## **ICANN**

## Moderator: Nathalie Peregrine February 4, 2016 4:00 pm CT

Farzaneh Badii: Okay. Okay we can start now.

Maryam Bakoshi: Yes, Farzaneh, you can start now please. You're free to start the meeting. Thank you.

Farzaneh Badii: Okay great. Hi everyone. My name is Farzaneh Badii, and this is the NCUC session during intercessional meeting. We just - I'm going to - so we are going to have a kind of like a change in the agenda and I suggest that we first start speak a little bit about what we discussed during the previous session and what we want to do and like how to move forward.

And then we can talk about - Avri suggested that we talk about improving cooperation with other constituencies within and outside of NCUC. And then Stephanie also suggested that we talk about the SOI requirements for civil society. And we will also cover the CCWG on accountability and the tasks to do.

Okay...

Man: (Unintelligible)

Farzaneh Badii: Yes. Okay. So that is the order. Now just to recap, we - during the

intercessional we decided that we have like kind of like an ad hoc working group to work on the changes that should be done to the governance structure

of GNSO, if I am not wrong. I don't know if I did the wording right. Do you have any comments on that or - so I think we also have volunteers to join that

working group if it ever convenes, right?

Okay. Any comments on the intercessional? No? You don't think so. Okay

great. Nice.

Arun Sukumar: (Unintelligible) second. So who's volunteering for this ad hoc or whatever it's

going to be called, working group?

Farzaneh Badii: (Aaron) wants to do that.

Arun Sukumar: I will. I will do it, yes.

Farzaneh Badii: Arun Sukumar wants to do it.

Tapani Tarvainen: Yes I'll join too. I have to use my (unintelligible).

Farzaneh Badii: Tapani. You know...

Tapani Tarvainen: Rudi and Klaus want to be (unintelligible).

Farzaneh Badii: Stephanie. No?

Stephanie: I don't even know who they are.

Farzaneh Badii: Okay.

Woman: Which group are you...

Farzaneh Badii: So this is the GNSO. You know, what (Chris) suggested.

Woman: The restructuring one, okay.

Farzaneh Badii: Yes. Okay. So Stephanie will also join. I want. Oh okay.

Matthew Shears: So have - are we still on the earlier sessions from today.

Farzaneh Badii: Yes.

Matthew Shears: Or do you want to move on?

Farzaneh Badii: No I don't have any rush. Can you please state your name before you talk -

speak for the transcript.

Matthew Shears: Sorry.

Farzaneh Badii: Yes. And also just this is like a satellite mic, so it kind of like tries to capture

your voice the more - the closer you are to this it will capture you.

((Crosstalk))

Farzaneh Badii: Yes you have to yell.

Matthew Shears: Okay. So Matthew Shears. So I wanted to go back to the auction proceeds

discussion that we had this morning. This has kind of slipped me by, but I think this is probably of significant importance to this community in particular. So I don't know - I understand there already are working group members, or there are already individuals who have been appointed to write

the charter as the drafting team or if it's - I don't know if it's moved beyond

that. It's in the early stages of a working group.

But are there - who is in this process from NCUC? Has anybody signed up for

this?

Woman: I don't think so.

Matthew Shears: Shouldn't...

Woman: Are you offering?

Matthew Shears: I don't know. That's why...

Woman: (Unintelligible)

Matthew Shears: Yes.

Farzaneh Badii: Okay.

Matthew Shears: So I'm just suggesting that this should be something we should be following.

There are many ways these funds could be used and many of them I'm sure

that we would have some very good ideas as to how we would do that.

Man: Can you say the times and places and everything for the meeting?

Matthew Shears: Yes he sent around them. That was Lars right who sent it around?

Farzaneh Badii: Yes.

Matthew Shears: Do you have it on hand, Marilia? Do you have the e-mail open?

Marilia Maciel: I do exactly (unintelligible).

Farzaneh Badii: Okay. Oh they cannot hear us. Okay. You have to yell because this doesn't -

yes, doesn't pick up the voice.

Farzaneh Badii: Be up close to it.

Matthew Shears: All right. So he said that, this is Lars Hoffman here who e-mailed that. The

process to launch the CWG is currently being led by the GNSO and Jonathan Robinson is one of those, if I remember correctly. The drafting team to create the charter is being formed very shortly. Each SO-AC will have two delegates to the drafting team. Now I think isn't Rudi or one of the NPOC folks on that

drafting team?

Farzaneh Badii: No.

Matthew Shears: No. Who's on it?

Woman: Isn't it Tony?

(Unintelligible)

Woman: Jonathan from CPH and Tony (unintelligible).

Matthew Shears: You're absolutely right. Jonathan Robinson and Tony Harris. The CWG will

be open to all and start as soon as the DT has finished its charter work. So I mean I will certainly join but probably only as an observer. But I think it

would be great if interested people would want to join up as members.

((Crosstalk))

Matthew Shears: I'm suggesting this is going to be - hey this is going to be an important one.

And also it's going to get to the scrutiny of what ICANN does with those

funds again will have ramifications for the organization's creditability, right?

Woman: You know the CSG is going to want to spend it on compliance.

Matthew Shears: You should have done that if you're on the...

Woman: CSG will want to spend it on compliance.

((Crosstalk))

Farzaneh Badii: Okay.

Marilia Maciel: On thing that I think is important is to understand how these people are related

to the working group. One of the topics that is in the working group is the auction. So I guess that what will happen then we're going to - and by the way, this presents a problem that happened, and then the auction team will think about what to do with the money. There will be some communication

there.

Man: Can I hang out with you guys? Of course. Man: Woman: Yes. Matthew Shears: I don't know if we - I'm sure we sent a mail around. Maybe it's worth sending another mail around to everyone in NCUC for people to sign up. Farzaneh Badii: Okay. So... (Unintelligible) Farzaneh Badii: Oh okay. That's great. ((Crosstalk)) Farzaneh Badii: So just to - this thing is being transcribed, so if you can just state your name and yell when you talk because we have a technical problem. Man: Yell your names. Farzaneh Badii: Yes. Woman: Can I ask a question? Is the working group still open or there's no group yet? Matthew Shears: No there's no group yet. There's going to be a drafting team that will draft the charter. It will not be open. There will just be two people from each SO. So

it's going to be Jonathan Robinson and Tony Harris. There's going to be other

SO and ACs will also by invitation submit two people (unintelligible). They

draft the charter. The GNSO will start the charter, and the other chartering organization to be determined. And then the cross-community working group will be open. We're working on the charter. And then the membership to that working group is open to anybody.

Woman:

Okay.

Farzaneh Badii:

Okay great. Thank you.

Matthew Shears: You're welcome.

Farzaneh Badii:

So can we go to the next agenda item, which is improving cooperation with

other constituencies? Avri?

Avri Doria:

What? I just asked a question.

Farzaneh Badii:

Well there is no question.

Avri Doria:

Well no you asked me anyhow what were good topics, and I'm just wondering, you know, there's places where we agree, there's places where we don't agree. And I'm really hoping that we can find ways of working. Because I think if you look at it, there's enough places where we agree with some people here and some people there where if we can get some sort of ways of working together, we can actually achieve some of the stuff we want to from time to time

Now there is a problem, which is, you know, what the CSG is really quite good at being disciplined and voting as a block. And that always makes it slightly more difficult to sort of try and divide and conquer so that we can get

some people who actually might agree with us to be able to vote with us. And I'm not quite sure how to achieve that.

Stephanie Perrin: I have a fundamental question here. Is this call being recorded?

Farzaneh Badii: Yes, and transcribed.

Man: (Unintelligible)

Stephanie Perrin: No, no I know you are, but I'm not. I'm just rearranging my thoughts.

Farzaneh Badii: Okay.

Man: Would the mysterious woman at the end of the table like to say a comment?

Stephanie Perrin: You know me, shy and won't talk.

Farzaneh Badii: Okay. Any thoughts on Avri's?

to know them.

Tapani Tarvainen: If I may?

Farzaneh Badii: Yes.

Tapani Tarvainen: Tapani speaking for the record. One practical suggestion we might do to try to improve our relationship with other constituencies and stakeholder groups, during meetings just try to pick up one of the - talk to a person you don't know in the other constituency and stakeholder group. (Unintelligible) and try to get

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Because I've seen we just don't know these guys. Even within our stakeholder

group. I mean, we don't know people in NPOC very well. We don't even - in

CSG even less. So instead of talking to each other all the time, jump over the

fence and pick someone out there and so maybe they are people too, you

know.

((Crosstalk))

Woman: That was a foregone conclusion.

Farzaneh Badii: Stephanie, can I say your name?

Stephanie Perrin: Yes.

Farzaneh Badii: Okay.

Stephanie Perrin: Okay. So we have a great relationship with the registrars with respect to our

issues on the RDS and on the PTSAI, so that's on the new who to replacement

and on the privacy proxy services working group. So I don't feel any need to

involve them. You know, I don't feel any need to work on that.

I have to say, on the CSG side, I'm stumped to find an issue where we agree.

We don't agree on the agreement problem. I doubt they're going to agree with

me on my transparency and conflict of interest campaign. I'll be shocked if I

find agreement there. So can anybody propose some way to make nice with

the commercial stakeholder group?

Avri Doria: What about the ISPs? The ISPs folks are very concerned in terms of their

participation.

Stephanie Perrin: You're always picking the hard one.

Avri Doria: But all we have to do is pick on a couple of easier ones.

((Crosstalk))

Woman: (Unintelligible)

Tapani Tarvainen: (Unintelligible) even with the IPC and whatever, we are very much in

disagreement with ICANN groups. So if you know them individually instead

of talking to them as a group.

Woman: Right.

Woman: Certainly look at the election of their leader. That would be...

