that intersect ICANN and public policy.

In terms of implementation, a lot was done on this recommendation early on. In the 2012 budget, the travel support for the GAC, which my understanding it goes to exclusively to developing countries. Is that right?

Which tripled, and so there was a significantly increased funding for interpretation services at the GAC meetings, as well as translation of important documents into the six UN languages as well as Portuguese.

Increased support, staff support, was provided for the GAC Secretariat. And so that was done on the ICANN side. And GAC setup programs to educate new and newer GAC members about ICANN and the role of the GAC in DNS issues. Also there has been, from ICANN there has been increased...

As [Fadhi] has mentioned, much more increased engagement, internationally and particularly in the developing world in raising awareness of ICANN and the role of the GAC within it. And the last one, and Heather can add more on this one, was the pilot high level meeting at the Toronto meeting of senior government officials, that was co-hosted by the government of Canada.

From ICANN Board and from that perspective, it was a highly successful event. That shows up both in the GAC communique that followed as well as the Board resolution as adopted [in the latter meeting 2:02:16].

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JAMIE HEDLUND:

Okay. Recommendation 9 was concerned with clarifying what constitutes GAC public policy advice under the bylaws. This was one of the more straightforward recommendations I think to implement. My sense is the GAC took it on and had already been subject of a lot of discussion, as with a lot of these recommendations, among the joint GAC board working group.

While this was a straightforward recommendation to implement, it was also foundational for some of the follow on recommendations. The BGRI Working Group did discuss what needed clarifying. What was clarified

was how the GAC reaches consensus and what types of things the GAC provides advice.

The GAC, as a result of the discussions, updated or amended one of their operating principles, number 47, and put out the BGRI Working Group board GAC recommendations, implementation working group. Great acronym if there ever was one.

They put out a public statement announcing that the conclusion of implementing that recommendation and clarifying publicly what does constitute public GAC advice.

BRIAN CUTE:

Thanks Jamie. Question. This was one of the recommendations where the review team put a date certain to clarify by March 20eleven. One of the things that Review Team 2 is trying to understand is when there was a date certain included in the recommendation for action to be taken, was that date hit and if it wasn't, then also looking to understand in the case where it wasn't, why wasn't it from a neutral perspective? What were the obstacles because of processes or resources or other things that the Review Team might not have considered that led to a proposed implementation date not being hit?

That could also include that the Review Team didn't understand fully what it would take to implement it. It could also include the fact that there were some flaws on the side of the board or the GAC in their processes that couldn't be overcome.

In as neutral a sense as possible, if you could comment on that proposed deadline for implementation, whether it was hit and reasons behind that.

JAMIE HEDLUND:

I'd be happy to. This goes for the other recommendations, which also had the March 20eleven deadline. I can't speculate on what the ATRT-1 Review Team was considering or thinking about when they established these deadlines. Obviously it was a reflection of the importance and urgency of getting these things done.

From my staff's perspective, the main obstacle to – this one was not done on time. It wasn't fully done until, I think, March or April, sometime in 2012 when the public announcement – I think it was April – came out. The main reason for that was that for this recommendation and some of the others, it explicitly referenced the joint working groups' work and the final report, which would help inform the implementation of this and some of the other recommendations.

The joint working group did not finalize its report until June of 20eleven or six months after the ATRT report final recommendations came out. It was not really feasible, I don't think, for any of the recommendations to be completed before the joint working group had finished their work.

In the spreadsheet that you all have, there were some other reasons that were given including the difficulty of the board and GAC working group completing work between ICANN meetings. Most of the work on this and the other recommendations was actually accomplished and finalized at the ICANN meeting. The timing of those also made it difficult to hew to a specific deadline.

DENISE MICHEL:

Can I add just a quick note to follow-up – hi, this is Denise Michel – to follow up on what Jamie said. So when the board adopted the ATRT-1 report and the recommendations, it was accepting the recommendations, not the specific recommended deadline. And as part of the adoption the board also tasked staff with developing proposed implementation plans.

As part of that effort, I think the staff made it clear that in a number of areas the suggested deadlines, is what they were – the suggested deadlines, it was not feasible to meet them. That was an initial overlay on this work for a variety of reasons that we've discussed regarding different recommendations.

BRIAN CUTE:

Thank you. We've had this discussion yesterday too. Thank you, Jamie and Denise and Jamie for pointing to some of the responses in the spreadsheet. It would be helpful to this Review Team to understand the reasons why there were impediments.

One of the goals of this Review Team is to provide recommendations – better built recommendations – based on learnings from the past. Appreciate very much the overview and if there's additional reasons, be they resource, timing, how long certain processes took, by all means please provide this in this process so we can take them other consideration going forward.

Are there any questions from the Review Team for Jamie on this recommendation? Any comments? Bill, from your side, were there any observations you want to add?

BILL GRAHAM:

Yes, Brian, thank you. I think the point that Jamie makes about the requirement for face-to-face meetings is something that shouldn't be underestimated when dealing with GAC related recommendations from the team. We did, I think, do a fair bit of work for board committee intersessionally between the meetings, but it fundamentally is necessary from my perspective dealing with the GAC.

You can get so far by email and so forth, but ultimately you have to sit down face-to-face and discuss the issues in that format before you can come to a conclusion, even on something as simple as defining advice. That said, I think the response to this recommendation was very positive.

For many years I had been hearing personally things from board members, before I was on the board, not understanding what precisely constituted GAC advice and I was hearing from GAC members, both when I was in the GAC and afterwards, some fairly sweeping definitions.

The work done on this recommendation, I think, actually was fundamental to increasing understanding and effectiveness of board GAC working relationships. Thanks.

BRIAN CUTE: Thanks Bill. Go ahead, Jamie, please.

JAMIE HEDLUND: I was going to say and just echo what Bill said, which I had overlooked, which was there was a lot of work that was done intersessionally and a lot of email exchanges, some phone conversations, papers exchanged back and forth on these and the other recommendations, but as Bill says, it was really not possible to finalize the work outside of an ICANN public meeting.

BRIAN CUTE: Thanks very much. Bill, you have that unique status of having been on the GAC and on the board. With both hats on, you've seen the positive effect of the clarification of advice from the GAC perspective and the board on the receiving end.

BILL GRAHAM: Definitely. I think it's been helpful.

BRIAN CUTE: Any other questions on this recommendation? Online? Seeing none, thank you both. Can we move onto recommendation 10?

JAMIE HEDLUND: Sure. Should I go again?

BRIAN CUTE: Sure, if you've got this one.

JAMIE HEDLUND: Sure. Recommendation 10 was focused primarily on creating a formal documented process for requesting and tracking GAC advice. I think before this recommendation was implemented there was no formal process. There were complaints that all here I'm sure have heard many times about the lack of clarity on addressing GAC advice and following up on it.

It was coming out of the joint working group's report. There was a strong recommendation to build a process to make that transparent and make it visible to the community. What GAC advice was, when it was issued, what the board response was, and the follow on work was on it.

There was also no real clear way or clear signal before this that a particular process around GAC advice had been completed. That is that it's been fully implemented. There are exceptions to that. There are a couple of things now.

The advice register does exist. It is on the GAC website. I'm not sure I would classify it as being final. The board and GAC continue to iterate on it and there are known issues about lack of perfect performance just on the website side, but it has helped enormously in terms of, speaking from staff perspective, knowing what the GAC advice is and following deadlines, which was part of this process and recommendation eleven.

There are timelines that are developed. There are expectations on both the board and the GAC side in terms of when things are supposed to be done, communications are supposed to be had, and updates are to be given – and this leads into another recommendation – but what happens when the board is not inclined to accept GAC advice.

BRIAN CUTE: Jamie, when were these specific processes effectively in place? And the following question is going to be how many times have they been used since then, if we know?

JAMIE HEDLUND: I have to go back and find exactly when it was up. and it was being used before publicly announced. I think it was in 2012, but it has been used – it is populated with all of the communiqués from the beginning. It has been used and populated in a really detailed way for all of the communiqués, all the individual advice elements since going back to 2010 I believe. Jeannie, do you have exact dates?

