DURBAN – GAC Meeting with ALAC
Wednesday, July 17, 2013 – 09:00 to 10:00
ICANN – Durban, South Africa

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| CHAIR DRYDEN: | Good morning, everyone. If you can take your seats, we do need to get started. |
| | All right. So let's get started. |
| | For the GAC, this is an exchange we're about to have with the At-Large Advisory Committee, and they have identified a number of topics that they want to raise with us. So I will let them take us through it. |
| | Just so the GAC knows, once we finish our session with the ALAC, I will just take a few minutes to outline our plan for the rest of the day, and make it clear for the GAC how we're going to proceed with some of our other business as we're going to be moving to discussing the communique and so on. |
| | I regret we weren't able to cover that yesterday as planned, but if you can just stay for a few minutes, then we can take care of some of our GAC business that way. |
| | All right. |
| | So to my left is Oliver Crepin-Leblond who is the chair of the At-Large Advisory Committee, so I hope I can turn over to you, Oliver, to take us through the agenda. |

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

OLIVIER CREPIN-LEBLOND:     Thank you very much, Madam Chair.

Oliver Crepin-Leblond speaking, for the transcript.

We have three items on the agenda, which were mutually agreed by the GAC chair and myself.  The first one is the SSAC advice on new gTLDs.  Then we have the public interest commitments, the PIC DRSP, dispute resolution service provider, and then we have the brief introduction of the ALAC and its regions, and what are At-Large structures.

I guess we would probably have to start at the beginning, therefore, with the introduction of what the ALAC is.  And I do realize there are a lot of new GAC members, which we absolutely applaud, and, therefore, it might be of help to provide a little introduction.  And I do have a presentation, I guess, that's on screen that is about ten slides long.  However, we'll probably just go through two or three for the sake of saving a bit of time.

So if we can have the first slide, please.

That's great.  So this is the ICANN multistakeholder model, which I guess you're all very familiar with.  And if we go to the next slide, you will see that we have, in the ALAC, done something that the GAC might be interested in doing, which is to get rid of the board of directors and only keep all of the different SOs and ACs that are around the table.

The interesting thing is you would find there are a lot of multistakeholder models all within the ICANN stakeholder model.  And one of them is the At Large, and the At Large community is effectively there to bring forward to the table the points of view of the Internet users, the end users of the Internet.

That does it -- it does it through a structure, and if we go to the next page, and I hope you can see this, and I gather that we might send you, if you wish, the diagram. We're basically divided into five regions, the five ICANN regions. At the top level, you have the At-Large Advisory Committee, which is completely on the sort of hind of the slide, with 15 members on that committee. They are selected by each one of the Regional At-Large Organizations called RALOs, R-A-L-O. Africa is called AFRALO; Asia-Pacific is and Pacific Islands is called APRALO; Europe is called EURALO; I guess Latin American and Caribbean and North America are obvious from there.

Each one of these Regional At-large Organizations is made up of At-Large Structures, and these are organizations that can be ISOC chapters, I guess, computer clubs, senior citizens, computer-enabling organizations. Also organizations that cater for the private communities. Sometimes, in fact, the majority of the cases, the actual work that they do is not directly related to ICANN, but they involve Internet users and can absolutely channel the points of view of Internet users in their part of the world.

The reason why we are divided in the five regions and so as to be able to offer some kind of a balance between the regions, since, as we all know, some regions are more heavily represented in the ICANN environment than others are. But the great thing is we have found is all of the regions have grown to an unprecedented rate, and, therefore, we have at least 20 to 30 At-Large Structures in each one of these regions.

We're looking to have more At-Large Structures, and maybe that's one thing where we could perhaps have a synergy with the GAC where the

GAC has representatives from a specific country, and there are no local At-Large Structures in that country.

Similarly speaking, we could also look at the -- turn the table around, and we have some At-Large Structures in some countries where there is no GAC member at the moment, which would mean that we could also try and help identify potential GAC members or help with future GAC membership from those countries.

Thing there's a synergy that we can recognize from there.

