
SINGAPORE – ALAC & NCSG
Thursday, March 27th 2014 – 12:30 to 13:30
ICANN – Singapore, Singapore

OLIVIER CRÉPIN-LEBLOND: Could you please take your seats ladies and gentlemen?

Just for everybody whose flight... Please ladies and gentlemen, we have start another meeting with the NCSG. Apologies for this, but it is important that we start early. The public forum starts immediately afterwards.

Okay. We're going to start in one minute, if you can please take your seats.

All right, let's have the recording on please. Thank you very much. And let's have the introduction please.

SUSIE JOHNSON: Good afternoon all participants in Singapore. And good morning, good afternoon, and good evening to all of our remote participants. Welcome to the ICANN expectant standards of... Sorry. [Laughter] Apologies.

Welcome to the ICANN forum Singapore ALAC and NCSG, this 27th day of March, 2014. Over to you Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Susie, and I'm glad to note that I have not drunk the tea that has just been given now. Several people have and they are

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.

laughing. I don't know what... They have white leaves, green leaves. I hope they're not going to start smoking leaves.

Let's get back to being serious. We have quite a full agenda here in front of us. There are several members of the NCSG that have come to join us in the room. I would like them to briefly introduce themselves, please, because I don't know if we know each other. Okay, we can do quickly around the room. Let's start with Eduardo please. Just quick, your name and affiliation.

EDUARDO DIAZ: Eduardo Diaz, ALAC, Internet society of Puerto Rico.

FATIMA CAMBRONERO: Fatima Cambronero [?] Argentina.

AVRI DORIA: Avri Doria, NCSG, completely unknown to ALAC.

SIRANUSH VARDANYAN: Siranush Vardanyan, APRALO acting chair.

DEV ANAND TEELUCKSINGH: Dev Anand Teelucksingh, ALAC member from Latin America Caribbean.

EVAN LEIBOVITCH: Evan Leibovitch, from Toronto, ALAC vice chair, and barely recognizable to myself right now.



SANDRA HOFERICHTER: Sandra Hoferichter, from the European region.

JEAN-JACQUES SUBRENAT: Hello. Jean-Jacques Subrenat, member of the ALAC from Europe.

GARTH BRUEN: Garth Bruen, NARLO chair from the United States.

HOLLY RAICHE: Holly Raiche, ALAC from APRALO.

MAUREEN HILYARD: Maureen Hilyard, ALAC from APRALO.

RAFIK DAMMAK: Rafik Dammak, chair of the NCSG.

OLIVIER CRÉPIN-LEBLOND: Olivier Crépin-Leblond, ALAC chair.

HEIDI ULLRICH: Heidi Ullrich, ICANN staff.

ARIEL LIANG: Ariel Liang, ICANN staff.



SUSIE JOHNSON:	Susie Johnson, ICANN staff.
SILVIA VIVANCO:	Silvia Vivanco, ICANN staff.
LEON SANCHEZ:	Leon Sanchez, ALAC member, LACRALO.
TIJANI BEN JEMAA:	Tijani Ben Jemaa, vice chair of ALAC.
ALAN GREENBERG:	Alan Greenberg, ALAC from NARALO, and completely unknown to the NCSG and GNSO.
MARIA FARRELL:	Maria Farrell, NCSG, counsellor from Europe.
UNIDENTIFIED:	[?], ALAC, AFRALO.
RUDY VANSNICK:	Rudy Vansnick, NPOC policy committee chair, and previous member of EURALO board, and still in ALS.
KLAUS STOLL:	Klaus Stoll, NCSG, council.



GLENN MCKNIGHT: Glenn McKnight, NARLO secretariat and ISOC Canada.

UNIDENTIFIED: [?], NCUC, NCSG policy committee from Brazil.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much. Are there any members of NCSG in the audience?

MAGALY PAZELLO: Magaly Pazello, NCSG and GNSO council.

OLIVIER CRÉPIN-LEBLOND: Thank you. And...

STEPHANIE: Stephanie [?], NCUC.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks very much. So, we've gone through the introductions and we have three items on our agenda. The first one is the cross-community work and Internet governance position. That's the cross-community working group work, which we know was started by the NCSG and the ALAC during the last meeting in Buenos Aires.



We have internationalize of IANA, which of course, has now been renamed. This agenda was actually built before the IANA developments and the correct name is, Holly Raiche?

HOLLY RAICHE: The transition of the stewardship of the IANA function.

OLIVIER CRÉPIN-LEBLOND: Transition of the stewardship of the IANA function. And then update on ATLAS II and how NCSG can participate. Shall we start with the cross-community working group? Rafik?

RAFIK DAMMK: Thanks Olivier. I think it's funny that we had, three years ago, the same meeting to talk about another cross-community working group, which was the jazz at that time. I think that is proof how ALAC and NCSG can work in many, on common ground.

So, we proposed this topic because we initiated the [?] in Buenos Aries, and we made, as I recall, even made the statement in the public forum, and the group has started. So, the issue that I think is with what's happened here with the NTIA announcement, we need really how to find how to work together, and to move forward with this working group.