((Crosstalk))

Ed Morris: I have to copy your flight technique.

Farzaneh Badii: Okay.

Ed Morris: Which is for the flight to be cancelled and stranded in Frankfurt.

Tapani Tarvainen: For the record, the applause is for Ed Morris arriving.

Ed Morris: It's usually when I leave.

Avri Doria: We'll applaud again when you do.

Farzaneh Badii: So any other comments on that cooperation?

Tapani Tarvainen: Well actually Ed is a good example. I was talking about the cooperation

between us and other stakeholder groups and constituencies. So we might find

how and when we can find common ground with the commercial people.

Ed Morris: I think the first thing we need to do is forget about the house structure, forget

about whether ICANN wants us to make friends with the CSG. That's why

we're here. My best friends are in the other house. The people who agree with

me on the issues more often than not are in the other house.

The IPC is in our house but they're more or less are mortal enemy. Remember

Robin once said, "I like Greg. I don't know how I'm going to hate him. I'm

finding ways."

Robin Gross: I don't think I said I'm going to try to hate him.

Ed Morris: No, no, yes - okay I'm sorry.

Robin Gross: I never said that, for the record.

((Crosstalk))

Ed Morris: The old ICP people were detestable as human beings, at least from my view.

Some of them were. The current ones are really nice people. I like Heather,

Paul McGrady and I tangled on the CCWG thing but he's nice guy. Greg's a

nice guy. But I think the thing we need to do is cooperate on the issues. On the

thing we - Phil and I did on the recon, we had commonality in issues, but also

it's personal ties.

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Phil and I get along real well. So it's a lot easier to work when you can trust

the other person. I've already found a reason to distrust the IPC councilors this

year. And we've been doing, what, two months? They've already stabbed me

in the back three or four times. So I'm going to have real trouble cooperating

with the IPC going on. But the CSG we can work with. James and his folks

are our key allies on the CCWG right now.

Farzaneh Badii:

Okay. Thank you. Stephanie?

Stephanie Perrin: I'm not the lawyer here, but I think we should avoid making libelous

comments on the public record. I don't think it matters whether we like them

as individuals or whether they're, you know, nice people as individuals. Let's

get down to the brass tacks of our (unintelligible). And I think - as I said to

(Yulf) on our way in here, the problem is we are yoked in a three-legged race

with people who, you know, aren't in the same species. They have different

needs and priorities and it's quite difficult to find a common interest.

Farzaneh Badii:

Okay great. So if I am - am I allowed to speak on the issue?

Woman:

Yes.

Farzaneh Badii:

Okay great.

((Crosstalk))

Farzaneh Badii:

Okay. So for example, I have a good example...

((Crosstalk))

Farzaneh Badii: ...we had a common interest with. We were kind of aligned with the ISPs at

least that ICANN should have a limited mission and rewards together.

Stephanie Perrin: I'm sorry. I only mean when I say this, I mean I can see them resistant to it.

We might have common ground also with small business but they are well

represented of the business constituency.

Farzaneh Badii: That's actually what - Marilyn also mentioned that a lot of NPOC concerns are

similar to the small businesses, so kind of - which is not I mean not our - so

they could use their solutions. But I don't know if they can forget it.

Ed Morris: We have to be careful because the - Steve DelBianco claims he represents the

consumers. The IPC claims he - they represent the consumers. So we have to

be careful on the language involved. Common interest, we may define the

general term as being common, but we have very different perspectives.

Farzaneh Badii: Yes that's true. Okay. Yes, Matthew?

Matthew Shears: Yes, Matthew Shears. So let's turn this around a little bit and say even though

we may probably fundamentally disagree with IPC on a number of issues,

why don't we try and find a couple of areas or maybe just even one where we

may actually agree or may actually be able to work together and look at it

from that perspective.

Because I'd rather see us, say, reach out to these various communities in

Marrakech and say let's get together for breakfast and let's talk about this one

particular issue and how we can work together on it. And let's try and identify

what those issues are.

We may have commonality of purpose with these parts of the community that we may not necessarily be able to work well together with. But at least we have to - I think I prefer that we look at this from kind of a positive engagement perspective rather than saying, "Well we just can't work with them so forget it." If we can put some effort into that.

Man:

There's one issue where you have commonality. That's on the human rights issues. IPC and CSG have been very like in concert on that issue. Even though I disagree with some of the initiatives of the NCSG on that. So. But if you're looking for one, there's one.

Matthew Shears: So that's a great example that we should continue to pursue. And maybe, just maybe, if we could build those levels of trust on these issues we might actually be able to come a little closer on some of the other ones.

Farzaneh Badii:

Okay. Stephanie?

Stephanie Perrin: I think we had pretty resounding agreement that the Westlake report was no good. The problem is we don't necessarily have resounding agreement on where we should be going in the future in terms of the GNSO reorganization. I think that we have agreements, begging your pardon (Kirk) and staff members in the room, that occasionally staff exceeds their remit in terms of how they behave on PDPs and in other areas.

> I think there is commonality of viewpoints there. How to achieve anything on that floor. When you look at delegates that's possibility worth reviewing. I didn't see anybody taking me up on my offer that in the future we should be (unintelligible). But we might get agreement there.

Farzaneh Badii:

Robin you want to...

**Robin Gross:** 

Yes. This is Robin Gross for the record. In terms of an issue that we may have in common with the IPC, I think there's this issue of country and territory names, region names. There's a working group within the GAC that is working to come up with a plan to basically take words out of being able to apply for them in the DNS because they refer to a region, or a people, or a country, or who knows how broad this category is.

This is an issue that we're concerned about because this is an infringement on our free speech right, but it's also an issue that the IPC is concerned about because it's an infringement on the trademark rights. So, you know, we both have rights, existing rights, that this working group wants to just trample all over. And so that's an area where I think we can have a lot of commonality working together going forward.

Farzaneh Badii:

Good thank you. Yes, Ed?

Ed Morris:

Also, on a similar point note, we've always been a very diverse stakeholder group. I mean I've heard stories of battles internal in the NCSG, which I'm glad I wasn't around for. Poor Robin I think has been here for all of them. And the other groups are becoming more diverse. So like the IPC for example used to be all trademark lawyers. Now you've got the copyright people in.

And there were times we can find common ground with groups within the other groups. The brand registries, for example. Other groups are starting to have some of the same problems of dynamics that we've had for a long time, and we can take advantage of that.

I'll give you an example of that. Phil Corwin and Susan from Facebook, they don't agree on a lot of things and we've always found -- I know Robin's been

here about a night -- Phil has always been more or less a friend of ours, and I love working with Phil. Working Phil is one of the most delightful experiences anyone can have. I haven't worked with Susan yet, but we need to look within the groups for allies as well as them as a group themselves.

Farzaneh Badii: Okay good. Yes, (Alex)?

(Alex): (Unintelligible) mostly have a regular relationship with GAC on many things,

like on issues like public policy, you know, they would be useful allies. So I

think some people in the GAC would be useful allies.

Man: And human rights. They've been pretty strong in human rights in the CCWG

for the past few years as well.

((Crosstalk))

Farzaneh Badii: Well to be honest we can't yell and they are supposed to bring...

Man: (Unintelligible)

Farzaneh Badii: I know but we need really like more.

((Crosstalk))

Farzaneh Badii: So nobody - what you could do if you want to speak, you should come to this

satellite microphone. I don't know if we're such a big room. Anyway.

((Crosstalk))

Farzaneh Badii: So okay. Okay any other comments?

Man: Can I make one final?

Farzaneh Badii: All right.

Man: On the GAC issue you mentioned, I think that's a personality-driven thing,

individuals who refuse to speak up on issues that they have personal interest in. I don't think that that is - you can rely on the GAC or even a particular country to be reliable advocates on any particular issue and if they change routes. It's a personality-driven thing. And we've seen a lot more of it through the CCWG because it's been so long and it's been so involved and so detailed

and constrained.

Marilia Maciel: (Unintelligible) Because they have pretty much started the (unintelligible). I

think it's very hard to have a discussion with that. So it depends on the country

I think. Some of them are more bite than others.

Farzaneh Badii: Okay. Stephanie?

Stephanie Perrin: Can you hear me now that I'm at the microphone?

Farzaneh Badii: We'll continue yelling.

Stephanie Perrin: I think that the idea for the GAC is probably very useful if we try to cultivate

our own GAC member. I make it a point to go to the Canadian meetings. I do them at home. My former colleagues invite me to meetings. I make a point of going. And I'm going to start lobbying them real hard to join the Public Safety Working Group since they seem to have a gap in the data protection area that needs to be filled. So I commend that as an activity we can all engage in.

Farzaneh Badii: Okay. Ed?

Ed Morris: I just want - you're right. I'm sorry. Go ahead. People have been asking me

how - why did the board suddenly drop their opposition to inspection in this

new investigation right. That was actually my idea I have to one of their

members.

I - there were three members of the board that I had been courting since the

Turkey meeting, whenever that was way back when. I'm sorry?

Woman: (Unintelligible)

Ed Morris: Yes I'm not going to name names. But I explained their position. And I

courted particularly one of the new members of the board who was looking

for his or her role. And him or her adopted some of our positions. So they

initially came out against inspection. Then all of a sudden, miraculously, they

gave us everything we ever wanted. And that's a result of just trying to work

with certain board members. Again, my perspective is instead of looking at

groups as groups, look at groups as collections of individuals and try to work

with individuals within the larger group and make some things happen.

Farzaneh Badii: Okay. Matt?

Man: Just a reminder from the staff. At least state your names for the record.

Ed Morris: That was Ed.

Ed Morris: That was Ed Morris.