So the At-Large Structures basically work with the RALOs so as to bring the input in from the edges, from the grassroots, as we call it, and the RALOs, the Regional At-Large Organizations, work together in order to channel this over to the ALAC.

The people that you see, you find out that two people from each region are selected by the Regional At-Large Organization. The third person is selected by the Nominating Committee, which does bring some very qualified people in the organization. It's very diverse.

The Nominating Committee is there to effectively balance out any bias that there might be in the selection of the people. Already we're globally diverse, of course, but there's also a sense of gender balance as well and most importantly, skills balance.

So the great thing is we do have a very wide range of skills available, a potential of skills which is unprecedented. It's a huge reservoir that we can draw upon. And, therefore, whenever something comes up on the ICANN agenda, we will find someone somewhere in the structure that is probably an expert and that is able to discuss the matters with other

experts and put together a group that will be able to come up with a statement.

The At-Large Advisory Committee plus the chairs of each one of the Regional At-Large Organizations conduct a selection process for seat number 15. We have one board member, and that board member at the moment is Sebastien Bachollet.

If we can have the next slide, please.

So I've already gone through this. We have about 150 At-Large Structures, perhaps maybe 160 now. It grows on a monthly basis. So it's very good. It's a part of ICANN that is growing at a fast pace. And as I said, an ALS can be computer clubs, associations, learning centers. We are not a hundred percent noncommercial. There are some organizations that are At-Large Structures that are commercial in nature. They might be not-for-profit, but it's just not completely civil society. It's a very wide range of stakeholders there.

What do we do? Now, that's an important thing.

Well, one of the main things that we do is to issue statements in response to public comment requests. As you know, the ICANN public comment process generates a huge amount of requests for people to bring their input. And the At-Large community works together for the At-Large Advisory Committee to file statements on their behalf. And we have a very complicated -- well, perhaps not complicated. Complex, sorry. Complex process to make sure that the views that are brought forward by the At-Large community reflect the overall views of the At-Large community.

So that's one thing.

But there is another thing that we are able to do as an advisory committee, which is to actually issue comments on everything and anything and any subject that is ICANN related at any time. So that effectively gives us the ability to address the Board directly or to address any GNSO working groups or ccNSO working groups or any process that takes place at ICANN.

In addition to that, we have also filed on a few occasions some comments about external processes, such as, for example, the renewal of the IANA contract, because that subject is ICANN related.

We have members that take part in cross-community working groups. So as cross-community working groups, they can take part officially as an ALAC representative or At-Large representative, depending on whether they're on the committee itself or whether they're a part of the community. But of course many of our members are also involved directly as individuals in the GNSO working groups and in ccNSO working groups.

So effectively, we have the possibility to intervene at several layers, first layer being in the working group itself, and then higher up if there needs to be additional comments to be made about the output of the working group and of the PDP process, et cetera.

What we also do is, of course, to relay the ICANN message to Internet users around the world. Very important. And outreach is one of our main work that we have to constantly do.

We have members, as you know, that are so scattered around the world, whenever there is a conference or whenever there's maybe a local Internet Governance Forum or any other type of local activity, we're able to send members there.

At the moment, the process is very open, and the message from ICANN is relayed through these channels in quite an effective way since these people talk with their peers.

Now, finally, and of course we have a few other additional activities in there, since we have so much time on our hands. We also coordinate the filing of new gTLD objections from the community. And that is the first time the ALAC has actually been provided with the ability to have an operational process rather than just an advisory ability. And so during this round of new gTLDs -- new gTLD applications, the ALAC has filed objections for dot health -- against three applications. For dot health. The process was, again, very careful to make sure that there were several filters, and the process needed to follow certain guidelines.

We were able to file community-based objections or limited public interest objections.

I'm not going to go into depth into how the process works. As I said, several safeguards so as not to object to too many TLDs. We needed to follow the guidelines that were there.

And that process is ongoing now, of course, with the ongoing discussions back and forth with the applicants and with the International Chamber of Commerce.