And in particular, how we can focus to make it charter it between all SOs and ACs, so we can continue the work about Internet governance issue, the broader Internet governance issue. And so, that's I think, basically when we proposed in that time, it was not really the idea. It



was a few weeks ago, it was mostly how we can make, maybe, a common statement that we can support the contribution, but now we have kind of an update that we need to handle it together.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Rafik. Just as a quick history. So the NCSG and ALAC came together, started up other communities, joined, and quickly the first task that appeared on the horizon of this working group, was the Brazil meeting, which then got renamed to NetMundial.

And the timings were very, very tight. A statement needed to be supplied by the few weeks later, I can't remember if it was the end of January or end of February. It was very, very short. End of February. The working group started work on a charter as all cross-community working groups need to have a defined charter, which defines its scope, its membership, the rules by which it actually operates, etc.

But in the face of the fact that charters sometimes take weeks if not months to put together, depending on how the discussion goes, the working group dropped the work on the charter for the time being and ended up just focusing on the statement. And managed to file a statement at NetMundial, which was neither ground breaking nor controversial, which was the reason why there appeared to be agreement among all of the participants of the group itself.

At least there were no objections from the participants in the working group. And I mentioned here the participants in the working group, because without a charter, the participants are neither able to represent their community nor to purport to be part, to be the ICANN



community as such, so that as a result, a statement was filed with NetMundial that was from the cross community working group itself, not from the ICANN community.

But it was better than nothing because had this statement not been filed, there would have been absolutely no voice, no cross-community voice from members of the ICANN community in the NetMundial. Not only that, but because this statement was built entirely on multistakeholder principles, and with also working with each other, because the contribution was made, it probably is one of the, well one of the only, if not the only, and I haven't been able to check that, the only contributions that was built according to the principles that it actually talks about.

A lot of the principles which are being talked about are very theoretical in nature. This one is actually a practical implementation of a principle that it describes. So, that's a small win for some. There was an idea that well, this was the win and this was the end of it.

There are challenges to the group itself. First, the very fact that it doesn't have a charter means that technically it doesn't really exist, which is an imaginary working group. Doesn't mean that the contribution is imaginary, the contribution does exist. And so we're kind of working with the carriage before the horses, and this is well understood at the moment. But this is a regular thing that ICANN thinks, of happening with a result, happen to have yesterday.

So, at the moment, there have been discussions, I understand, between the GNSO and the ccNSO and some concerns being emitted from several of the supporting organizations, and some of the advisory



committees too. And there was a question, which was asked to the members of the working group when it met face to face on Wednesday, whether any members of the working group believe the working group should be shut down or disbanded.

And no one asked for this, everyone wanted to continue. So the members of the group itself that were present at the meeting, were interested in continuing. It really is down to the supporting organizations and advisory committees to be able to agree to this. The plan that the working group set itself was to now concentrate on the charter drafting.

An action item involved several members of the working group, including members of the GNSO and of the ccNSO, the two supporting organizations that had the most concerns, to focus immediately in putting together a charter. Recent discussions I have had with those members tell me that they don't believe we are far from a charter, it could be a matter of just, I was going to say weeks, I'm told days.

But you never know with these things. But certainly a first draft will be put on the table, possibly next week. So that's the latest that I know from my side. Do you have anything else to add? Because I was not in the GNSO ccNSO meetings, and I know that there have been concerns, in fact some members of the working group itself have had concerns about this.

And so I was going to give the floor over to whoever wishes to speak, well basically open the floor for discussion and questions. And if anyone from the ALAC who is not part of the working group wishes to comment on this. So Avri Doria.



AVRI DORIA:

Thank you. Avri Doria speaking. On, I think last time... I think we've learned a lesson, actually probably a couple of good lessons from the experience with this ad hoc group, I refuse to call it a working group. But anyhow, from this ad hoc group – or I can call it an ad hoc working group, that's okay.

And two of them... And one is the things that come out of this meeting, is it's all well and good for NCSG and ALAC to agree to do something together, but we and NCSG, if it's an organizational thing, then we in NCSG are not really agreeing to do it. We're agreeing to take it to the GNSO to try and socialize it so that it can be done, because my perception of part of the problem, the origin problem in this one, and it one that as I said yesterday in a meeting with the ccNSO, that I'm as guilty of as anyone.

In fact, I was one of the fundamental wrong people at the beginning, was that in great enthusiasm we started something that never quite fit. And because it was started in that way, I believe that that's what got in the way of doing a charter. And that's why it took so long to getting the charter work off the ground was partly because who is NCSG agreeing to start a cross community working group with ALAC.

And we had to overcome that particular energy barrier. So I think that's the first lesson. I think that it's great that we have these, and we should meet, and we should agree to do stuff, but when NCSG agrees to do it, what we're agreeing to do is to go forth and try and convince the GNSO to do it, with it. The other thing is, I think the critical nature of charters.



And I know that I've been the major pain in the neck for the coordinators of the ad hoc cross community working group, and I continue to be because of the absence of a charter. And a charter is what makes a group legitimate, is what makes a working group legitimate. It is what allows it to move on, even when it's having difficulties.

And so I believe getting work done quickly is not a good enough reason to not do a charter. It's a good enough reason to lock people in a room and say, "You better get this charter done quick, otherwise we won't get the work done." It's a great forcing function for completing a charter, but I would really recommend that when we do these things in the future, we really get that basis built quickly.

We all know that a project without a project plan, you know, building something without a foundation, is eventually going to run into a crisis, and there is no way to fix it, other than to go back and start again. Thanks, and apologies for the pain and anguish I have caused the two coordinators of the group who are trying to get something done, and I kept being an irritant.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Avri. Are you saying reboot or close and open a new one?