Matthew Shears: Yes, so Matthew Shears again. Just to support what Stephanie's saying. So in the U.K. we have this multi-stakeholder advisory group that the U.K. government pulls together on Internet governance issues, and in the GAC Mark Carvell is a member of that. So we see them on a regular basis. And if that construct doesn't exist in your respective countries, I think that's something that we can push for as part of our external outreach.

> And if anybody wants, I can provide them with a detailed description of what - the model that we have the U.K. And it works pretty well, you know, if people are interested in that to suggest such a thing in their own countries.

Farzaneh Badii

Yes. Anyone? Well I have to say this is a very western perspective. I mean of course we can work...

((Crosstalk))

Farzaneh Badii:

And yes. So it kind of loving and democratic but for some people it doesn't work out. They cannot work with the GAC member. So I think your suggestion is variable; however, there might be some barriers for some people.

Matthew Shears: Whoever that may be.

Farzaneh Badii:

Yes

Ed Morris:

Though he or she does have great ties, you have to admit.

Farzaneh Badii:

This might be because of the personal characteristic or it might be because of their agenda. So that was my opinion about your view of having good ties with your GAC member. Stephanie?

Stephanie Perrin: Okay. Stephanie Perrin for the record. Nevertheless, we might find common

ground with our other constituencies in the GNSO to put forward a model for

a consultative approach of the GAC members. Because we all can't stand the

way the GAC does business, western and eastern I think.

((Crosstalk))

Stephanie Perrin: So that would mean - that could be something that even the business

constituency might get behind the notion of a...

((Crosstalk))

Stephanie Perrin: Because the part may be American delegation does the same thing, right?

Farzaneh Badii: Okay. Great. Thank you.

Stephanie Perrin: Let the record show I stared at Avri and got no response back.

Farzaneh Badii: Okay great. Any comments? Okay. So it seems like we can move to the other

agenda item, which is SOI requirements for civil society and how much we

need to say.

Stephanie Perrin: Say that again.

Farzaneh Badii: The statements of interest requirements for civil society. Stephanie, it's your

turn.

Stephanie Perrin: Okay. Stephanie Perrin for the record. I am concerned partly because of

activities that I'm about to embark to on the (unintelligible) working group

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where I am going to make sure I find out who - the folks there who have the

(unintelligible) are, who they're representing, and hopefully who's paying their

way in these things.

I would like us to be equally transparent. And I got into a rather public

argument with (Niels) about this because I found out belatedly that he - his

funding is coming from the state department, all which is fine except if you're

going to be beating out foreign governments on human rights, it's good to

have declared that you get your funding for your Internet governance program

from state departments. Because many foreign governments regard the state

department's human rights agenda as something out of the...

Man:

(Unintelligible)

Stephanie Perrin: So I think it is a matter of professional collegiality to let particularly those of

us who are out there killing ourselves in the working groups know what's

going on. And it brings up a broader problem that we cannot be demanding

transparency from others and not have it ourselves. I think it is not - I'm not

looking to see bank accounts, but if they have a big fund that is funding them

to attend ICANN meetings or to go, or to, you know, spend their time working

on something, then declare it in your SOI. You know? Activity at ICANN

funded by board foundation, or whatever. You know?

Farzaneh Badii:

Okay. Ed?

Ed Morris:

Yes, no I'm in total...

Farzaneh Badii:

Edward Morris speaking.

Ed Morris:

Thank you, Farzi. We will find - (unintelligible) you know, you'll be in trouble then. Anyway, I totally agree with Stephanie. I'm wondering if there's something we should do on the NCSG or NCUC level for this.

When I heard that (Niels') funding, it did make me think about the positions he's taken. I wish it didn't, but it did. So I think we all need to have sources of funding up front. And I don't know how you can do it on the EC there or in the bigger EC, but we should try to do it ourselves first. And then we have a pilot project going, maybe then we can tell it to the wider community.

Farzaneh Badii: Okay.

Matthew Shears: Can I?

Farzaneh Badii: Matt?

Matthew Shears: Matthew Shears again. So most of the organizations that I know that operate in this space are pretty transparent with their funding sources. Now they may not go in to the same level of detail about what specific piece of funding goes to funding participation at ICANN or whatever, but they're pretty transparent where they get their funding from. I know we are. So that's - it's - but I don't go in to a level a detail that says well I get funding from X to go to ICANN meeting Y. So I don't know to what degree you want to take this.

> But I certainly think we could, as a community, have a much greater level of transparency about who our funders are if we so wish to do so, if we wish to put links on our, you know, on our page on who we are, then that's where we get our funding from, et cetera, et cetera, I think that's fine. And that would be a good thing to do if we don't already do it.

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I don't share the same kind of visceral concern that you do about whether or

not getting funding from a particular source might make - might raise

questions about what a particular person or organization is doing. Because I

think in this space we get funding from very - a lot of different sources, and I

think that much of that funding may well not be tied. And so I think there are

different types of funding for different kind of processes.

Now if we can bring transparency to that, that's great. But I think we have to

be careful about passing judgment on what people are doing, you know,

because of their funding. That's my opinion.

Farzaneh Badii:

Okay. Marilia, you wanted to...

Marilia Maciel:

Just a quick comment.

Man:

State your name.

Marilia Maciel:

This is Marilia for the record. I agree with Matt. However, I think that when you look at your organization (unintelligible), there are lots of funding that you would see that's coming from Google, from Facebook, from state department, from the government, and some visible part of this fund isn't

(unintelligible).

So if people don't want to say that they are funded by Facebook, then they would say that they take their funding from organization X or from the state department. So I think that it is really more a matter of trusting the people that we work with than voting on a statement. I think that it's rude. (Unintelligible)

it's just bunches of dates, then I think we need trust.

Therefore I believe that how the issue has been conducted so far in this particular case in Article 19, I personally (unintelligible) in a moment in which we need to be united around the human rights and the guide from Article 19 is pretty important on that. I don't know if that particular participation does not come from state department, I don't care, but the state department has a very negative or not very supportive when it comes to human rights.

So I don't think we have been relieved that they were receiving funding to pursue an agenda because it wouldn't make sense that it was happening here. So my only point is that yes I think (unintelligible) start from now on from a blank sheet. Let's not try to witch hunt or get information about the previous parties. Let's just (unintelligible).

Farzaneh Badii:

Okay. Stephanie?

Stephanie Perrin: Yes. Stephanie Perrin for the record. Let me be clear, I think the (Niels) felt this was a witch hunt. As far as I'm concerned my trust level went to the floor because it is (Niels) that is fighting and demanding transparency from government representatives who are showing up on this PDP cloaked in different clothing or funded, you know, cyber security guys that are funded by government or, you know, the list goes on and on. This is not - and I don't mean this to be - I'm not calling an attack on (Niels) at all. We don't have any standards.

> He's absolutely right. He basically said in the argument we had on the site channel, don't focus on me, where is the standard. Fine. But do you realize the risk that you put those of us on the PDP and when you don't tell your colleagues that you got this funding. I mean it would be the same if it was Google, for heaven's sake, or Facebook, you know. We need to have some

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notion of where the funding is coming from if we're going to go after the other

side for our new conflict of interest and all the rest of it. So that's why we

need some basic rules.

I understand the problem but a lot of people do not want to put up there on

their SOI that they're getting funding from Google, because somebody else is

going to go after them. So we need to come up with a policy. No names but,

you know, there are people that are paranoid about Google.

We cannot continue - and also be fighting for greater transparency and VIDP

unless we're going to be more transparent ourselves. Now Article 19 has a

wonderful freedom of information policy, which I'm about to try out, and then

I'll find out what the deliverables are and the requirements are, which is the

question I asked around dual applicants. So there's two levels here. There's

what we put on the public record and what we tell each other as colleagues

about what's going on. Just as a head's up.

Stefania Milan:

Stefania Milan for the record. I - first of all I knew that his funding was there

because it was brought up in other settings. Now the question is was is

intentional, was he intentionally hiding it from you? I don't think so. So really

what Marilia suggested is the most productive way of going out it. Also

(Niels) has said it is good that (unintelligible) well before he was funded. So I

safely- I mean I can safely argue that...

((Crosstalk))

Stephanie Perrin: ...of not doing something. We're pointing to a vacuum in the policy.

Stefania Milan:

No I mean I was wondering how much of like why would - I mean I don't care about (unintelligible) but under (unintelligible) and resource structures we have not...

((Crosstalk))

Stefania Milan:

But in any case, I agree there (unintelligible)

Farzaneh Badii:

Great. I have - we have ten minutes to discuss this, five minutes.

((Crosstalk))

Man:

...issue of the CCWG position on accountability of the executive committee. If you look at how this whole issue of increasing the accountability of its own committee, it came about with an agenda that was added as an after minute. So this was going to be used as (unintelligible). So it is - I agree with Stephanie to a point that it is going to be an issue that - it is going to put us in a spot, irrespective of events. I mean I don't know about the actual (unintelligible).

But I suspect that people are going to use this at some stage (unintelligible). So if we have some guidelines on transparency, and I agree with Matt, we need to create a reporting (unintelligible). But we should have some system in place to report where we are funded and are we susceptible to attacks on that front

Farzaneh Badii:

Okay.

Matthew Shears: We should lead by example.

Farzaneh Badii:

Grace?

Grace Githiaga:

I want to agree with Marilia. (Unintelligible) I thought there was some (unintelligible) some people want a role or they want mentioned. And I'll give an example. Stephanie mentioned about global partners and it's quick to see the strategy of working with partners, and I know there are several of us working with global partners ourselves. And I just don't - for questioning, on what basis does Ford give global partners money and not us. And I just thought that was particularly (unintelligible).

And there's a second thing I have - we are NCUC, we are civil society. Sometimes how can we not fund that. (Unintelligible) And we have to find money to come here or to come to attend a meeting. So we're also strapped for money down there. And I wonder if it's a crime or if it's a crime (unintelligible) agree to be providing all that funding if you are not allowed to take money from Ford. I actually thought that was completely legacy.