That's essentially what we do.  And if we go to the next slide, please, we'll find out how we work, effectively, is bottom-up.  Hundred percent bottom-up.  So you have the At-Large Structures at the bottom of the pyramid, as I said; computer societies and the local Internet users.  They each channel into their Regional At-Large Organization, and the process then channels into the 15-member At-Large Advisory Committee.  And I know I'm repeating myself, but I still make the mistake of thinking of sometimes switching the words At-Large and ALAC.  At-Large is the complete community.  ALAC is just the 15-member committee.

We have a few more slides after this one which describe the process by which we put together public comments and statements of the ALAC. They're a little bit more involved, and in the interest of saving time, I think we will leave the information over with your chair.  If anyone is interested, then of course we can send the slide deck to them.

If we can just turn to the last page of the presentation, please.

So that's the process to have At-Large structure input.

Next page, please.  It goes all the way to the statement.  Next page.

So these two slides you could consult online or we'll pass it on over to the chair.

Last page, please.  That's it.

Important links.  The At-Large correspondence.  This is the page where all of the statements that the At-Large Advisory Committee releases are stored.  We mean correspondence.  A statement is correspondence that has been voted on by the 15-member At-Large Advisory Committee.  If

it doesn't receive the majority of votes, then that statement is not released.

In general, when we come to a vote on a statement, the statement is actually supported by the ALAC, because since we work by consensus, if there is no consensus prior to a vote taking place, we usually don't go to the next step of voting on the statement.

If you're interested in seeing how we perform policy development, there is a second page that you can look at in your own time, and that provides you with the statements being built, as they are being built. Everything we do is transparent, so as we are writing statements, we put them on a Wiki page and then people are able to -- people from around the world, and you don't need to be an At-Large Advisory Committee member or you don't need to be a member as such. Everyone is invited to comment on these statements as they are being built. And then afterwards, the pen holder, the person holding the pen, will add the points of view of the different users that comment.

And finally, At-Large working groups. We have several internal working groups, internal in that they are At-Large, which means pretty much anyone is able to join. And they deal with specific subjects, because otherwise the volume of e-mail on the At-Large list would be absolutely too high for everyone to follow.

These working groups deal with internationalized domain names, the new gTLD process, but also some working groups for capacity building, for engagement, and some working groups that will deal with a leadership program, what we call the ICANN Academy in a wider sense, which is one of the works that we do to try and bring that ICANN

message and get people from around the world to take part in the ICANN policy development process.

I think that gives you a roundup.  I hope I wasn't too fast in going into this.


CHAIR DRYDEN:              Thank you for that presentation about the ALAC and how you work.

Are there any questions for the ALAC about this particular part of the organization?

Singapore, please.


SINGAPORE:                 Thank you, Chair, and good morning.

I would like to bring out a very practical, a very basic question which is from the ground.

We all know that the ICANN heavily regulate registry/registrar.  They have an agreement to be signed.  And we know beyond registrar, it's not regulated by ICANN.

We know that for end users to get online access to the Net, usually they don't deal with registrar.  They deal with Web designer, and on top of that is a hosting provider.

So if there's any relation between the user and the Web designer or hosting provider breakdown, where can the end users go to?  We know

there are a lot of complaints from end users.  Again, it's either the Web designer or Web hosting, but not so much the registrar.

So what has been doing by the At Large?  And what guidance can you give?  Or is there any working group that looks into the complaints of the end user against this sort of uncharted, unregulated area of hosting provider and Web designer?

I think that would be very helpful.  We do receive a lot of complaint from end user against the area that's not regulated by ICANN.

Thank you very much.


OLIVIER CREPIN-LEBLOND:     Thank you, Singapore.

Evan Leibovitch, one of the ALAC vice chairs, can answer this.


EVAN LEIBOVITCH:     Good morning.  In the mandate that ALAC has and that the At-Large community has from ICANN, when we -- as we define ourselves as end users, we don't even necessarily go as far as people who are putting up content on the Web that is using hosting providers, using -- hosting their content.  We think of people actually that are accessing content.  The people who are using their Internet in their homes, in Internet cafés, in libraries.

The people who are actually accessing the Internet that way is the very bottom of this pyramid as the end user.  And so that user isn't even on the ICANN food chain, so to speak, because there's no -- at least the

person who is buying a domain is contributing -- is paying money to the registrar who pays money to the registry who pays money to ICANN.