AVRI DORIA: I don't know, and that's really, I think, what came out of yesterday's conversation with the ccNSO council and the GNSO council, was that whether we need to start another group and rebuild, or reboot, it's you



guys that are the chairs of all of these groups. You know, you and Johnathan, and Brian, etc. who need to now figure out whether the group can sort of be rebuilt and repurposed with multiple function, which is a more difficult charter to build.

Or the specific one item, you know, IANA transition item working group that we talked about yesterday. And I think it can go either way. I think, as I said, building a general purpose cross community working group on everything to do with IANA, and NetMundial, and Internet governance, and all of that, might be harder to build than the specific one, and just build these groups while we go on.

But really, the thing that I think is critical is that the AC/SO chairs come to an agreement by coming back to your groups and all of that stuff, but really solve that problem. I think it can go either way. I think you guys have got to figure it out.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thank you very much Avri. And part of the informal feedback I have received from the various individuals that you have quoted just earlier, does indicate that as soon as the word IANA is mentioned, hair gets raised on the back of some necks, and it then takes things in a different manner.

I've got Bill Drake in the queue, and then of course the floor is open for comments and questions. So Bill, you have the floor.



BILL DRAKE:

Thank you. Bill Drake from NCSC. Three points. First, the original sin, I think, wasn't really a sin but may have been perceived as such. We... Fadi called that meeting, said let's all --- you guys ought to have a group. The next day, we got together as part of our regular meeting and said, "Why don't we try to boot something up and encourage others to join?"

And you immediately got some muttering from other circles about, why are these two groups the initiator of all of this? Etc. etc. And of course, it was a completely good faith effort, there was nothing, no agenda behind that other than the fact that these were groups that were committed to try and move the dialogue forward. But nevertheless, perceptions matter in this environment, and there is a lot of history and so on that shapes all of that.

I would say in rebooting this, and I think it's worth preserving this space, you might well consider inviting another group to provide a co-facilitator, or rotating one of the existing co-facilitators in order to try and get more buy-in, just so that it isn't the wrap anymore, that this is something that, you know, ALAC and NCSG have gone off and done.

Because I think that that's always, could introduce some resistance. The second point is, I would say, is that for me, I think that there is a real need within the ICANN ecosystem, we have our own ecosystem on top of the larger ecosystem we fit into, to have the space to try to talk about and respond to a broad range of Internet governance issues.

And quite frankly, one of the things that this experience, I think, demonstrated, and I think we all knew this anyway, but those of us, we have this real [?]. Those of us who spend a lot of time in the United Nations type of environment, and the broader IG environment, have



fairly clear ideas about what IG is, and how ICANN fits into the IG tapestry.

There are a lot of people who come from the ICANN community specifically, who are part of business and so on, who are not part of that larger set of debates, find the concept of Internet governance mysterious, are not following all of these other processes, and so you start to get sort of foundational resistance about what are we even doing and what are we trying to talk about, etc.

And that, I think, has been a barrier. So certainly one of the things I think this group could try to do, as part of the chartering process, but also beyond that, is try to take some steps to promote some convergence and some shared learning, mutual understanding about what is the subject matter that we're dealing with, and try to devise a work program that has some concrete, deliverable outcomes.

You know, like whether it's on a quarter basis, or a twice the year basis, something focal that we would focus on together, where there is consensus that this can be used selectively. Last point, the IANA thing, I think, is going to have to be separate, personally.

I just, in talking with people here, I know that there is an intellectual rationale for saying that the IANA ought to follow within this group, but I even heard people saying in the CCWG meeting yesterday and elsewhere, well IANA is separate from Internet governance. And I was like, what? Really? It is? Yeah, well so there are a lot of people who don't kind of get that positioning, but clearly there is a lot of heightened sensitivity on a part of certain private sector players around exactly how this IANA process will be done.



And I have a pretty strong sense that we're going to get a push for the GNSO and the ccNSO, for them to take the lead in initiating a group that would do this. And if we, and strong resistance to this group. I mean, we heard twice yesterday, in two different meetings, the ccNSO say, "If this group touches IANA, we pull out." So that's, right there, do you want to try and overcome that kind of stuff?

I would say, you know, accept for that, perhaps, specific specialized thing, we need to have a separate group because it's a highly politicized and fast moving thing. This group could be an ongoing longer term thing, but the IANA group, we need to mobilize a community process soon, or else you'll end up with a staff driven process on the transition, and a lot of people will resist that, it will introduce a lot of problems.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much for this Bill. It's a very charged topic indeed. As soon as you pronounce IANA, the number of people I have spoken to yesterday, also some stakeholders, it appears that everyone wants to do something about this. And it appears that what they want to do is not something that the other stakeholders want to do.

It's going to be a big, big discussion. Maria Farrell, you're next. Oh, [?], okay, [?].

UNIDENTIFIED:

Thank you very much Olivier. [Marilla?] speaking. I'd like to pretty much agree with the evaluation that Bill did just now, about the importance of this working group right now. I think that we're in a very critical moment of broader Internet governance discussions, we are in



the middle of the [WHOIS?] review process, we have many important events coming up.