So my suggestion, and I agree, do we have criteria or do we have guidelines on how if we have to participate in any of the NCUC or any of ICANN meetings, do we have criteria on where we can get funding from. Because for example, ICANN doesn't give us money to do all this work. But in the future, let's discuss what guidelines we need, let's agree on how we do things, because I felt some of (unintelligible).

Farzaneh Badii:

Thank you, Grace. Brett?

Brett Schaefer:

This is Brett Schaefer for the record. I don't think that they were saying you couldn't take money from any place in particular, they were just saying be transparent about where the money comes from. So if you were to take money from Ford Foundation to attend ICANN, just say we accept money from Ford

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Foundation to attend ICANN meetings. I think that was really the main point

so that nobody can say that you're being nontransparent about it.

I mean obviously in the case of Niels, it didn't matter in the minds of some

people. And transparency is always a good thing. If we're going to be

preaching transparency to other people, we should probably practice it

ourselves.

Second, Matthew and I were just trading back forth our organizations publish

our financial information on our websites. We have our audited financial

statements available going back I think eight years or something like that

available there. And maybe in your statements of interest you just post a link

there to your financial page if you have something like that, and that way you

can address the issue that way.

Farzaneh Badii:

Matt?

Matthew Shears: Matthew Shears. So here is our funding pie. And I'm happy to share it, it's

public. So I just wanted to come back to an issue that Marilia raised, which is

the trust element. Because once we start to disclose all the diverse funders that

we may have, we have to be very careful that we don't start to not trust each

other because the funding comes from different places.

So lots of the funding that CDT gets goes into a common pool, so I couldn't

tell you exactly where some of my funding is coming from, but we have many

funders who are on the other side of this table around - that we've just been

sitting around, right? So.

But I'm hoping that when you see that list that that won't change your

perspective for me or for anybody else who is working in, you know, and

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doing what we're doing based upon the funding that, the names and the

funders that we get. So we just have to be very careful about what we - how

we - this may change our perspectives. Hopefully it won't. But I think more

transparency of this is better.

Farzaneh Badii:

Tapani?

Tapani Tarvainen: Tapani for the record. I'm just looking at an SOI template here and it does not

really have an entry for identify all your funding sources. It has like

relationship with the company that has contractual relationship or contract or

things like that. But there is no simple entry, please identify your funding

sources. So we might actually want to suggest like we put that kind of

measure there.

Farzaneh Badii:

Stephanie?

Stephanie Perrin: I think it...

Farzaneh Badii:

Stephanie Perrin for the...

Stephanie Perrin: Yes, Stephanie Perrin for the record. I think it would be very useful to get on

the NCUC website. We have a very simple template. If someone's active at

ICANN, you know, like Stephanie Perrin attends ICANN meetings regularly.

She is funded through the GNSO. If I, for instance, I went to the IDF, I paid

for my way to the IDF by writing a report for (Sera), I would have no problem

saying I produced a report for (Sera) and they covered my trip to IDF, for

what it's worth, where I did stuff on ICANN.

So I don't think that is a huge deal. And, you know, that will get at - there are

two, as Matt has described, that's two different kinds of funding. There's

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funding where you're on contract to provide a deliverable and there's funding

where it's coming out of a general fund, where you are not accountable to the

funders for a specific and particular deliverable.

Getting to the matter of trust, I mean I think it's really clear that we need to

understand how people are participating and where their funding is coming

from in order to have that level of trust -- at least it's clear for me. If I don't

know how somebody is showing up and they're here, and I don't see a means

of support, call me a paranoid old bureaucrat but I'm going to wonder what

government is funding them (unintelligible).

Farzaneh Badii:

Okay great. So we are done with this agenda item. So what we do - well I'm

just going to wrap up. So what we could do is to come up with a template, but

someone has to come up with that at the NCUC. Can we come up with a

template or are we going to just do it collectively on the NCUC list to discuss?

And do we agree - everyone agrees that we should ask our members to state

their how they fund their travel to ICANN - activities to ICANN, everyone

agrees on that? I don't know. I think we should discuss this further. Stephanie?

Stefania Milan:

I don't know how. Because I know like for (unintelligible) and one of the...

((Crosstalk))

Stefania Milan:

So why do we need to explain to you, to NCUC, where we are getting that

money. I just need to understand, because we already are accountable to

different - to our advisory board, to the donors and other stakeholders.

((Crosstalk))

Stefania Milan: You know, that's like NCUC wants to police all the civil society

organizations. I just want to understand.

Man: Can I ask a clarifying question?

Stefania Milan: Yes.

Man: When you said you answer to both of your stakeholders, do you provide them

with - on your website do you have a list of donors or of your budget

(unintelligible).

Stefania Milan: Well we just do our report and (unintelligible) to our stakeholders.

Man: I mean it might be easier if you just update that and probably put it on there. It

might handle the request. I mean I'm just trying to figure out a way...

Stefania Milan: It's okay. I just need to understand why we have to do that.

Farzaneh Badii: Oh okay. Tapani?

Tapani Tarvainen: Tapani for the record. I'm just thinking is this an NCUC level thing or do we

bring this to the NCSG level or push it all the way up?

((Crosstalk))

Tapani Tarvainen: In any case, NCUC (unintelligible) so it's a start but we might push for the

policy statement all the way to ICANN wide to have an SOI entry here with

this, or start with the NCSG level or whatever.

Farzaneh Badii:

Okay. I don't think we can decide on this here and now. I suggest that like people can discuss further and then we can come up with a plan, but not now and here. But if you can be very short, both of you can talk. Stephanie and then Marilia.

Stephanie Perrin: I propose that we continue to discuss it on the NCUC list. In answer to Grace's question, the problem with only having it on your website is, with respect to the engagement at ICANN, if I'm on a PDP arguing with folks who are coming in from around the world who have no clue what the NCUC is, let alone the stakeholder group, Grace having something up on her website about her donors doesn't help at all. There needs to be some sort of - SOI would be idea but until we get the SOI changed, we can do it ourselves at NCUC and put the link into the SOI somehow. Okay? That's just a proposal.

Farzaneh Badii:

Okay. Marilia?

Marilia Maciel: It's a great question. So I think it's important when we are (unintelligible). My suggestion - rather than me speaking my suggestion and talk, asking for all NCUC members I think is too much. We have more than 500 members and people - many people don't come to the meetings. It's not necessary.

> What I think would be useful is if they are directly involved, it may be important (unintelligible) so everyone that is part of the EC, everyone that is part of the BC, a GNSO member or they are involved in a working group, and Board members. So that would be (unintelligible) to be pushed to the other parts of the community, and we can set the example by doing it ourselves.

Farzaneh Badii:

Okay. Great suggestion. Thank you. Avri?

Avri Doria:

I just want to ask a question and was wondering how many people would this stop from coming?

Farzaneh Badii:

Yes. Okay.

Tapani Tarvainen: It's easy for me.

Avri Doria:

Only come up a month ago.

But, you know, for others, I'm just wondering if we risk, you know -- because we want to beat up on others and are therefore starting by beating up on our own first -- whether we risk hurting ourselves and achieving very little.

Farzaneh Badii:

So I think there should - well, I do it if I can have an opinion, but.

So, no, but I think we can also separate (unintelligible) in spots like what happens before and what happens after they get involved with the process. So if you're suspicious that someone is acting like not in the interest of NCUC and in the mission that we have, then you can challenge them and say, "You lost your funding resources and who are you getting funding by?" But as long as they're not doing anything that is against the NCUC mission...

Man:

What is the?

Farzaneh Badii

What is the group working on? What is the group working on because - no because - so now I'm going to be very honest with you. Of course we can have all these processes which are going to be ineffective in the end. We are not going -- we are going to prevent people from -- as Avri said -- from attending and coming, and we are going to put a burden on them and make the process more difficult for getting involved.

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So I'm asking is it better to have like kind of like after the event process for

asking where they get funding from, or before that have like a complicated

process to ask them for funding -- to ask what the source of their funding is.

Yes, Stephanie.

Stephanie Perrin: I would regard this - Stephanie Perrin for the record. I would regard this as a

fundamental matter of what maturity level is ICANN at. This is transparency

that is necessary for an ultimate (sic) organization.

So - I mean we have all of our discussions are on the record, we record

everything, and yet we're not willing to be transparent about who funds us --

at a very basic level to a ten? I think this is not about suspicion; it's about just

plain and simple transparency.

And I would like to know who won't comment after this process funding and

why.

((Crosstalk))

Man:

(Unintelligible).

Stephanie Perrin: Why do they have to?

Farzaneh Badii:

Well because they think...

Man:

Well because somebody is paying for their time.

Stephanie Perrin: Right.

Farzaneh Badii: But (unintelligible) members of the BC - AC...

((Crosstalk))

Man 2: Yes, so lead by example, (unintelligible).

Stephanie Perrin: Yes, if they're participating remotely and somebody is saying for the time we

meet...

Avri Doria: We can put anything in our SOI that we want to, so I'd suggest...

((Crosstalk))

Man 3: And I'd like to point out that doing it after the fact isn't going to work. For

example, if I were opposed completely to the human rights work, the minute I

find out that Neils was getting his money from the USG, I would be all over

that. I would attack him for being a lap-key of the US government; I know

he's not. But by keeping it secret -- if it seeps out -- you can get roasted for it,

and that's why you need to be upfront about things like this.

Farzaneh Badii: Okay, so we can move on. And so we are going to talk about CCWG

Accountability. And we're going to talk about Recommendation 11 -- as you

suggested.

Man 4: I think we're (unintelligible).