JEANNIE ELLERS: The register was online and live March 2012 and then the communiqués with the detailed advice are from 2010 that are entered. There are some entries that don't have complete information. It's just the GAC advice and trying to track down the exact process from 2010 hasn't been easy as there wasn't a process, but it's getting much easier to add new information and it's a live register that keeps going.

Every time the GAC issues advice, it gets put in, core responses are entered in, timelines, next steps, everything like that.

JAMIE HEDLUND: Just to give an example, the Beijing, all of the individual elements of advice from the Beijing communiqué have been entered as well as the board's acknowledgement of receipt of that advice, which was a separate issue. And as we work forward to implementing or discussing that advice, the register will be continuously updated.

BRIAN CUTE: Thank you very much. Specifically with respect to the more formal documented process by which the board notifies the GAC of matters that affect public policy concerns, how often has that notification process been used? Do you have that quantified or has that been used yet?

JAMIE HEDLUND: As discussed in LA, there has yet to be really built out a formal process for the board to notify the GAC of matters that may have public policy impact. However, a lot of the work around that is really parts of recommendations twelve and 13 which are focused on – the parts of

those recommendations focus on getting the GAC or allowing the GAC to be engaged earlier in the process of policy development so that it's more of a bottom-up rather than a top-down method.

It seems, at least from a staff perspective, that it would make more sense for the GAC to become aware of potential matters of public policy through early awareness and early engagement in the policy development, which means the policy team in particular, which has taken significant strides to keep the GAC apprised of what's going on with ICANN.

BRIAN CUTE:

Thanks. I guess I'd ask from a GAC perspective, is there a noticeable improvement even in the informal context of raising awareness, whether it's formal notification or not, by the board to the GAC of policy issues that are important. Any comment there, Heather? Yeah, I am looking at you. Thanks.

HEATHER DRYDEN:

Where there's been progress really is with the register. It's really on issues that the GAC has been able to identify itself and has advised on and then consequently received a response from the board on it.

In terms of any kind of process where issues are being flagged for the GAC by the board, that just isn't really happening. I think there's still a feeling because, as Jaime points out quite rightly, this links to the issue of earlier engagement in the overall policy development process, I think there's still interest in exploring this particular avenue or looking at it as being a possible part of the solution overall.

I think really from the GAC side we see the board's role as critical to enabling the GAC's earlier participation and engagement. It's a really key component. Whether it looks exactly as drafted in the recommendation or not, we haven't quite gotten to that point I think.

BRIAN CUTE:

Thanks. I guess one of the things that would be useful to explore for this Review Team is the context of the moment. That that recommendation was drafted in the context of that moment three years ago, and in today's environment, is that still a useful tool – a formal notification process? Views on that would be welcome. Is earlier engagement with other parts of the community the better tool?

Any observations or thoughts on those issues would be welcome from both sides as we think this through.

BILL GRAHAM:

Brian, it's Bill. From my perspective I really would emphasize that for the board members of the implementation committee, we do see the mechanisms that we're currently working on to try to assist the GAC to become involved in the ICANN policy process earlier on to be vital to this.

Because of the bottom-up nature of policy development in ICANN, the board is often not aware any earlier than the GAC, to be perfectly frank, of public policy issues that are developing primarily in the GNSO. They have their own processes and I'd say, to be frank as a general rule, the board are not following what's going on in the GNSO on a day-to-day basis in great detail.

It's there to my mind that we really need an eye on the possibility of public policy issues arising. Now there have been instances where public policy issues have been evident in PDPs when the result comes to the board and certainly through Heather as the liaison. She's immediately aware of those things, if not before. Increasingly she's aware before I would say.

But it is a little problematic to, and I would say speaking personally, possibly a bit too late, to ask for the board to be notifying the GAC given that we're certainly not the first to know. Thanks.

BRIAN CUTE:

Thanks very much. Helpful. Any questions from the Review Team? Fiona Alexander.

FIONA ALEXANDER:

I just have a question. I know David's team is doing all these great policy briefings. I see them on the GAC lists and papers. I know the volume of work in the GAC the last three months has been tremendous in regards to new gTLDs.

Do you think that what David has been doing has been fully appreciated or people have a chance to take a look at it or is that a tool that you need to explore more? I just think the volume of the GAC for the last four months has been challenged to take on anything new and that could be reflective of that, but I'd be curious – Carlos, (inaudible) GAC.

(HEATHER DRYDEN:

I think you're quite right with what you're saying. The volume issue remains a challenge, but we have looked at trying to receive information from the GNSO and David Olive has been key in organizing that for the GAC. To look at ways to be advised by those doing the work quite directly about what's going on. and then it's a matter of putting some kind of process around that in order to connect that up with the GAC's planning.

In periods where we have a lot of intense work and a lot of volume of work, like we have in recent months, it just means us not doing anything on another topic or issue at all. Even communicating that is difficult. But I think this is very worthy to explore.

In terms of the liaison role that the GAC chair plays to the board, just because Bill mentioned that, I'd like to touch on that as well. There has been a tendency in the past, I think, to want to project too much onto that role. It is really important. It is a means of moving information back and forth and helping connecting up the board and the GAC.

There is no question about that, but I would be wary of placing greater responsibility or the burden of more formally communicating back and forth solely on the shoulders of that liaison. I think that's probably asking too much of that role. And as I say, I think that's been one of the assumptions on the board in the past or an expectation that the liaison would somehow be able to go back and communicate all and everything in their own personal capacity to a body like the GAC. That hasn't really been realistic.

Anyway, to come back to this key point I think that it is important to look at the movement of information and communication between the parts of the community, but that's not to diminish the role of the board because really the board, I think, has to make this happen on some level as well. Thank you.

BRIAN CUTE:

Thank you. Alan and then Carlos.

ALAN GREENBERG:

Just a quick comment as you were saying that the onus should not be on the liaison to act as purely the conduit. I would think the onus is on the liaison to flag for the board that maybe the GAC needs to be informed of something or other, if the board is not already obviously aware of it, but I would think the communication needs to be more formal than just tapping you on the shoulder and saying, "Tell them."

I would think that if the board needs to alert the GAC to some issue that the GAC should be taking action on, it should be done through a more formal instrument than simply asking the liaison to do it.

(HEATHER DRYDEN):

I think that's right, but I also think Bill is correct in saying that if you are going to reasonably ask the liaison at the board to say, "Oh, the GAC is going to have an interest in this," that's late and the intention of this recommendation is not that. It is to be advising the GAC earlier on about the issues. It's not going to meet the recommendation as outlined here anyway.

ALAN GREENBERG:

For clarification, I wouldn't think that's the primary path that the GAC gets information on, but if that communication should be necessary, it should be done through a slightly more formal means than a tap on the shoulder.

BRIAN CUTE:

Thanks very much. Carlos?

CARLOS RAÚL GUTIERREZ:

Yes. I just want to connect a few dots. In Toronto we had a presentation on the early involvement on the policy development process, which was very interesting, but very short. It started late in the barrier and we couldn't ask questions.

Then the paper showed up in an e-mail from one of the GAC members, so we had no formal introduction to the paper again. In the meeting you had in Beijing, the representative from Australia gave very interesting

thoughts about the two different speeds, the GNSO award and policy development as against the slow speed of GAC.

And when I listened to this comment today that the board does not get wind of new policy development any earlier than the GAC, then we seriously have to consider including in our review analyzing directly GNSO/GAC issues. Thank you.

BRIAN CUTE:

Thank you. Any other comments or questions? David?

DAVID CONRAD:

If I may, we're talking about a policy development process that's iterative step-by-step. It's unclear when you start the process what the recommendations will be and so it's a little hard to expect the board to know when the working group itself is working out what those recommendations might be, but we do of course provide a monthly report to everyone, including the board members, on our policy updates that provide the information of where they are in each step of the process.

It's not unreasonable to say that the board will look at this toward the end of the process when there are solid recommendations as opposed to the sausage making at the beginning of the process.