And I think that the community will be asked to participate, and the working group could be a space for production of knowledge, dissemination of knowledge, and to percolate these topics inside of our communities and make ICANN participate in a more engaged manner on this [?] review process.

I entirely trust the chairs to make a decision about what is best to do in terms of restarting the group, or continuing the group. My personal impression is that when we restart something, usually the political risk of starting a new endeavor.

And it looked to me that most people in the working group did not want the working group to finish, and there is also – it looks bad to say that a good initiative that produced something useful to NetMundial should be finished. So I think we should take advantage from the positive image that we have acquired in the community, and maybe expand the group, or research the group, or invite new people, but continue with the group.

But again, I trust you politically, entirely, to make that decision. In terms if the group should tackle IANA or not, I think that the meeting, it was clear that there was no consensus about that, and I think that the importance of that group continues is much more broader than if we tackle IANA.

I understand that it's a very political issue, and people are probably going to start another group for that, and that's okay. My only concern



is not related to the working group, but how the no commercial interest will be represented in the IANA transition discussions. Because the proposed to start a working group may mean a lot of things, including that these discussions are going to be led inside the community by people who have commercial interests on the transition.

So regardless of the fact that this existing working group will tackle IANA or not, and probably it won't, I think that we need to make sure, as known commercial interest representatives as a while, that no commercial interests are going to be inserted into the process, and we need to discuss probably in another occasion how to do it. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. And we have a comment, or a question it says here, on the chat. Susie would you like to read it?

SUSIE JOHNSON: Susie Johnson for the record. This question comes from Gretchen [?], and she says, "How ICANN [?] is learning to govern on a global scale? Lots of issues, and it's a sign of the times of that world that we live and grow into. How ICANN works through this will be definition, set a precedent of how such global issues will be resolved. You all should be proud.

You are all leaders in our own, uncharted waters."

OLIVIER CRÉPIN-LEBLOND: Well, thank you very much. There is a smile on my face, literally we are on uncharted waters, which might not be the sort of thing you want.



But yeah. I mean, it's an interesting, certainly there is always this pioneering spirit in this community, in all of the ICANN communities.

I'd like to open the floor and ask ALAC members that are present in the room, I've asked for a quick count to see if we have a majority of ALAC members, and we do. With regards to the continuation of the working group, I know there has been a lot of discussions in the corridors, etc. and I wondered whether there was anyone who would support the closing down of the working group itself?

So, we have 13 ALAC rooms, I think, at the moment. So, I don't see anyone... So we did the same sort of consensus, you know, sort of temperature of the room type, it's not a consensus call per se, because we have to follow procedures, but there was no – the same sort of response as where we just had here upon the working group itself.

Holly, you wanted to say something? Your card is up. Holly Raiche.

HOLLY RAICHE:

Well, you asked if you wanted to close it down, I thought I should put my hand down. Perhaps, I put my hand up. I think there is still plenty of work to do. I think that there will be a lot of issues arising out of Buenos Aries, the Brazil meeting. I don't think that is going to be the end of it.

I absolutely agree with the other sentiment in the room, which is the whole IANA issue should remain absolutely separate, not because they're not linked but it's because it's just too dangerous to link the two, and the existence of the committee will be able to pick up the issues coming out of the transition arrangements. So, yeah, let's keep



the work that we're doing going, but make it very clear that the whole issue of IANA is a separate one.

And we can probably draw up a very narrow charter to say what we're going to do in this timeframe is x, and then have perhaps much smaller and separate membership, because I think almost all of the SO/ACs are developing their own statements about process due April 7th. I think it's incumbent upon us to come up with our own statements about the transition with the process for implementing the transition arrangements.

And that's a very short term thing. So it could be very nicely corralled. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Holly. Jean-Jacques Subrenat?

JEAN-JACQUES SUBRENAT: Thank you Chair. This is Jean-Jacques Subrenat. I'd like to rebound on what Holly has just said. I don't have a strong opinion about the working group aspect of this. I'd like to drill down on the transition of the stewardship of the IANA function, part of it.

OLIVIER CRÉPIN-LEBLOND: In respect to the CCWG's work or are we now slowing transitioning to the second part of... That was what I was going to ask. Let's see with Eduardo, Eduardo?



EDUARDO DIAZ: I would support to give... This is Eduardo for the record. I would support to continue having this cross working group open, because it creates a venue to continue dialogue, not only about this theme and many other things that might be, that we might have in common. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you. So I think we can close item number one. We can close item number one and move to the next thing, which is the IANA discussion. So Jean-Jacques, you have the floor.

JEAN-JACQUES SUBRENAT: Thank you Chair. Yes, this is Jean-Jacques. Yes, this separation between the working group discussion and this new one is much clearer. Like Holly, I think that the important thing is actually that the point of view and the requirements of the user community be reflected and taken into account.

How this is done, I don't know. Whether we should really aim for a cross community statement, because it will carry more weight. But if we can't find the appropriate partners to do it, speaking only for ALAC, I think that we should in any case make a statement, because the points of view of various parts of the community will necessarily be quite different.

So I think that our input is really crucial. Simply at this stage, I don't know if this is the best way to get it.



OLIVIER CRÉPIN-LEBLOND: Thank you very much Jean-Jacques Subrenat. So as we heard, this is a politically charged issue. I have been a part of several meetings of SO and AC chairs on the matter. There was also a meeting of SO, AC, and SG chairs, on the matter with some material that was presented to the community, to those community leaders before Monday, over the weekend.

