TERRI AGNEW:	Good morning, good afternoon and good evening. Welcome to the EURALO Monthly Teleconference, taking place on Tuesday, 15th of December 2015 at 19:00 UTC. On the call today we have Yrjo Lansipuro, Wolf Ludwig, Olivier Crépin-Leblond, Mikhail Medrish, Jordi Iparraguirre, Oksana Prykhkodko, Pedro Veiga, Sébastian Bachollet, Narine Khachatryan, Burkhard, and Jimmy Schulz. We have apologies from Sandra Hoferichter and Gabriella Schittek.
	From staff we have Silvia Vivanco, Yesim Nazlar and myself, Terri Agnew. I'd like to remind all participants to please state your name before speaking for transcription purposes. Thank you very much, and back over to you, Olivier.
OLIVIER CRÉPIN-LEBLOND:	Thank you very much Terri. Do we have anyone that we've missed in our roll call? It appears not, so the roll call is complete. Today we have a very packed Agenda, and I think we have a hard stop to this call due to other commitments. We're going to be first introducing the new EURALO Board, and then we'll have a section on the big story of the day – that's the draft proposal on Work Stream 1 recommendations from the CCWG on ICANN Accountability. Alan Greenberg will join us for this, so he'll take us through some of the points that the ALAC is going to make.
	After that we'll be looking at our policy development, and finally a discussion on the public interest document. We absolutely need to move forward on the next steps, the public interest document being the

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

document that was shared during our face-to-face in Dublin. Let's start with the introduction of the new EURALO Board. First I'd like to thank all the ALSes for having voted, and we now have a new Board with Jordi Iparraguirre from Spain, Yrjo Lansipuro from Finland, and Mikhial Medrish from Russia, Annette Muhlberg from Germany, and Matthieu Camus from France.

The EURALO Board hasn't met yet. The plan is to either have a call before the holiday period – in other words some time early next week – or in the first week after the holiday period; so probably the first or second week of January, and for us to start setting our work that we have. The Board Members are selected for a period of two years, so there certainly is a lot of work to be planning and to be putting forward. I wanted to give the opportunity for any of the Members of the EURALO Board here to perhaps introduce themselves and let us know what their aspirations are for EURALO in the next couple of years.

I haven't told any of them in advance, so it's a bit like putting them on the spot, but it would be interesting to hear from them. I'm going to go down the participants' list and see if we can arrange for Jordi to speak. Are you able to speak and say a few words please? Technical problems. Sorry about this Jordi. Let's try with Mikhail Medrish if we can.

MIKHAIL MEDRISH: I will try. Are you hearing me? Okay. I would like to thank all of you who have voted. I've written that as you can imagine, the first point for the Board is to review the EURALO main document, because this document today is far from the reality, from what we are doing. This is

the main problem for the first period. Afterwards, we will try to write down what the EURALO Board is and what the tasks are that we'll work during the next period of time, until the [third of the 00:05:30] EURALO Board selection period. I suppose it's necessary to do that. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Mikhail. We're taking notes – the reviewing of the main EURALO documents, which I believe are the Bylaws, et cetera, and then moving on from there. Matthieu Camus has joined us. Are you able to speak? I'm introducing the Board at the moment and getting a few points, a few ideas of what you hope to be contributing to the Board in the next couple of years. Matthieu doesn't have a microphone. We can move down the list to Yrjo.

YRJO LANSIPURO: First of all, I want to thank all the voters and thank all the [unclear -- :06:50] Board Member [unclear]. One of the issues I'd like to [unclear] on the Board is to make all the ALSes more active and to use the resources at ALSes in the actual work we do – that is to say in producing the policy advice documents that's actually our input to this, and assess as much as possible all the resources available at these ALSes. Thank you very much.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you very much Yrjo. That's a good point noted as well. Making our ALSes more active is, I think, one of the primary issues we have in our region, and of course there's also some At-Large Summit

recommendations that I guess we need to pursue as well to make our ALSes more active and for them to participate more fully. Matthieu, have you been able to plug in a microphone of some sort? Possibly not. Let's try back to Jordi again.

Okay, that's not working. We're a little stuck at the moment on this because of technical problems, but that's fine. It often happens with various types of connectivity that we have here. I'm not seeing Annette on the participants' list. Is she perhaps joining in by cell phone?

TERRI AGNEW: She's not joined us.

OLIVIER CRÉPIN-LEBLOND: That's okay as well. We're a little stuck at the moment then for this. What I'd suggest then is if Board Members can email the mailing list as to what their view is, as to what they would like to personally achieve in the next couple of years. That would be helpful and that will set a first set of tasks that the Board will be working on. Jordi, you can hear us fine? Your microphone doesn't seem to be working for some reason. Matthieu I believe has not managed to get his mic working yet either. Wolf, did you want to add something? Both Wolf and I are going to be on the Board as ex-officio.