BRIAN CUTE:

Thank you David. Just to note, Jaime and Bill and others, if you're presenting stuff you've already presented to us in LA the first time or later, it's understood and appreciated, but this discussion is adding some of the context and depth that we really need to get to to understand how implementation occurred and whether it provided a useful effect or not or whether it was slightly off target and we need to look at other targets. Very good discussion and observations by all. Thank you.

Any other points on number 10? Questions? I don't see any hands online. Can we move onto eleven? That's up on the board now. Whoever owns that. Sam?

SAMANTHA EISNER:

This is Samantha Eisner for the record. This recommendation has really two parts to it. It first actually been covered somewhat through the discussion on recommendation 10, which is the establishment of the document process by which the board responds to GAC advice. The second part of this is the procedures through which GAC and the board will go ahead with the consultation that's set out in the bylaws in the event that the board determines to act in way that may be inconsistent with the GAC advice.

A lot of the discussion that already happened in relation to 10 really discusses that register process, and as Jeannie mentioned, the register now includes timelines and has a response. There is now a formal timeline, an expectation of how the board will receive and respond to GAC advice.

One of the important parts of that process includes an opportunity for the board to receive clarification on GAC advice. One of the things that we've seen in the past is that the board hasn't necessarily been clear on what the advice meant or if something was advice.

And through these recommendations that's all getting clearer, as you say at number 9 I believe, defining what advice actually is and the moving forward to putting in a step in the process that allows for clarification of what the advice that the board received is so that the board can know that the actions that it intends to take are actually in contravention of that GAC advice or if they can be in harmony with it.

The second part of this recommendation about the consultation, the work was taken from the board GAC working group into the board GAC recommendation implementation working group, the BGRI, and through the BGRI processes have been identified and lays out a timeline with an expectation of a six month window of how that consultation process will happen.

It includes opportunities for papers to be submitted, timelines to be identified between the chair of the board and the chair of the GAC and then also an opportunity in the event that six months isn't long enough for either side to identify a longer period of time. I can answer any questions.

BRIAN CUTE:

Any questions from the Review Team? Fiona Alexander.

FIONA ALEXANDER:

I'm just curious. Is this posted now on the GAC website or somewhere publicly?

SAMANTHA EISNER:

I don't think it's a public document yet because it has been discussed within the recommendation and implementation working groups, depending on the status of those discussion, which maybe Bill can help identify, but since I have the microphone I will just point out the related area where I think there's been progress and that is in the restricting of the communiqué.

This really help us as well build out the register and it's much more clear when the GAC is offering comments versus using the phraseology of the GAC advises the board and then specific items of advice. I think that has benefited us quite a bit in our efforts. Bill, can you help us with what is the status of that document?

BILL GRAHAM:

To be perfectly honest I have not thought about that much. There's no reason at this point – after the discussions in Beijing I think it could be public. The reason it's been held up and not published until now, in my view, is because we were waiting to figure out whether we were going to go ahead rapidly with a couple of bylaw amendments that are required or whether we would hold off for a larger package of

amendments that may be recommended by the GAC following the new gTLD round.

The decision was taken in Beijing to put the processes that we've discussed including things that might require a bylaw amendment to be hard coated into the Board Operations Operating Manual and that step I believe has been taken. Certainly the board understands and agrees with those steps I believe. So there's no good reason why the document couldn't or shouldn't be published in my view.

I think I would also say Heather's comments about restructuring the communiqué, that has been tremendously helpful to us in understanding, on the board side, in separating the advice from comments and making it easier to operationalize and consider at the board level. Thanks.

BRIAN CUTE: Thanks very much. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thank you Brian. It's Olivier for the transcript. Had there been any looking into the use of advice with an uppercase A rather than advice with a normal lowercase A? I'm asking this because on previous occasions with ALAC advice that we have provided to the board, there has been a distinction between the uppercase and the lowercase A and sometimes you may think that lowercase A is just general advice while uppercase A is really a statement of the GAC that you need to follow. Just a thought.

HEATHER DRYDEN: I think we need to setup the committee immediately to look at those questions.

OLIVIER CRÉPIN-LEBLOND: Would that be uppercase committee or lowercase committee?

BRIAN CUTE: I think they've sorted it, troublemaker.

OLIVIER CRÉPIN-LEBLOND: Multi-stakeholder committee though.

BRIAN CUTE: Any serious comment in terms of how you clarify that?

HEATHER DRYDEN: We just haven't distinguished. It hasn't held us up in any way. No one's queried it, but it does speak to as well this issue that is really an important consideration for governments and that is the weight of their advice and that it is something that has adequate influence over the decision-making process.

In having the GAC talk about its own decisions because it works independently and having it talk about its advice and referencing the formal aspects that are associated with that advice, as outlined in the bylaws. It's always useful to be emphasizing that and conveying the significance of the consensus advice that we develop. It's a difficult process for us and those results are really a demonstration I think of those things.

BRIAN CUTE: Thanks. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thank you, Brian. It's Olivier. My question might have seemed trivial, but in fact it was based on the fact that with a capital A you could define what the advice is and define it in your words. In other words, say what advice is from the GAC and at that point whenever you refer to advice it is your definition of advice and that produces some clarity.

BRIAN CUTE: Thank you. Avri – oh, Bill.

BILL GRAHAM: If you look at recent GAC communiqué since the new format has been put in place, there's a separate section called GAC advice to the ICANN board and each piece of advice is set out as clearly as possible given the GAC consensus process as very specific advice for the boards to pay attention to, which wasn't always the case prior to this.

BRIAN CUTE: Thank you Bill. Avri?

AVRI DORIA: Thank you. I guess I was not paying attention because I never realized that everything in the communiqué wasn't advice written in all caps like "mus"t written in all caps and RC documents. I think that I'm not actually alone in the community that's still not aware that when a communiqué comes out there are various levels of comment, some of which are advice with large and some of which are comments, opinions, and whatever.

I think it's actually the fact that this – I know it probably wasn't done in March 20eleven, but the fact that there is a document that describes the various levels of GAC comment. As I say, maybe I missed it, but that that hasn't been socialized to the whole community because I know I'm not alone in looking at the last GAC communiqué and saying, "Yeah, it's all advice," because in the past there's been this full position that anything that GAC says is advice. And if that's not the case, I don't know if I'm the only one that didn't realize that.

HEATHER DRYDEN: Thank you Avri. I think that's really a great perspective to be aware of and I suspect you're probably right around socializing, this concept of clarifying really what is in a communiqué and how to respond to it.

As Bill mentioned, in terms of the board, the main recipient of the communiqué, there has been a notable difference with that where the board is able to identify more readily what is formal advice, but if you consider that in a communiqué typically we'll talk about new members. We'll request written briefings. And even with the advice there may be a bit of explanation around it before we get into the advice, but it's also really useful information. This is why we have found this restructuring to work so well for us and that aspect of explaining is something we should probably pay more attention to.

BRIAN CUTE: Sure. Avri?

AVRI DORIA: Yes, indeed the communiqué did make for better reading. I think though when you're putting out a communiqué, especially like the ones with the new gTLD comments in it, it's going to a wider audience than just the board. (inaudible)

HEATHER DRYDEN: I don't mean to suggest otherwise, but of course I have better insight being the liaison to the board to where I am with communicating with the board about GAC insights. Why their community, it's more difficult for me to have a sense of that and that's why I find your comment so helpful.

BRIAN CUTE: Thank you. I'd like to just come back to the process on how the board will inform the GAC in a timely basis whether it agrees or disagrees with the advice. We talked about the document that captures that and that potentially being published sometime in the not too distant future. I would just suggest that if and when that process is utilized, if that happens before the Review Team's work is done, certainly any observations about how that process worked from both the board perspective and the GAC perspective would be welcome input to this Review Team as well to the extent the mechanism is used. Steve?

STEVE CROCKER: I hesitate because a lot's been said, but I have been paying very close attention to this process myself. Two key things. Bill and Heather and (Menal) and a team of people have been working very hard to develop a formal process that is associated with this so-called register. So it's not just a listing, but it's also a process associated with that.