And there was already a lot of [fury], I think is the word I'd like to use here, heat, spice, you get the idea. And as a result, the proposals were amended somewhere, but there is still some significant confusion across the different communities: what the scope is, what the process is, and I'm not quite sure... What did you get out of the consultation sessions on Monday and Monday afternoon?

I thought that would be a good thing that we could share. In the meantime, we have Bill...

BILL DRAKE: Just on the IANA point. Well, first a preface. Nothing, of course, in any of this precludes ALAC, NCSG, or any other group, from making its own statements. Right? We want to pursue two tracks. We want to try to have the common ground stuff where we can, to exchange ideas and move towards mutual understanding.

And when there is texts that are sufficiently non-threatening to all, we can do that at a joint level, but all of us should do our separate things as well and not feel constrained. On this point, I just want to note, what I kept hearing from people last night at the reception was, this is



something that the ccNSO and the GNSO should launch, and kind of run, and then others will be invited in.

And I heard this from multiple people. And...

OLIVIER CRÉPIN-LEBLOND: As a cross community working group? [CROSSTALK] ...and ccNSO with the ACs not having a vote at the end or something?

BILL DRAKE: Cross community working group on IANA initiated by the ccNSO and the GNSO. And I would only note that in that context, at the respect to the earliest point to about ensuring the non-commercial voices are heard, and of course ALAC is not solely non-commercial, but I think we have a shared interest in the role of the users.

And I think that we want to make sure that as that group is setup and chartered, it doesn't end up just being something where the domain industry or the contracted parties are – or the registries in general, are driving the whole show. You notice like when Fadi did the meeting the other day, to introduce the whole topic, who was on the stage?

And when I asked him about that, he said, "Well, the concerned parties should be represented on the stage." I told Fadi we're all concerned. He said, "Well, yes, but the ones who have operational responsibilities, whose political support we need to sign off on this." So that's how he had all the ISTARs, and so on.

We have to make sure that, you know, that's a completely legitimate set of interests, but we have to make sure we're in the mix too.



OLIVIER CRÉPIN-LEBLOND: Thank you very much Bill. Behind me, my eye in the back of my head doesn't work. I have to look around. [?]

UNIDENTIFIED: Thanks. Just in response to Bill, I don't think that's exactly accurate. The discussions going on between the GNSO council and the ccNSO council yesterday, as well as what was being said at the wrap up session today was more that, okay there is what we're calling a tentative rough first draft of a charter for cross community working group on the IANA transition issues, but that this is something we have to...

It was made emphatically clear that it has to be clear that the GNSO is not leading this. And what was agreed yesterday with the ccNSO there would be no leadership exclusive to the ccNSO and the GNSO, but rather some – an agreement between the entire community, all of the ACs and SOs, and trying to get them all onboard first stage of agreeing on a charter that would scope the mandate of the cross community working group.

So I think it's important that everyone is on the same page right now, and hopefully this will be communicated on the AC/SOs lists or through other channels. But it is important that everyone knows there is no one who is taking any form of exclusive leadership on this now and if it happens, in the future, it has to be by agreement of the entire community.

BILL DRAKE: I hope you're right. I'm just telling you what I was told.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you. Evan?

EVAN LEIBOVITCH: Hi. I'm going to sort of go into really trying to simplify things and back up a bit. I mean, we're talking about ccNSO/GNSO collaboration on this and I'm thinking, well what is the remit of the GNSO and the ccNSO themselves within ICANN? They're dealing with generic names. They're dealing with country code names.

They are not by their design intended to talk about governance issues. That's something that's community wide. So, I'm sort of wondering why the SOs sort of say it behooves on them to take the primary role. There is not just ALAC, there is a whole bunch of other advisory committees.

Indeed the RSAC, the ASAC, probably have as much of a role to play in the governance issues, along with the rest of us. I really can't see this as having legitimacy if it's simply being launched by the SOs. Somebody please correct me if I'm wrong or dreaming here, but it really strikes me as really, really strange that the SOs, in the absence of any of the other advisory bodies that run the whole [?] of what ICANN does here, you know, seem to be asserting that they have a special role to take leadership in this.

OLIVIER CRÉPIN-LEBLOND: Thank you Evan. I have on my list Rafik Dammk and then Alan Greenberg.



RAFIK DAMMK:

Rafik from [?]. So we think now, we talked many times about the maybe new cross community working group, and IANA transition, but what I'm thinking about is, can we really talk about the process? I mean, that's the first issue that we have on the table. Like today, the comment will end today, will be closed today, so we really need to speak about the process we setup.

And I think that's... I mean, I guess we will find the common group between the NCSG and the ALAC to work on that. So, how to be inclusive, transparent, and so on. Maybe we should work on that. And I think we have two tracks, the cross community working group discussion will happen, at the level of SOs and ACs. So that's the point that I want to make.

OLIVIER CRÉPIN-LEBLOND:

Okay thank you Rafik. Just as a point to sort of remind you, there is a possibility of SO and AC chairs, I think, this afternoon at the beginning of the public forum, to issue a statement from their community. I don't know whether that incorporates SG chairs as well?