So ICANN is heavily involved in this food chain. The end user, because they don't contribute directly to this, isn't even on that.

And so this is why -- This is where At Large has been focusing its attention.

The people who have been involved in getting the hosting services, very often a hosting provider will give somebody a domain name along with a hosting package of some kind. And, in fact, there have been difficulties where somebody wants to switch a hosting provider and the hosting provider says, no, that name isn't yours, it's ours, and this causes difficulties.

That's actually a level above the end user. That's the registrant, the people who are actually registering domains, or at least are supposed to be owning domains.

We often do get involved in that, but there are also, for instance, constituencies within the GNSO who are also involved in trying to help the rights of registrants.

It's been very important to us to have registrant rights brought into the RAA. The fact that they are is an accomplishment. Is it everything we would like to be there? No. This is an ongoing concern, ongoing work on our part. But the current RAA that has brought some of that in has been at least baby steps in the direction we want to go.

It's a good move.  More needs to be done.  We're going to continue to be vigilant on that.

I don't know if I've answered your question, but simply to give you a better focus on where our challenges are, with the end user that doesn't have anyone representing them within ICANN, essentially between the GAC and the ALAC representing public interest.  And so when it comes to hosting companies and things like that, those are more providers of information, and that is already getting into registrants.

CHAIR DRYDEN:               Okay.  Thank you.

I think we have a question or comment to the right.

SALANIETA TAMANIKAIWAIMARO:      Thank you very much.   Sala Tamanikaiwaimaro for the transcript.  First of all, good morning, GAC members.

I just wanted to -- just to comment on Singapore's statement, and I think that was a very practical question.

If you noted what the ALAC chair had mentioned, he mentioned that in his introduction, he was talking about the evolution of the ALAC from just being an advisory committee and being handed an operational function, an additional function.

I think we can ride on that, and if GAC could consider at least thinking about having an additional mandate.  I'm not sure how that's going to

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pan out.  But clearly in the context where we have cybersecurity issues, extraterritorial jurisdiction issues, noting that -- and this is the caveat, noting that there is a significant global consensus -- well, I wouldn't say consensus but significant -- a voice from the community who are against any form of harsh regulation of the Internet.

So what I'm saying is not so much the creation of treaties or the creation of new and further laws, but what could certainly happen is increased GAC involvement where you could be consulted in terms of an advisory capacity where instances of violations have occurred and you're finding it difficult to execute this within your jurisdictions.  But certainly with your alliances and your networks, you can certainly approve write letters, direct letters to registrars, if you are empowered adequately by the ICANN community.

You could certainly have more weight and more concrete input into some of these processes, because at the end of the day, this is literally tied to global public interest.

And so I congratulate Singapore for raising this.

A thank you.


CHAIR DRYDEN:          Thank you for that comment.  I think we can move to the next agenda item, Oliver.

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OLIVIER CREPIN-LEBLOND:   Thank you very much, Madam Chair.  So the next subject is going to be the SSAC advice on new gTLDs.  And to introduce that subject, we have Evan Leibovitch.

EVAN LEIBOVITCH:   Hello again.  Simply what we wanted to do here was raise some issues that are on our radar, and I believe are on the radar of at least many of the national members here on issues such as dotless domains, on issues such as strings that conflict with what might be internal corporate addresses and that kind of thing.

This is a significant, what we consider to be security and stability issue; that ALAC has been very, very straightforward, very, very assertive in trying to get ICANN not to move forward with things like dotless domains.

What we have, in fact, is an organization of ICANN's own making.  It's SSAC, Security and Stability Advisory Committee, that has come out very, very strongly against dotless domains.  So it was a surprise to us that ICANN continued to commission studies about it when its own committee of experts has been so assertive against it.

So, in fact, recently, Oliver Crepin-Leblond has sent a message to ICANN essentially asserting ALAC support of the SSAC work to date and asking ICANN to move forward in making sure these things don't happen.