Key steps are receipt of advice and making sure that the transmission of the advice is heard and understood just in terms of clarity. Never mind agreement. Never mind what the implementation might be, but just the hand off. That's phase one of a four phase step. The last phase is claiming that it was dealt with and agreement that that was true. So those are the bookends.

The second phase is an assessment of how much time it will take in order to respond. The first two phases are intended to be very short, bounded time, predictable, and then a third phase that is dependent upon what the substance of it is, but the shape of that is the output of the second phase that says, "We've looked at this and here's the issues and here's what we're going to do about them."

This communiqué, the one that came out in Beijing, would be the first serious test of that process. Various of us, including myself – and I've already stopped by and chatted with Jeannie about these and she's of the same mind. We're looking hard to see how this is going to play out.

That's one of the two processes that I wanted to say and that is, from my perspective, the mainline overarching process. Within that is the part that is the most interesting, which is what happens if the board

doesn't agree, then we get into the formal process of consultation and so forth.

That is of course heavy weight and important and has to be viewed. We get to a certain point and then we go into this other set of rules and processes and so forth. What I'm hungering for is to see the whole thing laid out in a very clear full description, not quite there yet, and see the process run and get all the statistics addressed about out how often these things happen and so forth and be able to show for each piece of advice that's in the GAC communiqué what happened to it and how it progressed through the steps and so forth.

Think of it as you've got a front row seat on the assembly line. You're watching through the glass cage this factory process. We're a good ways there. We're not quite at the place that I would say everything you want to know is laid out here, but we're there. The restructuring of the GAC communiqué was a very big step forward. I have to compliment Heather and her team because there was uncertainty about is that really advice or is that just sort of a comment and so forth?

Now there is a section that says this is advice and all the other stuff is, by their choice, curtained off from that. So then the next step is that section that's called advice sliced and diced into individual items and each one of those subjected to the process that I described.

BRIAN CUTE:

Thank you very much. Looking forward to that. Any questions online? Any other comments on this before we move onto the next recommendation? I think we're doing okay on time. What's the next one up on the screen? Is it twelve? Sorry, we don't have it on the screen right now. Number twelve and I think we alluded to this a little bit in prior discussion. Whoever owns the report on this, take it away please. David?

DAVID CONRAD:

Thank you very much Brian. We combined twelve and 13 and it's important to note the wording there. The board acting through the GAC board joint working group should develop and implement a process to engage the GAC earlier in the policy development process. Ensure GAC is fully informed of the policy agenda and the policy staff is aware of GAC concerns.

Again, this links to what was earlier said about working with the GAC board working group on this. That we as staff were supportive of the efforts, but it was best for them to work out the best modalities. In the meantime, of course, the challenge and a good experience for us as a policy staff.

I'd also to say that Brian Peck, our policy director, is also here because he's actively involved in this as well, was to take the information that we have and make sure that it is in a simplified and understandable format

that is useful to the various SOs and ACs that we're trying to communicate, in this case the GAC.

I've had experience in my earlier life being in the government and knowing what the one page summary is useful and can be very useful for in circulating to others and getting an idea of what's going on and the notion generally, as I tried to do as leading the policy team, is to simplify that which we can, many complex issues that are somewhat hard to reduce to one page, but we can do that.

In this particular challenge, it was how best to package, if you will, the information that we have that is best useable for the GAC and to inform them of the start of policy development processes that they should be aware of to help their effort, one, to understand the issue and, two, to have them focus on possible public policy implications as their general role; and the third to see what other type of active involvement they could be in working groups or inputs into the process going forward.

With that we came up with a pilot project, which we briefed the board on in Toronto, to have these one page quick summaries in the six UN languages at the start of the various policy development processes, either from the GSNO, ccNSO, or in those cases global policy, the ASO, so that they would know when these processes started, where they were, what stage of the development of those activities were and could be informed about that.

This was presented, as I say, in Toronto. We started the pilot project soon thereafter for these monthly reports that are first circulated by Jeannie to GAC members, but also posted on the public GAC website and this was in conjunction with engaging the various support organizations that develop policy to have further engagement with the GAC leaders on the policy so that questions could be asked and answers given.

What we've learned is that the one-pager is a very helpful guide, but it was something that we had parts of and it links to fuller explanations of the various websites of the supporting organizations, but it is a quick guide. We hope that that can serve as a start to the information because many were confused that the start of a PDP was somewhat too late.

Noting the various steps in the process, it's not too late when we begin it and there was efforts to have inputs either formally or informally, either through the working groups or at other stages. But what we did learn from that is that there was only in the ccNSO a formalized process at a certain stage in their development of the policy to inform the GAC, whereas the GSNO had a more informal way of informing everybody – all the stakeholders, the SOs and the ACs – that they were starting a working group. The issue was X and please join our input.

What we've learned in that process is that maybe a more formalized notification process might be in order for that in addition to the one pagers that we're providing. So that is a helpful guide.

We saw in the briefing in Beijing further comments on this process linked again to a more face-to-face or interchanges between GSNO leadership and ccNSO leadership and the GAC and where appropriate, the ASO leadership and the GAC, to refine their exchanges and further talked about issues and ways to have the GAC input into them.

In terms of a beneficial aspect, a simple one-page executive summary is useful for everyone and we've learned in the policy team that this is also may be useful to the other ACs to use that similar format in the six UN languages as another instructive way of keeping people informed of when the policy process has begun in the various supporting organizations.

This is in conjunction with, and again this is all publicly available, with our policy monthly. The policy monthly is a short description, if you will a summary. The one-pager is a little more detail, but it links to the details of the substances of the working groups and so it allows people to dig deeper into the issues if they so care to, but provides the overview that they may need to say when we should be involved or how we should be involved.

So to that extent, it's an ongoing process. It is not complete. It will probably change, but from our policy staff point of view I think it's been helpful to learn how best to tailor this information to the guidelines of the working procedures of the various advisory committees and how they can best digest and use this information. That's our primary goal and we're happy to work with the GAC chair and the committee to make that happen. Thank you very much.

BRIAN CUTE:

Thank you, David. If you don't mind, I'm going to kick off. Thanks very much. Clearly twelve and 13, if you boil it down, are about engaging the GAC earlier in the process and making sure the GAC is fully informed, if I were to boil away most of those words.

I just have a general question, overarching question. Global policy in reference to ASO, public policy, general responsibility of the GAC, policy, knowing that there's an animal called consensus policy. Is there a clear understanding when we use the word policy in its various forms at your level, in the engagement with the GAC to make sure the GAC is engaged early and fully informed? Any and all of those words. and I hesitate to even mention that there's something called implementation and executive function just on top of that. Is there clarity, from your perspective David at your level, in your job, and as you engage with the GAC on these points?

DAVID CONRAD:

I would say there is clarity and we try to make it clear, but I think at every stage we have to reiterate and state that. That there are various policies that I can develop by various groups. There are specific meanings to the supporting organizations and what they do as mandated by the bylaws. That is what I would call the policy development process in the formal sense of making recommendations to the board for the board to accept or not and then move to implementation.

To that extent, we focused on the early engagement and the materials for the GAC on those issues. By and large consensus policy issues that are major issues. Other decisions, other small P policies that may be best practices adoptions or whatever, that is something that's not really what we're focusing on The GAC about. We tried to get them informed by the policy monthly update, which talks about other elements that they're dealing with, but generally the focus is on the consensus policies that they would have to worry about and the board would have to worry about.

BRIAN CUTE:

Thank you very much. Alan?

ALAN GREENBERG:

A couple of comments. On your last one on policy, in Beijing I was double and triple booked many days and I walked into a GNSO meeting halfway through and there was this angst-driven discussion of policy related to the trademark clearing house. I listened for 10 minutes and finally realized this was not policy in the form of gTLD policy, but because they were using the word it was taken that way.