So we're going to, well yeah. There was a statement that was sent from staff over to the whole community, and there was disagreement on the contents of it. The ALAC has drafted a statement that will be read to the record early in the first half of an hour on this afternoon's meeting. I'm not sure whether, okay, you're not aware of this process, okay. Let's go to Alan Greenberg.



ALAN GREENBERG:

Thank you. I'm afraid, as I heard Evan talking, that sounded exactly what other people said about what the last group of who is the ALAC and the NCSG to take the lead on this, when everyone is concerned. And I know our... The discussion that led to that group, basically focused on, Fadi suggested that there be a bottom up process.

Nobody has started it yet, the week is almost over, let's do something. And I didn't get the feeling that there was a position being taken by the ccNSO or the GNSO saying they have to beat it. Just that somebody has got to kick it off and try to get the other parties involved, and that's what I sensed is that.

And I wasn't at the meeting where that was discussed. But that was the tone that I sort of got. You know, certainly IANA stewardship is not a GNSO policy issue, but the GNSO and the ccNSO has a vital interest in making sure that IANA keeps on working properly. Because their policies have no merit, no meaning at all, without that as the background.

So that's the way I sensed it. Maybe I'm just being kind and benevolent and trying to avoid finding a boogeyman and conspirators, but that is the way I read it anyway.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much Alan. Any other comment on this as a follow up? Avri Doria.



AVRI DORIA: Yeah. This is Avri Doria. I just wanted to mention that, and I thought [Amir] said this, that there was a recognition that they had to go talk to the rest of the AC and SO leaders. It was just the two of them. And this time, they were doing it right. They were saying, “Gee, let’s do this. Oh, let’s go talk to those other guys too.” So I don’t think, Evan, that it is the situation of excluding.

I think it’s just two groups were sitting and talking and they decided okay, great idea, now let’s talk to the rest.

EVAN LEIBOVITCH: Thanks Avri, asked and answered.

OLIVIER CRÉPIN-LEBLOND: And that was Evan speaking. Any other comments on this? Is there anything that our two groups should be doing in this respect, joining forces or something, or collaboration, and sharing of information? We have a GNSO liaison in the guise of Alan Greenberg, but would there be, I’m asking here my fellow ALAC members who are frantically taking notes on their computers about this meeting.

I’m just asking whether we should ask for further collaboration or something? Jean-Jacques Subrenat.

JEAN-JACQUES SUBRENAT: No, it’s not an offer for collaboration, it’s rather a [?] process, and the whole thing for the next few weeks will be about process. But in order to get that in a proper and constructive way, I wonder whether it



wouldn't be good for a selected number of people from the two sides, to get together about the content.

What, how do we analyze, how do you analyze the statement by NTA? I mean, this was crafted, we're told it was crafted on the side of a table in two minutes, no. It has been going on for months, I suppose. So we have to really understand what is at stake, what is the fallback position of the US government?

There is, I think, and I throw this on the table, a major contradiction, at least apparently in the way this is worded, and what the probable outcome can be. On the one hand, the NTIA statement says, an administrative arrangement where it would not be government led, nor intergovernmental. That's one point.

The other point I want to make in relation with this is that, on the contrary, the whole sociology of ICANN for the past few years, has been inescapably a reinforcement of the role of the GAC, and therefore of nation states. So, who do we combine the two? My reading of this is that, there is a position in Washington also under the pressure of large industries in the US, to say, "Look, if we leave, there is so much fuss now about the US maintaining its single oversight of the Internet, fine.

Why don't you dare the other guys to come up with something different?" And in that case, no government and no intergovernmental thing. It will be much more difficult to achieve, but make that statement. Now that's my analysis, so maybe it will be useful for the two groups to, at least to understand what not the outcome is, but what the stakes are.



Seeing both from Washington and from other capitals.

OLIVIER CRÉPIN-LEBLOND: Thank you Jean-Jacques. There were so many concerned on the GAC about this particular sentence. Did that mean that no solution could include governments or intergovernmental organizations? The response that Larry Strickland gave to the GAC itself when he met with the GAC a few days ago, was that the sentence was not intended to mean this.

It was intended to mean that the process should not be controlled by a government, or be a governmental organization. Now that said, if the control of the process goes to ICANN, the GAC being engrained in the ICANN bylaws as basically requiring a response from the Board, and we have seen that the GAC when it flexes its muscles, has been able to get ICANN to do things against its own will, but has been able to get ICANN to do its own things.

The GAC working under a consensus methodology today, but being able, very much so, to change its methods of work, and change into a voting method of work, the GAC could end up effectively controlling the process by having votes on these issues, and having a small number of countries ganging up together to pass a vote on the GAC to then get ICANN to do something if ICANN was in charge.

So, that is something to remember, and it's – the whole thing that I provided you already heard from some people, and this is why it's such a complex issue. Now with regards to other stakeholders, the feedback I have had also is that yes, some parties that are inherent to the



agreements that either – not signed contracts, but that were part of the prior agreements are saying, well we were part of the old agreement.

The only thing that's changing is the removal of the US government function of being the last resort before something goes, you know, the last hurdle before something goes into the root. And also the accountability... Well, there is the accountability mechanism, and there is also the enforce mechanism, enforcement mechanism.

And that's another level of complexity, because how can you be accountable without someone being able to enforce that accountability? Certainly some of the processes, including the ATRT, etc. at ICANN have enforced the accountability of ICANN itself.