Ed Morris: Well yes, I was actually - I'm going to surprise some of my CCWG colleagues

because I'm going to be reversing position to help 14 months. I basically met

the point where I'm going to opposition the transition.

Avri Doria:

(Unintelligible).

Ed Morris:

Oppose the transition as currently constructed because although it's supposed to be CCWG Accountability, it has turned into CCWG corporate reorganization. And when I think of our members -- in the interest of our members -- although the Accountability changes -- which frankly, Robin is responsible for a lot of the good stuff because you were there in March and April on the IRP, on the recon before a lot of people got involved.

But in terms of the corporate restructuring, our members get screwed by what's going on here. You have - I had all these notes but we'll just scrap it for now.

Robin brought up something in a call last week. I think it was one of those wonderful calls that we don't take transcripts on -- that we get invited to.

When she was talking about her opposition to 11, she brought up a word called principal, that there was something (unintelligible) be right.

I got an email right after from one of the major players on the Contracted Party House. It started me thinking -- if I can just bring it up here.

I really hope we don't - excuse me -- I have to think this over (unintelligible). And this is from someone we all know. I really hope we don't get to a point where divided GNSO blows up two years of community work over some perceived principle. So let's forget the principle because - and that got me thinking.

Who are we here in the NCSG and what the heck are we doing in ICANN. And it got sort of me realizing, in the CCWG, we're the only players that don't need the transition for economic reasons.

Farzaneh Badii: That's not true.

Ed Morris: Okay, there's some others. Tell me who?

Avri Doria: GAC doesn't need it for anything and the SOs don't need it for economic

reasons.

Ed Morris: Or for their own purposes. ASOs have been pushing.

Avri Doria: CCNSO doesn't need it for their purposes.

Ed Morris: They've been pushing it.

Avri Doria: I'm not even - they believe in it. They believe in not having ICANN

dominated by the US Government. They say that in itself is an important

(unintelligible).

Ed Morris: So we should be dominated by a closed cartel of governments that are

nontransparent.

Avri Doria: It's not. That is such untrue.

Ed Morris: Tell me what's going on in the GAC recommendation and tell me which

countries support it and which countries oppose it.

Avri Doria: Is this some fricking intervention? Is this an inquisition? We know. We have

seen people like Mark. We have seen the various governments speaking out at

various times.

Do you need to see their voting? What difference does that make to you?

Ed Morris: I don't know where the...

Avri Doria: (Unintelligible).

Ed Morris: Oh I do.

((Crosstalk))

Avri Doria: ...I am going to trash this.

Ed Morris: I have to ask (unintelligible), I have been Avri.

((Crosstalk))

Ed Morris: When did I say that? Quote.

((Crosstalk))

Ed Morris: I just simply oppose the transition. That doesn't mean I want to trash

everything.

Avri Doria: You want to trash the transition obviously. We'll go back to...

Ed Morris: Trash?

Avri Doria: ...(unintelligible) of ongoing trash ICANN.

Ed Morris: Trash ICANN. Oh.

((Crosstalk))

Farzaneh Badii: You both just take a couple steps back.

Woman 2: One at a time.

Avri Doria: I'm sorry. The anger that is coming out here and the viciousness of the attack

is just problematic.

Ed Morris: I'm getting tired of having these blanket statements that you can't justify.

Avri Doria: I'm getting tired of your statements that you can't justify.

Farzaneh Badii: I think we can...

Tapani Tarvainen: Yes, why don't we take a little bit of a breather here.

Farzaneh Badii: Can we take like five steps (unintelligible)?

Ed Morris: I was going to have a nice point, but Avri doesn't like it because I disagree

with her position.

Avri Doria: No, (unintelligible), I do not like the way you attack other people.

((Crosstalk))

Ed Morris: Then could I have the floor so I can finish what I was going to say before I

was rudely interrupted by Ms. Doria?

Farzaneh Badii: Okay. So we were going to discuss Recommendation 10 of the CCWG.

Anyone else have a comment on that?

Ed Morris: Excuse me, apology. I have the floor and was interrupted (unintelligible).

Farzaneh Badii: Okay, yes sure.

Ed Morris: I want to make my point (unintelligible).

Farzaneh Badii: Yes.

Ed Morris: So eventually I was thinking what we do here in the NCSG, and - okay, Avri,

there are other people without economic interest. But we have a special role at

least within the GNSO that all the other houses within the GNSO do have

economic interest in seeing the transition go forward.

VeriSign certainly wants it, the CSG -- for the most part -- certainly wants it

to go forward, (unintelligible).

And so I thought, okay, this is what we're here for. We're here to make a

process on this; to make sure that considerations -- other than economic

considerations -- are here.

So I expressed that to - I'm sorry, if you won't mind - to our NCA -- (Jule).

And he came back with me and said, "Well, that's ideal, but in reality -- in

some ways -- all we really are, are a window dressing for the corporation

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interests." And by going along with some of these plans, we're just giving

them the cover for a corporate takeover of the Internet.

In his view and I guess in some other views, all that's going on in the

transition right now is a change from a soft control by the US Government to

a corporate takeover.

I don't know if I agree with that. But what I do agree with -- or at least what I

would like to say -- is when we talk about CCWG Accountability, let's cut the

bull.

There are two aspects of this proposal. One is accountability; the IRP, the

reconsideration to transparency. The other part is a corporate reorganization.

I know Avri likes the (unintelligible) in all of this. I don't. I was here in this

city -- over a quarter a century ago -- with Jon Postel. I was a work study

student. Jon Postel did everything he could to keep governments from taking

over the Internet.

And I was thinking about that on my flight out today. We have a new proposal

in Recognition 11 -- which is a reasonable proposal in the context of what

we've been discussing -- where governments, the 60%, override Becky's plan

to opt out of certain - with the government not being able to - the GAC not

being able to oppose community action on GAC matters.

But I come back to principle -- principle that I believe in was that this was a

multi-stakeholder environment of equals. Not one where was someone is more

equal than the other like in the animal (sic) house.

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And I think of what Jon did in 1992. When the governments were getting

close to trying to take over, Jon had (unintelligible) room service point to the

US sea root server, and four networks (Nushions) only had three.

The American Government responded -- Mr. (Magaziner) -- by threatening to

put the National Guard in the USC campus. They were returned.

Are we honoring those who created the Internet by approving a plan by which

-- under certain circumstances -- governments - and again, this is not an open

process of government like the ITU where we have votes. This black box of

governments which do not -- as the Board now will -- publish their minutes,

publish their considerations.

It's just going to be able to say, for example, after two years of working a

PDP, we disagree, 55% of the Board agrees with the community -- if it goes

down.

So for me, any increase in the power of government is not acceptable. So I

guess I will just announce that unless I'm bound, my intention is to vote

against 1, 10 and 11 unless the power of governments is reduced.

(Unintelligible) anything else.

Farzaneh Badii:

Okay, thank you. Marilia?

Marilia Maciel: Can you just summarize into a line what the problem is?

Ed Morris:

Governments being a - the GAC; we'll use the correct term. The GAC will be

able -- in certain circumstances -- will be able to veto.

Marilia Maciel: If they get consensus, right?

Ed Morris: Well if they get consensus, they will be able to veto the work of the

community that is supported by a majority of Board members. That, in effect, is government control of the DNS. Now it may just be theoretical, but that's

not for me.

Farzaneh Badii: Okay. Any other comments on this?

Robin Gross: I'll comment.

Farzaneh Badii: Robin.

Robin Gross: Hi, this is Robin Gross for the record.

Phil, I think there has been a lot of significant movement in the last few days in the CCWG on this issue. And frankly, the movement is going in the right direction. Becky Burr and some others have been trying to take some of the more harsher elements out of these recommendations, and I think that's very welcome and I'm so grateful for that.

But I do think that the underlying principle is still there that we are essentially using this accountability process to empower governments, and that isn't what we set out to do here. Now we're giving governments to remove Board members, to approve veto or to approve budgets -- and all these other governance functions of ICANN -- that they were specifically designed to not be a part of. There is supposed to be an advisory committee; not a decisional authority.

So I absolutely share the concern. And I think it is better today than it was last week. But I still think the principle is still there that whether it's 60% or 66%

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or what of the number of Board members that must somehow develop a sign

and be able to vote against what the GAC has done is not all that important.

What's important is the principle of we are now changing the fundamental

structure of ICANN away from being private sector and giving governments

just as much authority and power over these key government structures that

we've -- in the GNSO -- have.

So that's my concern. That's why I also remain, you know, if I give a vote, I

would vote against those recommendations as well.

But at the same time, I do want to recognize that a lot of people are working

really hard to try to take some of the sting out of them, and they're not as bad

as they were a week ago.

Farzaneh Badii:

Brett.

Brett Schaefer:

Brett Schaefer for the record. I guess my question to you, Ed, and my question

for Robin, is do you think that your no vote will carry the day in preventing

the GNSO from supporting those resolutions? And - because that's really the

only way you're going to affect the proposal in your direction from where it is

right now.

And if you can't, does your opposition potentially spoil the suit so-to-speak,

and we could revert back to the third draft which I think is infinitely worse

than the current proposal we have on the board. So those are the two questions

I would ask.

Robin Gross:

Well I think you're -- that concern that we would revert back to what we had

last week -- is a pretty valid one. And that would be my concern as well.

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But I don't think we're there now. I think the concern is dead. There is no way

the GNSO is going to accept that, so I think that's off the table.

It's just really a question about is the 60% acceptable at this point. And I

suspect -- I don't actually know -- but I suspect many others in the GNSO are

softening and will find their way to, you know, go along with the program.

And it will go forward. And, you know, perhaps NCSG will be the lone

descent. And it wouldn't be the first time and it won't be the last time. So

what's hard...

Brett Schaefer:

Can I just follow-up on that? (Unintelligible).