This was the trademark clearing house needed their rules set for how to handle certain situations. It was very much an implementation issue, but policies are what we use. My PC has a security policy. It wasn't approved by the gTLD, by the GNSO.

We use the words loosely sometimes and people interpret them in very different ways than they were meant. Just every time we use the word policy, it needs to be taken with care.

BRIAN CUTE:

David, as a response; and then Heather.

DAVID CONRAD:

Yes, and that's a very good point, Alan, and we try to be very precise on that. You're right. In general it's sometimes a shortcut or a quick label to use policy to cover everything, and of course they turn to me and they say, "You're making that or you're responsible for that," and I say, "Now wait a minute. There are distinctions."

We try to make that very, very clear and we have to repeat that rightly or wrongly for that clarity so there's not confusion. Because you're right – implementation is something else and that is implementing the policy and not making policy.

HEATHER DRYDEN:

Listening to these last exchanges has been pretty informative for me because I'm realizing that there isn't good understanding in the GAC and not on my part. There's alignment between what we think we're covering when we say the phrase, 'GAC early engagement in the PDP,' and if you're talking about things like consensus policy, I'm not sure I know what that covers or what people's understanding is of what that covers. I don't understand it.

I think this is something to explore more. There's the common understanding of policy versus implementation and then there's the significance of all of these terms in the community for the GNSO, that they're referenced in your working methods documents and this kind of thing. That's yet another layer that I don't think the GAC has really thought about and maybe there are others as well.

ALAN GREENBERG:

Note I was talking about discussion within the GSO where they supposedly know what their own words mean, but they were taking them completely out of context because English words often have generic meanings, not necessarily ICANN meanings.

My other comment was it strikes me, David, that most of what you were discussing was really number 13, and that is awareness of the GAC of what's going on. Number twelve talks about engaging and engaging is a two directional street and I find it interesting and I must admit I've never noticed it before, but twelve said the board acting through the GAC or joint working group should develop a process to engage the GAC in the policy development process, that is the development process of the SOs without mentioning the SO should be involved in that. It just strikes me as being somewhat one-sided and indeed we haven't done much of that.

BILL GRAHAM:

It's Bill. Can I offer a bit of information?

BRIAN CUTE:

Sure Bill. Go ahead, then Steve.

BILL GRAHAM:

I think as we continue to work towards this, and I really have to commend the work that David and his staff, and in fact the ICANN staff in general, have done to help out with this. We are making some progress.

We finally now, I think, reached a point where – this happened in Beijing. We as the board side facilitated a meeting between several people on the GNSO Council and the GAC and really had what I thought was a very constructive conversation about how to best engage the GAC constructively with the GNSO and at what point.

That work is ongoing. So I think the board is actually playing that role in a useful way here and in fact as recently as two hours ago got a communication from Jonathan Robinson, who's chair of the council,

with some additional work that's been done by staff and asking how we can advance this constructive engagement.

I think we're playing a bit of a go-between role with the GAC on this and I'm personally quite – what's the word? Encouraged, I guess, by the positive attitude that both the GNSO council folks and the GAC members have had in this discussion so far.

BRIAN CUTE:

Thank you Bill. Steve, did you have comments? Heather, did you have comments? I hear Alan's comment on the construction of the recommendation to suggest that somehow the ACs and SOs who might be important parties to this are not mentioned. That's a question mark. I think that's something we should ponder.

The other reason I asked a question about global policy, public policy, consensus policy and policy, you could look at recommendation twelve and conclude that the Review Team intended that this work be focused on policy development process, which would imply consensus policies, although that's not explicit.

But just to add to Alan's point and to echo Heather's point, there are some veterans in the ICANN world who think something is a consensus policy and when you actually look back through the mess of ICANN time you find out actually it wasn't the result of the PDP process. It was something organic at the beginning of time.

So I think there is an issue here around the clarity of understanding across the community as to what these terms of art mean and might be something good for us to focus on as a review team going forward too. Any other questions? Alan. I'm sorry. I had Olivier in the queue and then Alan.

OLIVIER CRÉPIN-LEBLOND:

Thanks very much, Brian and I'm glad I'm speaking before Alan because he usually says what I want to say and that's a bit of a...Olivier for the transcript. A quick thing. I think recommendation twelve does have – or might run a real problem in implementation. I can understand the recommendation. I can understand the feedback that was provided by staff and that is on our working sheet, but I have a question for Heather.

Is this something that is implementable? Can the GAC take part in early policy development? In other words, can the GAC take part in the PDPs, in the GNSO? Because the PDP process and the GNSO is effectively a working group. You have individuals that are on the working group. You have to make quick decisions. You have to get the work done quickly and move forward and find consensus there and then.

Yet the way the GAC works, GAC members cannot represent the GAC. You'd probably be able to explain this to us, but from what I understand from the GAC, this is not a body where each member is able to take on the microphone and say, "I can speak on behalf of the GAC." On top of

that, every GAC member has to report back to their government to find out what the point of view is.

We're not dealing with individuals who have the freedom to act as they wish to do and the freedom to engage in the policy development process or the PDP process and the GNSO.

HEATHER DRYDEN:

Thank you for these questions. In terms of just generally the challenges of implementing on this recommendation, this is really the one that's outstanding and the one that's really still very significant for us to look at and it's precisely because of some of the challenges that you outlined that we're still talking about this as we are.

As far as, I think you had said participating in, I think it might be useful to think about the GAC contributing to that policy development process. We know that there are really quite different working methods between the GNSO and the GAC and we need to acknowledge that upfront.

Then we need to expect to both sides to adjust. That seems like the equitable thing to do, but if it's the case that what is most useful is some sort of written guidance, even if we have to identify perhaps an interim or comments that are interim coming from the GAC, can there be some sort of milestone or moment in time where there's an understanding that the GAC will try to generate that. It will be received and looked at. Is that the kind of thing that you can actually look at building into both sides in order to facilitate that?

I really don't believe that you will have a point in time where the GAC as a whole will be able to participate in the working group in the way that others do from the community that are active in the GSNO working groups.

It's very challenging when you have numerous calls. I think someone had told me about one of the working groups. They were having two calls a week and for a government representative, that's so completely outside their experience and their ability to join in. That if they were participating, it would probably mean they were extremely concerned about what was happening, but that rate of discussion by an e-mail list, lots of back and forth, this is just not how governments are able to communicate. But of course we have to respect the working methods as well of the GSNO and I say, find a way to adjust in a way that works.

ALAN GREENBERG:

Brian handed the chair to me. I was next in the list, but Carlos has an obvious need to speak so go ahead.

CARLOS RAÚL GUTIERREZ:

I want to relate question twelve and 13 and my surprise that who knows what on the policy agenda is. I think the keyword in 13 is on the policy agenda. We need to know what the policy agenda is. Not of the board. We need the policy agenda period even if it doesn't get to the board

because yesterday we had discussions of issues that might not be right, that might be in the agenda for the board, but then might be taken out of the board. I think that's perfectly normal.

But that requires the first step for GAC to follow-up is to have transparency in the policy agenda and then we have to add what Brian just said. This is a private sector led process and it should continue as such and government should forebear to act before public policy is necessary.

This is just standard 101 legacy telecom regulation. I know we should not use the word here, but it can be organized. If there is a transparency in the policy agenda before the board and the GAC is not behind the board waiting for the board to tell them what the policy agenda is and if there is clarity that there is a second instance where an analysis of public policy can be done, as Steve just mentioned we're going to try this time would be gTLDs. I think it's perfectly fine. We just have to have the whole picture.

ALAN GREENBERG: Do I sense Heather wants to respond to Carlos? And I'm just accumulating more points I have to add here.

HEATHER DRYDEN: That's great. We're having a really good discussion. So the way I understand what Carlos is saying is that we have to be careful. If we say early engagement, we mean not too early engagement.

CARLOS RAÚL GUTIERREZ: Transparency of what the agenda is.

HEATHER DRYDEN: Right. Transparency. Okay. All right, thank you.