But always with regard to an agreement with an outside party, such as the affirmation of commitment, for example. So the, you could say that you could build a self-accounting, or self-accountable mechanism for the IANA function. But then who would be enforcing this? Some are saying we might need to open up to the fact that there could be another organization to which ICANN could be accountable to, but then how do you make that accountable, that organization accountable?

It's a chicken and egg scenario. And the concern, my personal feeling, the concern I have at the moment, that we are entering a period of instability, we're also entering a period where a lot of [?] will try and pull the cover to themselves.

So we will see all sorts of, I was going to use the word crazy but no, that's not diplomatic enough. All sorts of interesting ideas that will come through. Some which say that ICANN has to rollback 15 years and



start again at the beginning and say, well, it was built wrong to start with etc. etc. I'm not quite sure which way to go with this, but what's clear, the ALAC has drafted a statement based on this week's discussions that says that the user component is extremely important.

It needs to be a key tool to the future of all of these discussions. End users have to be involved in both the negotiations, the discussions, etc., and also in the final product. But, you know, that's something which we might not see from other SOs and ACs, depending on who they are.

I wonder if the NCSG has worked on a position, and what that position is. Do you have a statement? Have you been able to discuss this? And I guess after that, we do need to go because the public forum will start very soon. IANA, have you developed statements on anything to do with IANA?

RAFIK DAMMK:

Yes, we have statement, and [?]

OLIVIER CRÉPIN-LEBLOND:

Jean-Jacques, I would like to take you up on this putting together of a small, just a small group of people. I don't think it's a working group as such, but could we just have – is there an interest in the NCSG to have people that can continue...?

Like lead, topic leaders or something on this? You're not NCSG, Holly, sorry. I will call for ALAC in a moment. Is there any interest in the NCSG to have a couple of... I mean, I'm just saying two or three subject topic

leaders who would be interested in keeping a strong bridge between the different, between ALAC and NCSG on these matters.

So that we know when you're drafting a statement, we're aware, and when we're drafting a statement, you're aware. We're likely to draft a much more complete statement than what is there currently.

RAFIK DAMMK: Maybe we can call for volunteers now then? I want to volunteer, or I can volunteer some people like Avri.

AVRI DORIA: Avri speaking. So my punishment for not paying attention? [Laughter]

RAFIK DAMMK: For much more Avri. Who else?

OLIVIER CRÉPIN-LEBLOND: Okay. And on the ALAC? We've got [Raf ?], Jean-Jacques Subrenat, Holly Raiche, Fatima Cambroner, fantastic. Okay. Go ahead Jean-Jacques.

JEAN-JACQUES SUBRENAT: Yes, I just like to make clear that my initial remark or suggestion was not about the process, we agree about. It is really a simple analysis, a sort of geo-strategic analysis of why this is happening now. Why didn't it happen one and a half years ago? Because that was before the Snowden revelations, etc.



So we just have to make clear what the geo-strategic background is about.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Jean-Jacques. And I'm going to take my time to pass the floor over to Avri Doria, who is jumping, literally jumping up and down in her seat. Avri.

AVRI DORIA: While I don't want to diminish Snowden, blessed be his name, I actually think that the timing has to do a lot more with a combination of two things. One is Larry's participation, Larry and NTAA's participation in the ATRT 2, and actually coming to a conclusion and looking at the way it has been taken up, but coming to a conclusion that there really isn't accountability mechanism that is working.

And also looking at the fact that this was something that perhaps he wanted to get done while he was still in the job. And so, while I think, you know, Saint Snowden is a good cover for these things, and for getting people to accept it, I really do not see it as a cause in any way whatsoever. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Avri. Jean-Jacques and then Alan.

JEAN-JACQUES SUBRENAT: Thank you. Avri, I really appreciate your remark. That's precisely part of my proposal. It's to be able to analyze all of the elements. The



Snowden element, perhaps the Saint Larry and the Saint Fiona element as well. Domestic policy in the US is also a real factor, because the Democrats want to move away, if they're not reelected as President, to be able to carry away that as something, a given, for the future.

You're quite right. Simply I'm saying that we should not avoid some, let's say, inconvenient aspects of our analysis. We should be thorough. That's all I was saying.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much Jean-Jacques. I think next was Alan.

ALAN GREENBERG: I just wanted to comment that we can't forget that Larry's oversight of this portfolio is just about over. He may well either want to leave a legacy or be fearful of what the next regime will do, and similarly if a Republican President is elected next time around, all bets may be off. So I think that timing may well have a lot more to do with it than anything else.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. Bill Drake.

BILL DRAKE: I'm not sure how much on the road [?], the internal workings of US politics, you really want to try to get into, but I know that...



OLIVIER CRÉPIN-LEBLOND: Do you want a challenge?

BILL DRAKE: I know that...

OLIVIER CRÉPIN-LEBLOND: 30 seconds on US politics.

BILL DRAKE: There are people, you know, some of us have been talking to NTIA pretty closely for a long time, there has been a desire to do this for a long time. They don't want this thing, you know? It's been a pain in the ass, frankly, and it's held up any effort to try to move discussions on Internet governance into more productive terrains. There has been planning going on for a long time.

The four principles were not, were on a napkin, they started working on this in December. This is – there has been a plan. When ICANN was ready, incredible, to get rid of this thing. And this is the timing is – as Avri says, the ATRT process gave them more hope that they are now in a position where they can hand this off effectively and not have it blow up.