Is the 60% an issue for you? I thought it was the government (unintelligible)

at any level.

Robin Gross:

I think both. I think they're - yes.

Brett Schaefer:

So if you address the 60% down to a majority, you would be okay with it, or

would it require the whole enchilada?

Robin Gross:

I think we need to have - I think we need to get back to the 50%. I think we

need to remove the decisional authority. Again, it's about the principle. It's not

where you cut the line, where you draw line, whether it's one vote or two

votes, but it's the underlying principle that every year we give GAC more and

more and more power and authority.

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And, you know, ICANN claims to be an open transparent bottom-up

organization. Well how can we make that claim if we're giving this much

power to the GAC that the GNSO has?

There's nothing in the GAC it to be open and transparent or bottom-up. I mean

there are GAC members who - you can be there by launching a military coup.

And guess what? You're in the GAC. So - I mean there's nothing about the

GAC that requires these elements that ICANN is supposedly championing

here.

So until that happens -- until the GAC is more democratic, more transparent,

more open in its own dealings -- I just don't see how ICANN can claim to be

those things while at the same time giving GAC all of this power.

Brett Schaefer:

Do you agree with all that Ed?

Ed Morris:

Yes, I mean Robin is far more eloquent than I am at stating it.

But I can talk about politics. If we oppose it, the NCA is even stronger on

these issues than we are. We can (sic) stop it on the GNSO. Seven votes is

what it takes; we have them. If...

Robin Gross:

But moving target.

Ed Morris:

Exactly. It is a moving target.

**Robin Gross:** 

And in fact, we may not have them.

Ed Morris:

Okay.

Farzaneh Badii: (Unintelligible).

((Crosstalk))

Woman 3:

I don't know if I will help any (unintelligible), but I just find it funny because when you look at ICANN and you talk about (unintelligible) in the organization, it's not an organization that (unintelligible). They're truly for non-commercial interests because we are a vast minority here, and frankly, taking (unintelligible) process to a certain extent, but with interest (unintelligible).

So we are talking about a private organization composed by actors who are here making decisions to make money. If you look at the DNS -- even the TLD program -- it's about making money, it's about (unintelligible). It's not about improvements because that's not about (unintelligible).

So we are all here playing the part of - it's not graceful, it's not (unintelligible) or ethics; it's not anything. And we are playing the game.

So I think that the card of morality (unintelligible) of the function (unintelligible). Somebody (unintelligible), and in others, it's not. And I think that may capitulate completely when it comes to private interests, we stick with our candidate for chair.

He said that if the Contracted Party House are not happy, we just walk away. So we cannot change anything that we just made if the Contracted Party House is unhappy. And we accept that.

So we accept the Contracted Party House (unintelligible) (unintelligible) until (unintelligible), and we are fine. But we not accept certain things.

So I did double standard that we have here. I just find it completely awkward.

I don't know how we can live with something and cannot (unintelligible) any

of it.

We need to come to the (unintelligible). I understand the concerns. But I think

that when we are here trying to approve something that is larger than the

particular process, that is larger than ICANN itself, we are trying to address

situations that is unbalanced in terms of the size of the US.

Everything that we have duty outside ICANN thinks that (unintelligible). That

is really hard for people that are not living and breathing ICANN all the time

to accept that we would throw everything away because of a percentage.

So I think that we should really think carefully of the repercussions of what

we do because if we do not have the Transition now, it's not just a

(unintelligible) for all the work that has been invested like it would at ICANN.

There is (unintelligible) for consequence as well.

And the card could move, and I don't know what we'll see. Maybe nothing.

Maybe we'll see more accomplished with things trying to (unintelligible).

Maybe we will see (unintelligible) that could just break the rules -- break in

the rules and doing their own thing.

But I think that's - life isn't something that we can really, really,

absolutely not to live with. It might mean that even us are divided on that. I

don't think that we should hold - it's good to fight and I'm happy that you guys

have fought so hard for not governments having more power (unintelligible).

But I do not think that we should go away now that we're here.

Farzaneh Badii: Avri and then (Unintelligible).

Avri Doria: First of all, I really do dispute the fact that we are viewing governments more

power relatively because, basically, we are giving all of the ACSOs more

power. And they're saying, "They can share in it, but not quite as much."

So we're actually already -- while raising a vote of everybody of the community powers -- we're already saying to the GAC, "And you get less than

everyone else." So we're compensating for that and we are not giving them

more power -- in any relative sense -- at all.

We are all getting more power. So I think it's very important to keep that

particular issue in mind.

You know, we are not giving them more power over the GNSO. We've got a

deal here where we've got cut out -- the same cut out in different places. In

one case, the cut out says, "And if the GNSO wants this, they have to approve

any IRP against it."

In another place, we're saying we have a cut out for the GAC. If the GAC

wants this, they may not voice a decisional vote in the decision; another place

where we've made a disparity and given the GAC less. So I think that that's

one very important point to realize is that we are giving them less than we are

giving us.

Another thing is -- and I think this is within the NCSG -- that not everyone is

like an American that have the dislike of government. We have many

members who actually find -- working with their government -- to be a good

thing.

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So the number of governments that are dictators and using ICANN for

dictatorial reasons is minimal compared to the number of governments that

are trying to help their people trying to improve, trying to work with civil

society and learning about the multi-stakeholder model. And it's come along

way through this process.

So I really do warn us about throwing it away and throwing away the progress

that has been made for more community power with a little less for the

government, for more cooperation with the governments that (unintelligible)

cooperate.

And the fact that many (unintelligible), you know, at the moment, my role in

NCSG and NCUC have been APC (unintelligible). Within the APC, we work

with other members, we cooperate with governments to try and change stuff,

we work against governments when that's what's deserved.

But, you know, it's not all governments are bad; we will not work with them.

It's - you're judicious about it. You do what is most advantageous for the

advocacy that you are supporting, and you play it by ear.

So I think we really have to understand what we're doing, what the balance is,

what it will cost us to basically settle this. And so I really warn against - and I

also warn us against assuming that everybody but us has dishonorable motives

because that is just not the case.

And being that it's not the case is just not appropriate because there's a wide

view of motives around that. And even each of us that are participating in it do

not have a single motive, but have a complex multiple set of motives

(unintelligible).

And the final thing is, yes, it's important to preserve principles. It's also important to remember that most of the other people are coming at their position from some principle point. And in a multi-stakeholder environment, we really have to deal with how to account for the diversity of principle. So that's my feelings.

Ed Morris:

I think some of that is (unintelligible). The facts - I never stated other people were unprincipled. To stand for principle does not mean others with other principles are necessarily dishonest. Just one thought.

I've had, this past week the opportunity on the list to hear certain GAC members argue for their positions on Recommendation 11 -- like George -- and I've had some private conversations with him as well from Switzerland.

I've also had private conversations with GAC members who are not as active and vocal.

I don't know what's going on in the GAC. I'm told by some people that there's three folks who are very vocal, that the majority of the GAC members would be content to keeping things they are today, but they are not motivated to acting that way. In other words, the internal dynamics of the GAC tend to reward those -- as it does in the GNSO -- or allow this.

The problem I have with the GAC is it's completely nontransparent. We just fought to get the minutes of the Board Meetings made public. We're going to have all the minutes now. We have the inspection rights.

We didn't - and the Board has been great. Let me compliment somebody instead of being negative. The Board -- in terms of transparency -- has become

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absolutely an advocate and has been a pleasure to work with. And I'm so

proud of what they've agreed to do.

We didn't get this in order for another important part of the community to be

able to adjust itself from some of the accountability reviews the rest of us can

do -- the rest of us have to undergo.

And we didn't do that so that an unaccountable opaque institution -- such as

the GAC -- can then overrule -- in certain circumstances -- a now transparent

Board. If the GAC wants to open up and instead of issuing Communiqués

from on high, then just open up their transcript -- open up their meetings -- I

think I could swallow some principle.

But with where they are and the trouble I had this week in trying to figure out

what is the GAC view, and having people write, "Well my colleagues can

verify this is what we do," so I have to start trusting government people in

terms of what their internal positions are, I shouldn't have to do that in a new

organization like ICANN.

Now I should note, I have sent -- on the flight I wrote in a sense

(unintelligible) -- a letter to Steve Crocker, in my personal role and personal

capacity, I stressed it was not coming from any organization I'm a part of --

asking him the following.

First expressing my concern that the governments were increasing their power

to a level of which I'm uncomfortable with; stating my belief that if this is part

of its proposal, it will be rejected by the United States Congress; and asking if

the Board would commit to implementing the IRP -- the reconsideration -- in

the (unintelligible) forms -- even if the Transition did not take place.

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And so hopefully, we'll get an answer affirmatively so the stuff we've worked

for over the past two years to increase the transparency and openness and

accountability for ICANN will go forward even if the Transition does not.

Farzaneh Badii:

Matt.

Matthew Shears: So if we look back at the total picture of the IANA Transition and the Accountability work that we've doing, this has been - this whole process came out of two things. One, the US Government's decision to move out of its role in the DNS; and two, the community within ICANN's complete and utter lack of trust and feeling this feeling of powerlessness visa vi the Board and the organization as a whole.

> And when we went into the IANA Transition work, the CDC went in there with a position that said, we want to completely separate the IANA Function. We didn't get that; we didn't get close to that.

> But on the other hand, nor did other parties who came to the table get what they wanted. We got something that was kind of a halfway house, and hopefully there will be a halfway house of works in the worse case scenarios where we need to move the IANA Function somewhere else.

So everybody compromises, right. Everybody gives us on what their positions were going into that process.

The same thing has happened here. From my perspective, I have not been supportive of empowering the GAC from the very beginning. I think where we are now is an incredibly delicate balance. Whether one says it's an over empowerment of the GAC of whatever, we're in an incredibly delicate balance

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of giving a certain level of power -- that's not to say how much -- to all parties

of the community.