ALAN GREENBERG: The chair is back. Okay. The original point I put my hand up was just to say something very nice. I'll change that. I just note in twelve it says policy development process in lowercase, which is a much more generic term than PDP and I think it's important that we recall this because policies can be developed in a lot of different venues.

Occasionally we substitute the term PDP in capitals and think that (often escapes) the real issue. We're trying to get early involvement in developing policy, not in a specific named process that's in the bylaws.

BRIAN CUTE: I think by recollection that it was intended to be the formal PDP process without the capitals. I don't know if that makes it lowercase A advice equivalent, but I don't think that was the intent. We can check that.

UNIDENTIFIED FEMALE: We need that committee.

ALAN GREENBERG: Brian, you've got it right. Take credit for it, even if it was by accident. Just an aside to Heather, I believe there once was one working group that met twice a week for a few months once. It is not the common thing and I believe that was vertical integration, a dirty word, so let's not talk about that one too much.

When we talk about GAC participation, I normally take that at the development level to really mean GAC member participation, not GAC participation as a formal entity. I'll let you rebut. My only comment is look at the ATRT, look at the other review teams. We have GAC members at times participating. They don't before speaking say, "I have to go back and check with my government." These are open recorded meetings, which everything is attributable to them, but somehow we've overcome the fear that it's going to be interpreted as a formal statement of the government or things like that.

And I think we have to think about it perhaps and try to figure out is there a way we can use the model in the review teams to get similar engagement in other types of working groups in ICANN.

BRIAN CUTE: When did that happen? Carlos?

CARLOS RAÚL GUTIERREZ: That brings me back to the discussion we had yesterday on the NomCom. Let's say their requirements to become a GAC member are not standardized. They don't come from the same type of government agencies, depending on the country. I would advise against taking GAC as a black box of standardized governmental officials at the same technical level with the same initiative, with the same interest and so on.

And that's a serious problem. That's a serious problem because if you compare the GAC to other governmental organizations that are more standardized where they're represented by ministers across the board and so on, we have a difference in expectations. I think that we should go through the GAC question with the same standards that we went through the board.

What is the technical qualifications? What is their background, etc. and go a little bit deeper in that analogy because that has serious implications. If you expect that the GAC will give you the governmental legitimacy that you need, you might be wrong and that brings us back to a series of other questions, how to deal with government.

BRIAN CUTE: Thank you Carlos. David, Jørgen, and Alan. David, please. That's fine. Thank you.

BILL GRAHAM: Hi, it's Bill here. I'm not hearing anything. Have we dropped?

UNIDENTIFIED MALE: Sorry, Bill, I was talking to you. I was on mute. Are you still there?

(CHERYL): (Cheryl) here. We've got no audio, if we're on Adobe Connect.

BRIAN CUTE: Heather?

HEATHER DRYDEN: To this point governments appoint their representative. It's not something that GAC comments on. Certainly not something the chair comments on. They designate their representative and as to which part

of government they come from. Sometimes there's some history so a regulator may have been more active in this area and have responsibility. In other cases they might be a ministry or foreign ministry communications, science and technology, but I wouldn't comment personally any further than to note that fact.

BRIAN CUTE:

Thank you. Jørgen?

JØRGEN ANDERSEN:

Just to come back. As I see it – and thank you for the answer – I think it can be of absolute no importance whether a representative comes from a regulatory or from a ministry or another government agency. In his or her capacity as member of GAC, he or she is representing the government. Meaning the group of ministers. I understand your replies there. That is your consideration when looking at the country's representative, right?

HEATHER DRYDEN:

That's what we assume and we also have an expectation, but it's nothing stronger than an expectation that someone be a public servant, but that's not the case with all governments. In some cases they may have a consultant or someone that is from another organization or company that they have been appointing to the GAC.

We do talk about this in our operating principles. I forget the precise language, but as I say, when I talk about representation in the GAC, I communicate it as an expectation that they be an official, that they be an actual public servant.

BRIAN CUTE:

Thank you. Olivier, please.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Brian. It's Olivier. Carlos, did you want to respond or did you put your hand down?

CARLOS RAÚL GUTIERREZ:

I fully agree with Jørgen's statement and with the clarification that Heather made and with the expectation that the technical level is not even within the GAC and that shows in the level of engagement during the public meetings and between the public meetings and so on and so forth. I think it's pretty clear. I could agree with what you say.

OLIVIER CRÉPIN-LEBLOND:

It's Olivier again. I wanted to come back to Carlos' earlier mentions of the policy agenda and who effectively sets the policy agenda. I have a concern that the policy agenda is often too centered around the board policy agenda, which we are all aware of because the board is I think transparent enough these days to clearly show what they are working on at the moment. That's a good thing. But I'd like to think that ICANN is bottom up and so that the policy agenda is actually set by the bottom, not set by the people at the top.

Now admittedly there is a mix of this at the moment, especially with recent work that has taken place where you have some top-down and some bottom-up policy agenda being set. But I wonder whether – I

mean, I know that the policy agenda is clearly found in the GNSO. You go on GNSO Wiki pages and you find out what the agenda is and you go to the ccNSO and you can see it. You go to some of the advisory committees and you can see it, but there doesn't seem to be a consolidated policy agenda as to what part of ICANN is doing what and what part of ICANN is working on what at the moment.

So in the implementation of this recommendation I really wonder what part of the policy agenda is GAC fully informed on. Is there knowledge of this?

UNIDENTIFIED MALE: Now there is the vague term of policy, Olivier.

OLIVIER CRÉPIN-LEBLOND: With a lowercase P did you mean?

UNIDENTIFIED MALE: That could be anything. When they approve the budget, that's the budget policy. Now there's bottom-Up and top-down involved with that. The answer is that the SOs develop policy and policies can be suggested to them by the board and any of the advisory committees. That's a top-down, bottom-up process and the GNSO or the ccNSO or the ASO itself can generate a policy development process.

To that extent it's been less used for the advisory committees to suggest to the GNSO or the ccNSO to take up a topic. The board has done that on occasion and most of the other occasions have been from the groups themselves.

So it's a combination of the ACs coming to the supporting organizations who have the primary responsibility for starting that process and making a recommendation to the board.

Now in terms of what does the GAC know or should now, we're trying to provide a priority, if you will, of those major issues, consensus policy issues. Not necessarily the budget process or the strategic plan from that point.

BRIAN CUTE: Follow-up for Olivier. Is that okay Heather before we get to...?

OLIVIER CRÉPIN-LEBLOND: Thank you very much Brian. It's Olivier for the transcript. Permit me to say that this morning you have contradicted yourself, and the reason being that staff sets a priority for policy issues for the GAC, but does not want to set a priority for public comment issues earlier because it felt that it was in some kind of conflict for doing so. Why is there a difference between setting a priority for the GAC and not setting a priority for the public comments?

DAVID CONRAD: I will review that transcript, but I did not say that the staff set the policies. We are providing information, Olivier, to them.

OLIVIER CRÉPIN-LEBLOND: You said priorities. You prioritize for the GAC, but you wouldn't prioritize for the...

DAVID CONRAD:

We point out those policies – consensus policies – that are under development for them. That’s not excluding that they may be interested in other policies that may be up for public comment or the light. That we provide them in terms of the monthly update that provides that information to them.

We don’t make the decisions for them. They make their decisions. We provide all the information evenly to them. The staff does not make priority decisions. We provide it in kind of digestible fashion of what may be public policy implications for the GAC, but we don’t determine that. They determine that.

BRIAN CUTE:

Heather.

HEATHER DRYDEN:

Thank you. So I think David is quite right that when it comes to the GAC setting its own priorities, then of course it needs to be doing that and I think what I’m very sensitized to is the importance of the GNSO in this because when it comes to volume of work and significance and depth of what they’re looking at in comparison with another supporting organization like the ccNSO, I can call to mind very easily what are the key issues of ccNSO. I know what they are. I’m not going to be surprised by an agenda when we’re meeting with them, but with the GNSO it’s much more difficult.