But it has been a desire to do so for quite some time, for all kinds of reasons.

OLIVIER CRÉPIN-LEBLOND: Okay. And with these wise words from Bill, we can move on to number three in our agenda, and that was just a quick update on the ATLAS II.



For those who have been sleeping in a cave for the past year, you might not be aware that there is an At Large summit that will take place in London in June 2014.

And we are bringing our 160 At Large structures, some of which are actually also, I think, NCSG and some NPOC structures as well, to London. And providing them with a full agenda of plenary sessions on Saturday, Sunday, then workshops, etc. It's a very large project with a working group that is currently doing some capacity building, or preparing some capacity building in the run up to then...

The question really is how could NCSG participate? Now there is already one thing that members of the NCSG are encouraged to be doing, select members of the NCSG, is to come and act in the capacity building sessions. I think there are a few members from your community that have been asked already to participate.

So I think we will be asking for your, chairs of SO AGs, the whole thing to go and talk to our participants, and of course, you're very much invited to take part in the sessions. Tijani, did I summarize this or did you want to add anything?

TIJANI BEN JEMAA: I think you said everything.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you. Are there any questions from NCSG participants?
Rudi Vansnick.



RUDI VANSNICK:

Thank you Olivier. Well, I think that it would be good if we could have an overview of what you're planning, what are the events and workshops you're planning already. I know that in the ATLAS II, there is a lot of work already done. NPOC is willing to engage themselves in collaborating and discussions about panels, but it's good if we can have an indication of what are the topics, what are the ideas that you're going to address, in order to prepare our panels also.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thank you very much Rudi. The topics are on the wiki, I think. At least they are on Heidi's computer, which Heidi does this thing about making the characters as small as possible. So I know that I feel like I'm on planet Mars with a little telescope. You know, these homemade telescope things? Try to see.

So, a few light years away from me, we've got the future of multistakeholderism, the globalization of ICANN, global Internet from the user perspective, ICANN transparency and accountability, and At Large community engagement in ICANN. These are the five main working groups. There will be some sessions, I think they've disappeared.

The sessions on capacity building. Yeah. That's been zapped obviously. There was some capacity building topics as well, which are coming forth, but these will be transmitted. We're currently building the wiki so as to be able to have something that is presentable and not a work in progress. But as you know, we've been a little bit busy in Singapore.



So if you wish, what we can have is an action item as soon as the agenda is built up, or at least the first parts of the agenda are built up, we can ask staff to provide the NCSG with an update. Evan.

Sorry, I thought it was Evan. Yes [?].

UNIDENTIFIED: Thank you Olivier. Just one quick question. Is there room for discussing with you some kind of, you know, adding another item or issue on the agenda? Or is this just a closed agenda because we're coming in late?

OLIVIER CRÉPIN-LEBLOND: Not sure if the agenda is closed or not, but I think that it will probably have to take this up afterwards because I know that the agenda is still being worked on, and I leave it over to the organizing committee to take it up. Kathy [?].

KATHY: Yes, I'll ask a question then a follow up. Is there anything on the agenda that the new gTLDs in education, outreach about the new gTLDs to the user communities?

OLIVIER CRÉPIN-LEBLOND: Yes, thank you very much Kathy. There is, and I'm doing this from memory, there is actually in the capacity building sessions, about gTLDs, new gTLDs, and there is also about IDNs as well. And these are set webinars that will take place prior to the summit as well. We've got



three months until July, so we've got webinars and then we don't want our ALSs to arrive and say, what is a gTLD?

That's lots of face to face time.

KATHY:

Okay. Then the follow up might be, I just learned about this session a few hours ago. When I was mentioning something to ICANN staff that the rights protection mechanisms in new gTLDs are about to go into effect in great force, which means that those people who register domain names in the new gTLDs, are subject to new, to existing rights mechanisms which include the UDRP.

But to new ones as well, which include the uniform rapid suspension. And the intellectual property community constituency and also outside of the ICANN world, has been very involved in educating each other on how to bring actions, complaints, objections against domain names.

We haven't been quite as involved in teaching people how to respond, users how to respond. Domain registrants how to respond. So if that was something that would have been of interest, I'd be happy to help.

OLIVIER CRÉPIN-LEBLOND:

Okay thank you. I think members of the organizing committee will have taken note. And maybe one action item will be to provide you with a list of the members so that you can follow up with them, and provide [?] as well with a list of the members, that's fine. Make this an action item please.



Provide a list, to NCSG level, provide it over to Rafik Dammk. It's not the NCSG to provide, the ALAC is to provide a list of the organizing committee people who are in charge of the workshops, please. I know we're tired. Okay, back to you Rafik.

RAFIK DAMMK:

Yeah. So we can work together at your conference, and we can collaborate and see where we can help and support, so at the NCSG level, also with our constituency. So there is a lot of room for working together again.

OLIVIER CRÉPIN-LEBLOND:

Any other business? No? I see a lot of very tired faces around the time, maybe hungry, and the public forum has just started as well. You've got three, four hours of fun and entertainment. So ladies and gentlemen, I thank you all for coming here, and see you in London hopefully.

And until then, I'm sure we're going to continue the good discussion between our communities. So thanks and this call is now adjourned. Bye-bye.

[END OF TRANSCRIPTION]