Likewise on the issue of the conflicting strings, the ones that would normally conflict with internal corporate intranets.  This is, again, a very -- what we consider to be a security and stability issue more than anything else, and so we're going to continue to be moving to ask

ICANN not to allow these, and we wanted to know your views on this and to see if, in fact, the GAC had the same concerns as we did about this as a security and stability of the Internet issue.

Thank you.

OLIVIER CREPIN-LEBLOND:     Thank you very much, Evan.  And our concern, if I can just add, our concern is to make sure the user experience is not negatively impacted by these specific, and there must be not more than 15 of these, these specific new gTLDs.

CHAIR DRYDEN:               Thank you for introducing this new topic.

                            Would any GAC members like to comment on this agenda item?  Italy, please.

ITALY:                      Thank you, Chair.

                            So about this problem of security, of course we are very keen to follow on, first of all, the Security and Stability Committee of course, because this is the place where there is the major competence.

                            But this specific case on dotless domains, we already had an encounter where we discussed it a little bit, but we are very -- we welcome so much that you are this kind of preoccupation and that the GAC has to say something, let's say.

And so I -- This question of dotless domain reminds me of something in few years ago when we discussed the wildcards. And then in the end, ICANN just eliminated the possibility of using wildcards. And also in this case, has to do something in this line. So it has to be recommended to do that.

So I read the defense of the proposer that they are saying if you do not allow that, you are against innovation. But if this new idea is introducing some uncertainty and some risk, then why should the community go this way? Because the users in the end have to verify that the behavior is completely predictable, fog the standards.

So we fully agree with your preoccupation.

Thank you.

CHAIR DRYDEN:          Thank you very much, Italy.

So for ALAC colleagues, yes, we did have a briefing from the SSAC earlier in our meetings, and we covered a number of issues that I think are related to the point you're making. So we heard about internal name certificates and name collisions and dotless domains in that discussion. And at the time, we took note of the reports that the SSAC has developed and some of the recommendations in the discussions.

So okay.

Are there any other requests to speak on this topic?

Australia.

| AUSTRALIA: | Thank you, Chair.  And thanks to our ALAC colleagues for meeting with us today, and for bringing up this important issue. |
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| | As has just been said, we had a meeting with the SSAC the other day, and they were quite definitive on this issue, I recall.  Their report on dotless domains was very strongly worded and it seems that there are reports from other technical experts which are perhaps even more strongly worded. |
| | So I'm wondering if there's anything left to do.  We asked a question of the Board yesterday, and it appears they were saying it was inappropriate to comment at this time because they were waiting for yet another advice or report.  So I'm not really sure what the GAC or the ALAC should do in this situation.  It seems like the team experts have been very definitive, and perhaps there's a case for supporting them, but I'm not really sure. |
| | Do you have a view? |
| OLIVIER CREPIN-LEBLOND: | Thank you very much, Australia. |
| | The problem I think, as we see it in our community, is that, whilst the technical experts have been very clear on the issue, the ICANN board has not.  And what raised the alarm was the fact that these additional studies were commissioned when, really, it should have been a case of a given scenario of saying, well, the evidence is overwhelming.  I see that Alan Greenberg has put his hand up. |

ALAN GREENBERG:        Clearly, in my mind anyway, the problem is that, although the technical recommendations are overwhelmingly in one direction, there is no consensus in the community overall.  And a fair number of commercial interests have expressed their belief that the technical issues are really not particularly relevant and ICANN should allow this new form of addressing.  And, in the absence of any other evidence, it's clear that that has been factored into the board asking for more information.  Given that our prime mandate is security and stability of the DNS, I can't see any possible rationale for doing anything other than following the technical advice.  And maybe when things are quieter and stabler look at it again.  But, at this point, going against technical advice saying this may cause significant problems.  And in the case -- from our point of view for users, the browser manufacturers have already told us there's going to be problems.  You know, maybe not stability problems.  But certainly user issues.  We don't see any other answer other than to say no at this time and perhaps reserve it for future consideration at some time when we're -- things are calmer.  But that isn't what the board has done to date, so it concerns us.

CHAIR DRYDEN:          Thank you, Alan.  Back to Australia, please.