If we continue to view the role of the SOs as initiating policy development or leading in that process, I think we do, then the GAC really is reliant on making information flows work better and understanding to what extent the GNSO is able to prioritize as well in its work so that we can as well do our own prioritization.

There are dependencies in that, and because we’re talking about who initiates what, I would remind you that in the bylaws the GAC actually does have the ability to request an issues paper. We have not taken advantage of that and I don’t think we would, because for governments to be going into that kind of activity, I think is unavoidably going to appear inconsistent with a bottom-up approach.

Governments don’t tend to do small things and they don’t tend to be perceived as small things, and for that reason we haven’t taken advantage of that. But I really think this ability to prioritize is critical for the GAC and we can’t succeed in doing that without the understanding and the right processes in place for dealing with these issues with other parts of the community because we’re not really controlling the amount of policy development processes that have been initiated or (inaudible). We don’t control that, but we also need to be able to keep up and we’re not. We’re not currently. So this is a great concern to me.

OLIVIER CRÉPIN-LEBLOND:

Thank you Brian. It’s Olivier. So let me just get this straight. Who does the prioritization? The GAC prioritizes its work or when the issues reach the GAC they already have a priority that has been assigned to them?

HEATHER DRYDEN: I would hope that both the things happen because if the GSNO says we don't have any priorities and we have 30 working groups underway, then the GAC can't work on 30 working groups. And if that really is the answer, then the GNSO isn't actually prioritizing. As a community we have to identify I think what are the key issues or the key issues that we're dealing with at a certain moment in order for the GAC to prioritize its own work.

OLIVIER CRÉPIN-LEBLOND: It's Olivier again. I'm basically just going around the pot at the moment trying to find out who does the prioritization. That's my bottom line. Trying to find out who sets the priority because I think that is particularly important in the bottom-up systems, such as ICANN, because that could amount to capture. It's a way to change policy.

You go and you prioritize on things that you wanted to happen and you put a low priority on the stuff that you don't want to happen, and effectively you've got capture and this is why I'm trying to sense and put my finger on that. Thank you.

BRIAN CUTE: Okay. David?

DAVID CONRAD: Again, the staff provides information of the PDPs approved by the various councils – ccNSO, GNSO, or ASO – and we convey that information to them. That is not the only source of information for the GAC. They get hundreds of emails, other information about what's happening at ICANN.

So it's not the staff that tells them the priorities. It's the staff conveying the information of those responsible councils that set the priorities, one. Two, we ask and try to encourage a dialogue when the GAC and the supporting organizations have their ICANN meetings to use those occasions because we are asked. GAC has asked, "What do you want to talk about?" GNSO has asked, "What do you want to talk about?" to the GAC.

We use those occasions as staff to say, "The current issues. The priorities of your council." That's generally what they tend to do or should do if there's time permitting.

BRIAN CUTE: Time check. We have just under 10 minutes. We do need to get to recommendation 14. I've got Alan, Fiona, Carlos, and Heather in the queue. This is the most fun we're going to have all day so I'm going to let some folks... So let's go with Alan.

ALAN GREENBERG: A couple of very short points. Heather worried about 30 GNSO policy development processes have been dumped on the GAC. In my lifetime, which is seven years or so, I've never seen more than a handful of active GNSO policy processes at the same time, and most of those, I hate to tell you, are not going to be of much interest.

So the active ones that are really of concern is a much smaller number. That being said, the GNSO has been grappling with prioritization for about the last four years and hasn't managed to, but luckily on these kind of (inaudible) it's not that important. My personal opinion.

In response to Carlos saying that the evenness of GAC representation and the credentials of people and their backgrounds being varied, I hate to tell you that's true of every organization within ICANN. It's true in ALAC. It's true in the GNSO. It may be less true in the ccNSO because they're a far more uniformed – no, I'm told it's just as true.

It's a very uneven thing in any of the groups and you cannot presume that everyone sitting around the table has the same worldview or the same credentials or the same level of representing the company or government that they wear the badge from. That's business as usual I'm afraid. It's a problem for everyone.

And the last very short point is when people talk about GAC participation, they are talking about having people there who have some concept of what the insights and needs and ideas of governments are.

BRIAN CUTE:

Fiona Alexander.

FIONA ALEXANDER:

Not to prolong this and to be brief, I think some context for user recommendations and also not speaking whether it's the right or wrong structure, but the current bylaws, as I understand them, the GAC gives public policy advice to the board. Right? That's what the by-law says. So another kind of policy is public policy and so you are talking about involvement in the GNSO and one of the reasons there's been this back and forth is the GAC and several of the GAC members are like, "Our job is to advise the board." So what we are talking about in addressing all of the challenges we have is changing that relationship and that dynamic and I think maybe Heather can speak to that challenge from the GAC members as a whole, but the current structure and role of the GAC is to advise the board.

BRIAN CUTE:

Thank you. Carlos. Thank you. Denise.

DENISE MICHEL:

Just a point to perhaps consider exploring further in the work stream, and then it's of course recently a significant amount of GAC's time has been spent not on a PDP but on a small p policy and activity the board is considering that are not related to the PDP, of course, that fall more into the implementation category and I think it would be useful for team to also consider the whole range of activities that are occurring at ICANN, some of which do have, of course, public policy issues. There is about seventeen public comment forums open right now. Maybe three, at the most or four, are actually related to the policy process come from an SO. Otherwise it is all posted by staff and it's all related to a whole

range of operation and implementation activities. So, that's something else to think about.

BRIAN CUTE:

Thank you. Steve. And then we'll move on.

STEVE CROCKER:

I wanted to follow up on Fiona's comment. So, yes, it is clear in black and white that the GAC provides advice to the board, but that lead to an interesting little conundrum because the board is strongly expected not to go make its own advice and not to override it or sort of dabble too much in the process.

So if we have advice coming from the GAC and it relates perhaps to some policy development process that is underway in the GNSO, what is the board supposed to do about this? I can tell you the simplest thing that the board does. It says, "Oh thank you very much and we send it over." Right? "So you guys talk." It's when that doesn't satisfy that various parties that things get to be more interesting but to leave it as the GAC advises the board it suggests that the board is an operational decision-making process, which it is to a certain extent, but mostly what is expected is that the board oversees the process and tries to make sure that all the parts are working together rather than jumping in as its own subject matter experts. As I've commented, with I hope irony, we of course are capable of doing that and if that's what you want, but ...

FIONA ALEXANDER:

Just to be clear, I am not suggesting that needs to continue. I am suggesting that's the current framework and that's perhaps some of the cause of the current problem.

STEVE CROCKER:

It is an interesting structural peculiarity of ICANN, which the Boston consulting group pointed out vividly, that the board is overseeing two parallel processes, an ordinary corporate structure with staff and CEO and so forth, and a quite separate set of supporting organizations and advisory committees.

And their report I think said that they were unaware of any other structure that was like that. and so they picked out for example, American Red Cross, which has huge number of volunteers but the volunteers don't participate in the decision-making process about the organization so much as they report in to staff and carry out the work of handing out needED care and all of that.

This is a somewhat unique animal and it put the board in a position that it draws some of the guidance as to what it should do from standard practice of how a board operates –fiduciary responsibilities and so forth. But the rest of it is peculiar to this particular organization and we're still working it out.

BRIAN CUTE:

Avri, and then we are absolutely closing.

AVRI DORIA: Thanks. I just wanted to add one small tale to the story progression that Steve just told, which is that GAC comes to you, you come to the GNSO, and then we get a response from the GAC saying there's nothing there for the GNSO to do. It's public policy it's not their policy. So we do have this built-in conundrum there that I'm not sure what the way out of it is, but we've seen at least that happen once and that becomes sort of an interesting loop to have.

BRIAN CUTE: Heather.

HEATHER DRYDEN: To that very last point, it depends on the issue. Sometimes it is the case that it is really the GAC that you would look to in the name to comment on something. I don't think that is the standard. The way things are structured in a way also does help force the GAC to come in late in fact when you're looking at the processes and we're better off acknowledging that and figuring out how to deal with that and possibly restructure some things. Thank you.