And I do not believe -- at the moment -- that it is possible for the GAC or for

any other single part of the community to veto any other effort within the

current construct that we are looking at at the moment. So we need to be very

careful about how we characterize the powers of the respective parts of the

community.

The other thing is, is that -- as Marilia said and as Avri said -- we have put a

huge amount of effort into getting to this point. We've put a huge amount of

effort getting to this point from an accountability within ICANN, from

empowering the communities -- which is what we wanted to do from the very

beginning.

We wanted -- what you're talking -- the IRP, the inspection -- everything else -

- and we wanted empowerment and we got that. It's all part of the same

package, right. Without one, we don't have the other. It's very unlikely that

you'll see some kind of carve out for one or the other. And they complement

each other.

So before we decide -- or before people decide because I'm not on the

Executive Committee -- how they're going to cast their votes in this process, I

would urge you just to think very carefully about where we are.

And there is no doubt that principles are important, and principles, you know,

we work on principles at CDC. And I'm going to have to swallow some of

those principles in this process just like others are around this table.

But at the end of the day, the reality is, is that this is a package that we're going to have to push through because we're not going to get another chance at it. It's not going to get split up into different pieces. And if we don't get it, the ramifications are far greater than just what this community within ICANN; there's far greater ramifications on the global scene. And that really worries me.

Robin Gross: Can I ask you about that? What ramifications (unintelligible)?

Matthew Shears: You will see a resurgent set of countries that will seek to further dominate the

DNS. (Unintelligible).

Robin Gross: They're going to seek that anyway.

Matthew Shears: Well, not necessarily -- not necessarily. I mean we're seeing it, yes, we're

seeing it, but it's not going to be the same (unintelligible). For the multi-

stakeholder model, you might as well kiss it good bye.

Robin Gross: So - I mean so you're saying we need to give them so they will back off -- the

governments -- because that's not how governments work. They get a little bit

of power, they want more, they want more. I mean that is how power -- period

-- works.

Matthew Shears: It's not giving them power, it's giving us all power.

Robin Gross: It is giving them more (unintelligible).

Matthew Shears: It's giving us all power. I mean it's part of a package.

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Now, my concern is that we've put a lot of effort into this. I don't think the

GAC can do anything on its own to stop any of it. We need to go back and

look at those numbers. But I think we have to be really careful about how

we're characterizing this.

Farzaneh Badii:

Okay, thank you Matt. Stephanie?

((Crosstalk))

Stephanie Perrin: Stephanie Perrin for the record. And Matt has already just said a lot of what I

was concerned about because I'd like to know -- point number one -- I'd like to

know how you are going to start to convolute the vote. And I'd like to register

the point that if you don't instruct people (sic) to vote one way or the other,

and I'm completely open on that. (Unintelligible), one council (unintelligible)

the CSG.

But less of my own resources to determine this, I will base it on the discussion

here that we have on the pros and cons. I will be because I believe seriously

that the multi-stakeholder model has always been at risk in this exercise.

I will (unintelligible) my representatives from my government to see what

their view is with respect to the multi-stakeholder model being at risk. And I

suspect I will get an answer in the affirmative that the multi-stakeholder

model is at risk if we reject this deal. However, I will check that because I

have (unintelligible).

To me, even though I totally agree that further empowerment of the GAC is

not a good thing -- you've heard me time and time again criticizing the GAC.

With all (unintelligible) negotiations at stake, there is a limit to what you can

get.

If we have reached that limit, then the question is what are the risk assessments. Is it better or worse? And to me, I agree with Matt that the multistakeholder model could get flushed down the drain and we don't want that.

Man 6: May I make a specific point here?

Farzaneh Badii: Yes.

Man 6: The last (unintelligible) advantage, the NCSG (unintelligible) the counselors

(unintelligible) for the NCSG, Executive Committee and Policy Committee.

Matthew Shears: Avri, (unintelligible), please remove that shot.

Woman 4: (Unintelligible) requires both. We can go back and look at it.

Matthew Shears: Yes. In any case, NCSG requirement -- and I'm pretty sure it requires both, so

we have to talk about that in the NCSG and (unintelligible). NCSG is in consensus with this issue; (unintelligible). That means we have to get

(Unintelligible).

Farzaneh Badii: Marilia and then Robin and then Ed.

Marilia Maciel: (Unintelligible) comment. Most of the time when we are talking about the

(unintelligible) government and the GAC was we (unintelligible) as this

careful argument. And (unintelligible) and the US Congress would not

approve of the position in the first place.

And that argument kind of bothers me on so many levels. But first of all, is

that it kind of - it makes the question possible because we are talking to

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people that are from international community that have no idea who is with

the US Congress and has no (unintelligible) to assess if this argument is

possible or not. So it's just a recommendation that (unintelligible).

Okay, and the second is -- to me -- what cannot continue to happen is that we

have a Congress of one country that can throw away the work that this multi-

stakeholder community has worked so many (unintelligible) and have to be

approved by Congress. It's not acceptable.

So this is one of the reasons why I think he we need to (unintelligible) the

process because (unintelligible).

Farzaneh Badii:

Robin.

**Robin Gross:** 

Yes, this is Robin Gross for the record.

We've heard a lot of invocation of the multi-stakeholder model as if it's some

kind of religion that we've all signed up to adhere too. I'm not a member of

that religion. I think the multi-stakeholder model is useful and important to the

extent it promotes freedom, openness and democracy.

And when it veers from that, then I think it needs to be reigned back in. so for

me, the top priority isn't protecting this, you know, this multi-stakeholder

model as if it's some kind of sacred religion, but protecting what this model is

supposed to create or has the possibility of enabling in the future which is

more freedom, more openness and more democracy.

So this is one of those areas where the multi-stakeholder model is veering a

little bit off course in my view. And it's our job -- if we truly want to protect it

-- to put it back on track. Thanks.

Farzaneh Badii:

Ed.

Ed Morris:

Yes, I actually just want to get a little bit away from the GAC here, and another concern that I have with our proposal. As I said, this is a major corporate reorganization. It's not Accountability for the most part.

NTIA was going to grant ICANN independence because it felt that our governance model had shown a resiliency and ability to work.

We're now changing the model entirely. It's going to be a lot more expensive to run -- and that's a question for Xavier tomorrow. It is going to require an enormous amount of energy and resources on the part of ICANN Corporate to run an IRP, to beef up their transparency staff. It's going to require a lot of education.

I'm very concerned that if we go down this road -- we get governments to get all the internal politics -- that the model is so untried, untested, that it could fail. And it's (unintelligible).

One of the things in the back of my head -- Brett stimulated it -- when I first met you. Maybe - if we're going to go this route, maybe the NTIA needs to say, "We're going to keep hands off, but we're going to still keep the tie for four years to make sure this thing works," because nothing is going to destroy the security and stability of the Internet more than this model flopping because we just didn't design it well enough.

And on that point -- and it goes back to the GAC numbers of the two-thirds -- when this was proposed, Rosemary Fei who was one of our attorneys, stated on the record that she felt that the two-thirds requirement was contrary to

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California law. Rosemary and Holly met with the Jones Day attorneys and

they concluded that in their view, Jones Day was right that it was okay.

I've had conversations with Rosemary, and she believes it is correct, but she

acknowledges the fact there's a reasonable chance she's wrong. And please

place this in the context of what we've done.

What if actually go forward with this? We have a case that goes forward with

an interest in parity that falls into that 55% rule. It's challenged in court and

we find out that our entire model is illegal under California law.

Where does that leave us? We're basing our governance structure and

something that's untried and untested. That worries me.

Farzaneh Badii:

(Unintelligible).

Man 7:

(Unintelligible) that I checked. We do need Board (unintelligible) So if we

want to consider something like (unintelligible) counselors, we should take

the NCSG and we can do that tomorrow if you like. We have NCSG...

((Crosstalk))

Avri Doria:

I mean what (unintelligible) are we trying to bond on?

((Crosstalk))

Matthew Shears: There will be a vote on the final report I assume, right?

Man 7:

Yes

Ed Morris:

What's interesting is there is going to be no (unintelligible), no vote on the entire package which is part of - I think what I was just talking about. We're all focused on the trees.

And sometimes I kick back and I was talking to Chris Disspain about this. When you take a look at the enormity of what we're doing -- and we're doing it in a rush fashion -- how many things haven't we thought of yet? It bothers me because if this doesn't work, it's going to be a lot worse for the security, stability and function of the Internet.

You want the multi-stakeholder to go down the drain? Let the California Court on Hill Street downtown rule that the two-thirds or the 60% is illegal. You want to see things fall apart, let's go down that path.

Farzaneh Badii:

Brett.

Ed Morris:

Sorry, it's a concern.

Brett Schaefer:

Brett Schaefer for the record. I've got a great deal of sympathy for your principles. Obviously, I've said this myself.

I will say that in terms of a vote -- a binding vote -- it may not be imminent, but it's been pretty clear from the CCWG that they want to resolve this on Tuesday. And in order for, you know, them to resolve it, they have to have a fairly good sense of where things are going to result in the GNSO on these particular issues. And so I think you do need to settle where you're going to fall.

I don't have a vote; I'm not on this thing. But I think you do need to settle where people are going to be at the end of the day on Rec-1, Rec-2 and Rec-

11 because if they're not going to support that or this package, then that has significant implications for the future of this project. So I would argue you do need to discuss (unintelligible).

Man:

Sorry Avri, you were up.

Avri Doria:

I was just going to say, I have no problem with discussing it -- what decision will you make.