AUSTRALIA:             Thanks for that clarification.  And I think we hear you loud and clear. Obviously, governments share these concerns about security and stability and end user experience.  So I think we're on the same page.

Again, I'm just not sure what the GAC should do. I mean, for clarity is the ALAC considering issuing a statement on this just for the avoidance of doubt and to put another position on the table to make sure things are balanced? And do you -- is there a sense that this is needed?

Again, I'm just sort of reflecting on the clarity it seemed that I had in my mind after the discussion with the SSAC yesterday. And then I'm now perhaps revisiting the board's discussion where they said we can't comment just now because there's another study coming, effectively. But it seems that there is a residual concern out in the community.

So I guess the question is: Is there something we, as a potential voice on stability, security to back up the technical experts can do or should do really, I guess.

ALAN GREENBERG:                    My answer is it couldn't hurt.

CHAIR DRYDEN:                          Thank you, Alan. So back to Olivier. And then I have U.K.

OLIVIER CREPIN-LEBLOND:        Thank you very much, Madam Chair. And thank you, Australia. I think, ultimately, the ALAC has already issued a statement to support the SSAC advice that was given. The concern is that the advice from an advisory committee of ICANN, technical advisory committee of ICANN, appears to be put in doubt by the commissioning of these new studies. We have made that very clear. We're adamant that the SSAC advice should be pursued and followed. That said, ICANN has a history in some cases of

having ignoring ALAC advice.  And it has to be recognized that the GAC has a specific special relationship with ICANN that is by law -- sorry, that stems from the AoC where, if ICANN goes against advice by the GAC, it needs to provide reasons.  And I think that there is such a great concern in our community about these that we would hope that the GAC would take note and could consider putting forward a statement on this.

CHAIR DRYDEN:              Thank you.  I have U.K. next, and Evan.

UNITED KINGDOM:          Thank you, Chairman.  And thank you, Olivier and the team, for coming here.  Good morning.

I guess there's some urgency here with gTLDs coming pretty soon down the track.   And this does -- both these issues needs, really, to be bottomed out so that those corporate interests that are directly impacted have certainty, that the stability of the system remains robust and secure and that there's no opening for any malicious activity.  I noted in the SSAC report on dotless domains that this kind of ambiguous behavior in the system arising from the deploying dotless domains really does provide some scope for even malicious activity.  So there are a number of immediate concerns.  So I would support the GAC, you know, making a point here that this is something that we need reassurance on.  We can't just wait for further studies.  There's some urgency, too.  Thank you.

CHAIR DRYDEN:            Thank you, U.K.

                        Evan, please.  And then I think we can move to the next topic.

EVAN LEIBOVITCH:        Thanks.  In response to Australia on what can we do, what can be done, we would just refer to the meeting that happened yesterday between the SSAC and the ALAC where they came in and they were extremely grateful to the work we'd done in simply backing them up, in giving them another voice, some more support.  So I think right now that's what they're looking for.   In other words, they've made their statements.  They want to be heard.  They want to make sure the ICANN board is aware that it's not ambiguous, that there is a significant community momentum and a significant public interest momentum behind what they're trying to say.  And anything that reinforces that within the ICANN board right now will be helpful.

CHAIR DRYDEN:            Thank you for that.

                        Okay.  So I understand Alan is going to introduce our next topic, our last topic for today.  Okay.  All right.  Olivier, over to you.

OLIVIER CREPIN-LEBLOND:  Thank you very much, Madam Chair.  And, yes, the next subject is the public interest commitments, the PICs.  And for this I'll hand the floor over to Alan Greenberg.