BRIAN CUTE: Thank you for that. And, boy, the people who are working in stream 2. to are going to have a lot of fun. I think I need a cigarette. Can we move to number fourteen with a few minutes? It's five 'til ten here.

JAMIE HEDLUNG: Sure. It sounds like you might need more than just a cigarette. Anyway, recommendation 14, from a staff prospective anyway or my personal prospective, was one of the most important recommendations for this juncture in ICANN's development.

Without the strong participation and ability to effectively participate in ICANN by the GAC, ICANN loses a big chunk of its legitimacy and credibility. And with other discussions going on in other fora, strong GAC engagement is more important now than ever.

So this recommendation focused on increasing support to the GAC and GAC members, particularly those from developing countries as well as increasing commitment by governments at higher levels to participate to the GAC and to ICANN.

There were a number of things that were undertaken as part of the implementation of this recommendation. There were increased resources made available for interpretation of GAC sessions and for translation of GAC documents, all which are in UN six, plus Portuguese, significantly increased support for travel, again with the focus on the government from developing countries, greater awareness raising within the regions by coordination with the GAC and ICANN.

Then the other one that I want to highlight is the high-level meeting that was jointly sponsored by the government of Canada – or sponsored by the government of Canada and jointly hosted with the Canada at the Toronto meeting, which was an opportunity for senior level government

officials to participate in and discuss ICANNs role and the GAC's role within ICANN.

BRIAN CUTE:

Thanks, Jamie. I guess one question would be, in addition to the activities and undertakings that are driving toward implementation of the recommendation, any consideration given to measurements or metrics in terms of how well it is advancing or benchmarks of interactions with governments and how that's changing over time as the result of this recommendation's implementation?

JAMIE HEDLUNG:

Well, I'm not aware they we're actively using metric to measure the effectiveness of this implementation of this recommendation. There are some obvious ones that spring to mind which include whether there is a growth in the number of GAC member countries, whether there is a growth in person participation in the GAC from countries particularly from the developing world. Then for measure, how many more interpretation sessions there are, how many more documents are translated, how many GAC members actually take advantage of the increased travel support. Those kinds of things. Yeah, as I say, I'm not aware that we have been keeping track of any of those, but those are some things that immediately spring to mind for me.

BRIAN CUTE:

Thanks, Jamie. Heather?

HEATHER DRYDEN:

Thank you, Brian and thank you Jamie for providing some further detail about what measures have been undertaken. In terms of tracking, although we haven't set out purposefully to try to collect some data, there are some things that are very clear as a result of the measures.

And in terms of the fellowships, there was a time when we received six and then we received 20 and when we were receiving six we would get maybe five or six applications and now that we have 20 we are starting to get in excess of 20. So we're seeing that that option is being taken up very readily by governments. I can tell you anecdotally that the existence of interpretation being available and increased translation of key documents has made a tremendous impact on the GAC, and we hear comments all the time about how nice it is to have this available.

And when we've been to regions while we have interpretation available, it has enable us to retain some of that initial interest that we were able to garner by virtue of being in the region and it has been sustained following the meetings with participation from new governments. And I think we sit at at least twelve0 governments plus 25 observer organizations. These are the kinds of numbers that often get reported at much lower levels outside of ICANN circles. So I think an important component of this is to actually get this word out because there's still sometimes an assumption that there isn't interpretation, that there aren't fellowships and that there isn't this kind of support available.

We've also been able to do on an ad-hoc basis some capacity building sessions, so with the working group in the GAC set up. We did one, for example, at the Costa Rica meeting and that has proven to be very successful. We're also much better organized at providing support to new representatives to use some of the tools that we have in place. So they get guidance and the have that available to them.

And before I give up the floor, the important thing to note here I think is that this is all ICANN provided support. This is ICANN funding that has enabled us to receive this interpretation and this is ICANN funding and support that allows to do fellowships and that administers that in fact. It's ICANN's travel department who, very capably, work with colleagues who come from the far reaches of the world and have all kind of unique challenges in traveling to meetings and so I want to acknowledge that fully, and I think we need to make sure that we are recognizing that that support comes from ICANN. Thank you.

BRIAN CUTE:

Thank you , Heather. Olivier?

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Brian. It's Olivier Crépin-Leblond for the transcript record. Heather, you cited anecdotal evidence on the happiness of GAC members, which is great to hear. Do you have any formal ways to find out what the point of view is of the actual governments? So not the people traveling and enjoying the sun and visiting places while they travel which, of course, I know they don't because they didn't come out of the meetings in Beijing. they were working very hard indeed, but I am saying, not those people who were actually traveling there but the governments themselves, whether their GAC representation serves their expectations. Is there any plan or has there been already a survey of these governments or some way to get formal input from them with regards to that?

HEATHER DRYDEN:

We tend not to approach those questions in the way that you describe and we do have opportunities to talk about the GAC and get a sense, not only when we're at ICANN or a GAC meeting to get that kind of feedback, and I think that's probably okay. I think it is all right. But we do want to be influencing more senior levels within a department and that must be the idea of doing this first high-level meeting. And there has been discussion about doing one again based on what we have learned and what we know from the first undertaking. So that's a good way to hear firsthand about what governments are noticing. And there was, again, anecdotal feedback coming from the high-level meeting where some had not been to a GAC meeting in years and they said, well, it's really quite different than it used to be, there's a lot more active participation, there's good representation or having been substantive discussions about things. And so that I think has encouraged people to be looking at those mechanisms in the future. Again that was an ICANN supported effort to hold that high-level meeting. So these are great

ways that ICANN has truly assisted us in strengthening our ability to do our work.

BRIAN CUTE: Thank you. I've got Denise and then Carlos. Denise?

DENISE MICHEL: Currently ICANN is tracking, in addition to the basic number of GAC membership, is also tracking interpretation services provided and also travel support provided to GAC members.

BRIAN CUTE: Thank you. Carlos.

CARLOS RAUL GUTIERREZ: Carlos for the record. Yes, I have an example for you, Olivier, which is fact-based and very official. The reason I didn't go to Beijing is because the Economic Commission for Latin America of the United Nations had their ministerial meeting in Montevideo and in the Resolution of Montevideo all governments of Latin America wrote that they don't want .amazon and .patagonia to be given away without government advice.

I think this is a tangible report of all governments acting together and taking a formal resolution of all ministries involved that we make immediately to the delegations present in Beijing. But this was a very well-founded resolution. There were representatives of all countries of various ministries in the case of Mexico and the case of Brazil. There were foreign ministry regulator, technology minister. Everybody was there and I think that this, for me, is a sign that Latin America, although the representation in the GAC itself might be underrepresented, but at the ministerial meeting of Montevideo you got an official check that the governments are following ICANN seriously.

BRIAN CUTE: Thank you, Carlos. Heather.

HEATHER DRYDEN: This last discussion has just reminded me that when we first began our discussions in the Review Team that we talked about the importance of looking externally and I'm just thinking, that's the discussion we are having now and that's great. But that external world and how ICANN and the GAC are being discussed and hopefully reinforced in other settings and better understood is something that we need to continue thinking about in the Review Team.

BRIAN CUTE: Thank you, Heather. I have a question. The second part of the recommendation says the board working with the GAC should establish a process to determine when and how ICANN engages senior government officials in public policy issues on a regular and collective basis. So just a general question, has a process to do that been established, if so how's it going? If not, is a formal process necessary? How's that all working?

HEATHER DRYDEN: In terms of the process, I would say that was the high-level meeting. They key example where we try to initiate a kind of track of discussion

at more senior levels and we would consider doing one again, I think. I think that there's been some interest among GAC representatives. There's been discussion, only informal, but to express an interest in doing that in the future.

Then I think we've heard a lot about ICANN's global stakeholder engagement plans and so it seems to me that those plans would want to be in cooperation with or at least mutually reinforcing with other parts of the community. Not just the GAC, but the community generally. And so outreach to governments and getting information out about government including at senior levels is something where I would hope that we can work well with ICANN staff on accomplishing.