Now, you know, when you look at the BC, the BC has (unintelligible) counselors on it and three - I mean and five non-counselors. So, you know, in a sense, the counselors have a lot of say about whether they want (unintelligible) because if the six counselors or five of the six counselors were to decide they didn't want to be bound, you would need all of the rest of the folks to say that we're going to bind them.

It's possible, it could happen. But one, I don't - I mean I think it's great to talk about it, but I doubt we'll resolve that issue tomorrow. And also, we have to think about what it would mean for the non-counselors to try and decide if they would bind the counselors. Where do we go from there?

Brett Schaefer:

Yes, I hear you entirely. You guys know this political process a heck of a lot better than I do, and don't know how it works. But I just - you know, there is a timeline that's coming up too.

That being said, as I mentioned before, I have a great deal of sympathy. However, I'm of the mind that this deal is probably about as solid as we're going to get in terms of these restrictions on the GAC. I'm very much concerned that if (unintelligible) settled, that we're going to revert back to -- maybe not the third draft, maybe they stick with the 60% -- but you lose the

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carnality (sic) of the exemption of GAC voting in AC (sic) on GAC Advice. Perhaps we lose something else there as well.

And that's my concern is that we've made really significant gains forward on this in terms of carving out government authority within the existing model. And I think you just need to weigh very seriously whether you want to put that at risk and gamble it on the possibility that you could get something better down the road.

Ed Morris: The third drafts will never pass the GNSO. So they could give it to us again

and again is (unintelligible) support, and not just with us; the NCA, the IPC

and the Registries. So that's never going to pass.

Brett Schaefer: I mean I think you're underestimating the fatigue factor, but that's just me.

Matthew Shears: Let me just say that...

Farzaneh Badii: Matthew Shears:

Matthew Shears: ...that was Brett. Don't question my sense of value to principles. But, just kind

of a pitch there and I actually understand that.

What I want to say on the tried and tested, I've had the same concern about

tried-and-tested all along.

But it's been the same concern on the IANA side as well. And this whole thing is completely new, and the structure is so unique, that anything you do in this

space is not tried and not tested.

We couldn't come up with a governance structure for the things we've been trying to do that will be any less - maybe (unintelligible). But it would take us a heck of a long time to get there and it would take us years.

And what we've come up with right now is probably the best thing after so much time -- so much of our investment -- to get us where we want to be.

So yes -- not tried, not tested. But what we're trying to do doesn't exist. And that is a risk of this process that you can't take away no matter what.

Ed Morris:

Which is why the argument that I would make is if we're going to go down this path, the NTIA needs to maintain some semblance of ability to pull back if it winds up being a (unintelligible) for a few years until we see it does work.

Farzaneh Badii:

That was Ed Morris for the record. Robin.

**Robin Gross:** 

Well I just wanted to sort of point out that if NCSG is against some of these recommendations -- and we're the lone voice against them -- we're not stopping anything; we're not putting anything at risk. Nothing reverts. We just said we're not going to go - we don't agree with this plan. We don't think this is good for our members; that's all we've said.

We're not in a position to stop it. And I think it's our job to say, "This isn't good for our members. This isn't good for the values that we care about."

I mean I don't think we should just vote for it just because we've put, you know, so much time into it and everyone else is going to vote for it, so we might as well jump on the bandwagon, too.

We won't. There just won't be any repercussions if NCSG is the lone voice against this. So what's the harm?

Matthew Shears: I think you should...

Farzaneh Badii: Matthew.

Mathew Shears: I'm sorry. Matthew Shears. I wasn't trying to say that you shouldn't, I'm just

trying to say that, you know, and everybody has to do whatever they do. I don't know what's binding and non-binding is because I'm not familiar like

Brett with that mechanism.

But the point is. Yes, one has to vote the way one -- based upon the judgments

as to what it brings. But not just in the sense of this community, but the broader community, the global community and everything else. And that's

what this is boiling down too. So I'm not trying to say you shouldn't do

anything else.

Robin Gross: I know. I'm just trying to sort of, you know, it sounds like people are saying,

"Oh, it's all going to fall apart unless NCSG votes for it." It's not. We're not

that powerful, people.

Farzaneh Badii: Okay, any other comments? (Unintelligible).

Man 6: Well NCSG alone can't do much. But how much extra support do we need?

The vote, (unintelligible), maybe NCSG, we can all return?

Brett Schaefer: NCA plus...

Man 6: (Unintelligible) for the record.

Brett Schaefer: I'm sorry?

Man 6: For the record that the NCA is present here now.

Brett Schaefer: Oh, how you doing buddy?

Ed Morris: Yes, basically, if we were to oppose any of the recommendations,

(Unintelligible) comes from the support of (unintelligible).

((Crosstalk))

Ed Morris: And quite frankly, this is the first time NomCom - Brendan did a wonderful

job. I don't know what else went into Duke's nomination.

But really, from what I understand, the first time in many years or the first time in recent memory, we actually can stop stuff without the support of any of the other stakeholder groups if Duke agrees with us. And he is far more

likely - you were (unintelligible).

Who did you request? Was it (Gary)?

Brendan Duke: Yes.

Ed Morris: Then you're more likely to side with us than Dan was.

Man: Not only a powerful man, but he (unintelligible).

Man 2: Yes, the car is outside.

Ed Morris: But the botte

But the bottom line is, we do have - I've spoken in (unintelligible). So if I

could say (unintelligible).

Brendan Duke:

Correct

Ed Morris:

And so it is possible for us to have input. For me -- when I put it in the practical hat -- what I'm trying to do is open the GAC up a little bit more.

This week was very foundational formational for me. From online, trying to figure out the GAC position because we're getting Fadi's friend from the Islamic Republic of Iran. They are a GAC rep saying one thing. Then I have George saying something else.

And I think when it really hit me was when George said, "Well I can tell you we did X, Y or Z. My colleagues will back me up."

And I'm thinking do I want to spend the rest of my life in an Internet Governance sphere where I have to trust the word of somebody backing somebody else up, where I can't actually (unintelligible). And that troubles me that we're going to allow that type of - as Avri said, everyone has different power (unintelligible). That sort of accountability power (unintelligible) bugs me.

I think it probably bugs you as well. You're a huge supporter of transparency. And how do you reconcile that?

Avri Doria: Am I allowed to speak since I was asked a question?

Ed Morris: I'm sorry.

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Farzaneh Badii:

Yes, of course Avri.

Avri Doria:

(Unintelligible) either of the carve outs. I think the carveout for the GNSO to have to approve any IRP against it is wrong. I think the carveout against the GAC saying they may not comment or they may not have a decisional view on anything they advise is also wrong. I think the fact that the two of them are opposite is (unintelligible).

So - and it is - yes, my main principle is always parity. And within a multistakeholder model, my principle is parity.

And are you here, are you (Unintelligible)? (Unintelligible) than I have here mind you. But I will argue that one anywhere I go.

No, I'm never going succeed in convincing people that we're going to have absolute parity.

So does that mean that anything I agree to, I sold out my principle because we have not (unintelligible) 100% parity? No, it's the goal that (unintelligible).

So yes, I think the carve outs are (unintelligible). The carve outs are we couldn't come to an agreement on something simple, so we made it more complex so that we could get buy-in.

Those are the decisions that you always have to do when you're trying to basically bring together a consensus of many different principles.

Ed Morris:

So when we go to Morocco, for example, and the people in the Western Sahara who want to have issued their ISO (unintelligible), and a decision...

Avri Doria: You mean a (unintelligible).

Ed Morris: Yes, exactly. Now the ccNSO has their carveout. So they're not going to be

able to bring an IRP in this. So - I mean this whole process is full of carve

outs.

Avri Doria: (Unintelligible).

Farzaneh Badii: Okay. Any other comments? We're kind of done. Okay, but I just - Ed, I have

a question. (Unintelligible) speaking.

Ed, so in the Recommendation 10, there is an insertion - so they're suggesting

that the periodics reviews of ICANN Accountability and Transparency

required under deformation of commitment is being incorporated into the

ICANN bylaws as part of Work Stream 1.

And then - so which requires that the Council of Transparency Review looked

at the role and respective on this of GAC interaction with the Board and with

the broader ICANN community. (Unintelligible) for improvement.

Do you think this would kind of address a little bit of your concerns?

((Crosstalk))

Ed Morris: No. You're talking about in the things that Steve DelBianco has been doing.

Farzaneh Badii: Yes.

Ed Morris: No. I mean some of this would be easy to accomplish if we could just sit

people down. We have GAC - I was going to say I have GAC members. But

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there are GAC members that I'm talking to that say, "Yes, we could do some

minutes, but we need some outside pressure to empower us within the GAC."

For example, I - Lord knows. Which day was I at the airport and not flying? I

think it was Monday or Tuesday. I had the conversation with the European

GAC representative and she's telling me, "Yes, I would love that. Wouldn't it

be great if we could do minutes and not do Communiqués?"

A lot of GAC members hate the Communiqués because they're locked in a

little room trying to carve these things out.

And I think that by making the point that this is important, that they actively -

if they're going to be a decisional participant, they need to actually a little bit

more like the rest of us. There are GAC members that would welcome that,

but they do need some outside pressure. And that's beyond what Steve is

talking about.

Farzaneh Badii:

Okay.

Ed Morris:

And by the way, on Recommendation 10 -- I just want this on the record.

You've found some problems with Recommendation 10 in terms of the way

the reviews of the SOACs are doing that. Nobody else uncovered that until

you did.

And we've talked to other groups, and they're like, "Really." So I just wanted

to compliment you in figuring that out and pushing it. And thank you.

Farzaneh Badii:

Thank you. Okay, great. Thank you guys. And yes, we finished this meeting

and (unintelligible). Thanks for attending.

Man: (Unintelligible).

Farzaneh Badii: Thank you, Maryam.

**END**