ALAN GREENBERG:    Thank you very much.  The ALAC was delighted when the public interest commitments were announced.  We saw it as addressing -- at least partially addressing a huge gap that existed in the whole new gTLD process of not ensuring that non-community TLDs honored what they said they were going to do.  It's something that we had been campaigning for certainly since 2007.  And it just wasn't in the guidebook, and we thought that this was a -- not the best way to do it, but certainly was a viable way to do it.  We were extremely disappointed when the dispute resolution procedure was announced requiring demonstrable harm to anyone who would file a dispute and of significant and unknown cost associated with that dispute.  The wording in the announcement was curious in that it said, "ICANN may file a dispute on its own," but they didn't -- they weren't relieved of the demonstrable harm part, which implies the only way ICANN could file a complaint, if it chose to, is if it showed harm to ICANN, i.e., the bills weren't being paid which sounded like it was going back to the old regime of you only cite a registrar for an infraction if they don't pay your bills.  The reaction we got from the GAC -- no, from the board in Beijing was, you know, thank you for your concern and we need to look at this kind of thing.  Please explain in more detail.

We raised the issue with the board at this meeting.  And I really don't know at this point if this is a non-issue that we shouldn't be wasting our time on or it's of great substance.

Fadi made comments to the extent that this is going to be a crowd-sourced policing action and anyone could tell ICANN about an infraction and ICANN would take appropriate action to enforce the PIC, which is

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part of the contract. If, indeed, that's the way it's going to play out, I don't think we have a problem.

But that hasn't been said in any official document I've seen so far. And it's really problematic. The PIC is going to be only effective if we can make sure that, once infractions are identified, ICANN takes action.

And it shouldn't require some personal -- some individual to have to show personal harm and spend their own money to enforce -- to take out a dispute which ICANN will then enforce.

So some people in ICANN, certainly the CEO, is saying don't worry; it's not a problem; we're going to be doing exactly what you want us to do. But we haven't seen it documented yet, and it's worrisome until that happens. Thank you.


CHAIR DRYDEN:           Thank you, Alan. Australia.


AUSTRALIA:              Again, I'll begin by saying thank you. And this, I believe, is something -- a concern shared by the GAC as well. This was raised with the board by the GAC in Beijing. Governments were interested to see whether we would be able to raise concerns on behalf of our constituents. Whether, you know, whether a government would have to demonstrate harm to the government or whether we could say actually this sort of thing is going to harm our constituents and are we able to raise that kind of concern with ICANN. By the time we received a similar assurance that we would be able to, again, perhaps we have a residual

concern here of something that, you know, people have been hearing. We've been hearing the right noises. But perhaps we need to ensure that it's followed through on. So this could be another shared area of concern. Yeah.

CHAIR DRYDEN:          Follow-up from Alan.

ALAN GREENBERG:          Since the board has chosen to respond to some of your requests to safeguards with a new concept of mandatory public interest commitments, I would think you have all the more reason to make sure they are enforceable and they will be enforced. Otherwise, they're just words on a piece of paper.

CHAIR DRYDEN:          Thank you. Yes, please.

>>          Just a follow-up. When we met with the board yesterday --

OLIVIER CREPIN-LEBLOND:          Holly, introduce yourself.

HOLLY RAICHE:          Sorry. Should I say Holly Raiche, Australia? Holly Raiche, APRALO. When we met with the board yesterday and Alan raised a point, the enforceability was actually related to, I suppose, the legal concept of

third-party beneficiary and standing if, and only if, you have created harm. So, when you say the issue has been solved, I don't think it's been solved.

CHAIR DRYDEN: Thank you. Are there any other requests to speak on this topic? Iran? No? Okay. All right.

Okay. So I think at this point we can conclude this exchange with the ALAC and contemplate -- ah, Iran, you would like to speak, please.

IRAN: Yes. But not on that last point. In general. Good morning to all of you. Thank you very much for your presentations. I have a very general, perhaps, whether it is a question or observation with respect to the 10 regions and with respect to the 15 members. First of all, how the regions are identified. I have seen how you have done that, but how the relation between the regions and the board -- the members of the committee being -- representing various entities, various individuals, and the rotation that not particular one who will be there, will be disputed, and the distribution among the -- whether or not we want to refer to that, developing and developed countries. That is very important. The developing countries now emerging to be a large portion of this stakeholder. And their views need to be properly represented and heard and having the opportunity to share their information. So this is something that we need -- in particular, rotation is a very important issue. Very important. And the reason I have seen

that is something which is almost on some arbitrary divisions of the regions.

There is no, let us say, established rationale behind these regions. So that is something that, if you are in a position to clarify a little bit, take into account the limited time available, I would much appreciate your kind explanation. Thank you.


OLIVIER CREPIN-LEBLOND: Thank you very much, Iran. And, to provide you with an answer, we have Carlton Samuels, who has been on the working group with regards to regions.


CARLTON SAMUELS: Thank you very much, Olivier. Carlton Samuels, for the transcript. We've had this conversation going on for a couple years now with the geo regions working group, which is a cross-community working group that has been trying to answer that very same question that you ask, Iran.

The fact is that we started out by looking at the regions as defined by some authority, which is the U.N. And we found out that the ICANN regions are slightly different.

It's very difficult to give you more details, but the geo regions working group has a seminar on Thursday at 12:30, starting at 12:30 in Hall 2d, 2C, is it? We'd love to have you there so we can explain what we have seen. We'll be very happy to help.

| CHAIR DRYDEN: | Thank you.  I have a request from Malaysia.  And then I think we can probably wrap up.  So, please, Malaysia. |
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| MALAYSIA: | Thank you for the great presentation.  It is an eye opener for me as well.  I just want to say, because you did mention about dot health.  And I would like to raise a concern or objection on that.  Just if you can explain to us what's the update of that?  Because GAC also did raise that issue. |
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| OLIVIER CREPIN-LEBLOND: | Thank you very much, Malaysia.  The person who is in charge of the process was not able to come to this meeting.  However, we do have the person who was in charge of the initial filtering of the objections, et cetera.  And that's Dev Anand Teelucksingh.  Dev. |
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| DEV ANAND TEELUCKSINGH: | Thank you very much.  Dev Anand Teelucksingh speaking.  With regard to the objections, three objections are filed against three of the applicants for dot health.  And this is after a bottom-up process for consideration of comments and by the regions and then by the ALAC. |
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| | So right now the objection process is being heard by the ICC, which is in charge of -- well, hearing community objections.  And to date, well, our statement has been filed. The three applicants have filed their responses.  And the one panel -- community objection panel has been constituted to look at the arguments.  And that's where we are right now.  That's it. |

OLIVIER CREPIN-LEBLOND:    Thank you very much, Dev.  Just one closing statement with regards to Iran's question earlier.  Evan Leibovitch.

EVAN LEIBOVITCH:    Hi there.  In regard to the involvement regarding developing countries and ICANN, I would simply want to point to previous work.  In fact, one of the first collaborative efforts between the ALAC and the GAC was in pushing ICANN to implement an applicant support program for new gTLDs.  This was something that we were both able to collaboratively assert, and then ICANN put it in place.  So this has, in fact, been an ongoing concern and activity.  As a matter of fact, there's a -- a new gTLD working group of ALAC meeting later today to discuss the after effects of the applicant support program, why it didn't work as well as we had hoped to, to learn from it and move forward on it.  But this is definitely something that is of interest to us, the whole issue of how to make ICANN more relevant in the developing world.  This is extremely important to our members as well.  Thanks.

CHAIR DRYDEN:    Thank you very much for that reply.  I would like to wrap up.  But, U.K., would you like to comment?  Or can I wrap up?  Yeah.  Okay.  All right.

I'm sure the ALAC is available to you to discuss any and all matters that we have covered today.

So thank you for raising these issues with us.  And it may be that the GAC can contemplate taking note of the SSAC report in our

communique.  I doubt we could do much more than that, given the technical nature of the issues and our ability to actually get into a discussion about those finer points.  But maybe that's something that we could look at doing to help reinforce the work that has been done by our advisory committee and also support the ALAC in their concerns as well in doing so.

OLIVIER CREPIN-LEBLOND:     Thank you very much, Madam Chair.  And thanks -- many thanks to GAC members for having listened to our concerns.

CHAIR DRYDEN:     Thank you.  Okay.

So we'll just take a few moments.  And, if the GAC, if you can stay where you are, I will just outline a plan for the rest of today to deal with some of our key issues.  And then we can have our coffee break after that.

**[ END OF AUDIO ]**