There's a mailing list that's been updated, and we also have staff that are on the mailing list. As you know, all our mailing lists are completely open, so anyone will be able to read the archives or see the discussions that we're having. Wolf, you've put your hand up, so you have the floor.

WOLF LUDWIG:

Thank you Olivier. Well, first of all I would like to congratulate the newly-elected Board Members. I think it's a compact group of well-composed people from different parts of Europe. I am rather confident that with a small group we may create some more dynamic compared to previous years, and, as Olivier's said already, there is a particular Board [unclear 00:11:45], which was, as far as I understood, recently updated according to the newly-elected Members, plus Olivier and me as ex-officio Members.

Then there's the three ALAC Members, who are also ex-officio – so they're not voting Members in the Board, but we thought in the past that it made sense to have more or less a Board whose regional leadership [unclear 00:12:25]ALAC Members [reading] on this list, and having a chance to comment on this list makes a lot of sense. If you have any particular concerns or ideas, I think we should exchange them via the Board mailing list.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much for this Wolf. I note from Matthieu that his microphone is working, but he's unable to connect to the AC for some reason. Both Matthieu and also Jordi, if you could draft a couple of lines to the mailing list on what you'd like to achieve then we'll incorporate this and we'll have our meeting either next week or the week after the New Year. I'll contact the Board via the Board mailing list, so as to [unclear 00:13:33] the process. Right, now I think that we can then

move on swiftly to the next part of our Agenda, and that's the CCWG on IANA and the CCWG on ICANN Accountability.

The big discussion of the day – there's a public comment period that will close in six days' time. Alan has joined us on the call, and is in charge of drafting the ALAC response. It's a particularly important process since the recommendations are going to be introducing a number of Bylaw changes in ICANN, and the overall document, plus the document that was produced by the CCWG on IANA Stewardship Transition is going to be sent to the US Department of Commerce for the transition of the IANA functions.

If you haven't heard of the IANA functions yet, it's the functions of coordination of the numbers, IP addresses, protocols that computers use to talk to each other, and also coordination of the names part of the Internet identifiers, otherwise known as the root. Without further ado, Alan, are you able to speak?

ALAN GREENBERG: Yes, I'm on the call and I can speak.

OLIVIER CRÉPIN-LEBLOND: Excellent. We have a link that's been put onto the Adobe Connect. There should be a link also to the Work Stream 1 recommendations workspace. The reason why we are asking everyone in every regional ALS is because we absolutely need to be sure that the input from At-Large is going to be reflective of the community's concerns, and although we are very far down the line, this is the very last time to

comment, we really are looking more for support than for people thinking, "I'm totally against this, and we need to change this."

Because it probably will be very hard to change anything significant at this late moment in time. But anyway, I'll hand the floor over to Alan Greenberg who can take us through the ALAC comments that have been prepared so far.

ALAN GREENBERG: Thank you very much. Olivier has outlined where we are right now. This is the third draft of a proposal by the CCWG Accountability. The intent is that it be supported and ratified by the chartering organizations by roughly mid-January, and if it is then presumably the overall IANA transition process can succeed. That doesn't mean it succeeds – there still obviously are political issues within Washington – but that's where we stand right now. From the ALAC's position we are trying to draft a statement that identifies not everything we don't like in it.

This whole proposal is a compromise with many parties, and there are many things that individuals may not have done on their own, should they have been given free reign. But at this point we're trying to identify the things where if they cannot be corrected, the ALAC may well decide not to ratify the proposal. The proposal can probably stand a single SO or AC not ratifying it. More than that could kill it, or at least elongate the process so we run out of time in this current timeline for the transition to happen this year.

We have a number of concerns, some of them very serious. One of them is there is a last minute change that was proposed... Let me back

up. The powers that can be exercised by the community include removal of the Board, removal of individual Directors, vetoing of budgets, vetoing Bylaw changes, ratifying certain kinds of crucial fundamental Bylaws… So there are a significant number of powers. At this point, of the seven ACs and SOs – that is the three SOs and the four ACs – it looks like five of them, excluding the SSAC and RSSAC, will be participating.

That may change. The ASO has not formally said whether they will be active or not. Assuming the five are the ones that will exercise powers then to each of the specific powers it needs either three or four of the organizations to support exercising the power. There's been a proposal that in some cases that four be reduced to three, and the ALAC has a very significant problem with the ability to remove the entire Board and replace it, if only three of the ACs or SOs are supporting that action. That's our first red line, as it were, that we believe cannot go ahead.

The second one is a much lesser one, but nevertheless an important one, in that the process to remove Directors, either individual ones or all of them, requires an exhaustive process to identify why it is that the community or the part of the community believes the Director must be removed. Under California law, a Director can be removed by a Member, or the designator, which is the model we're using, without cause.

Essentially, if we decide that the person should not be there anymore, that's enough reason to remove them. However, for a number of reasons, people have felt that without ICANN we must state cause. That has an implication that if you state why you want to remove the

EN

Director, the Director could well claim that they have been libeled and institute a defamation suit against either the part of the ICANN or the individuals who made the statements. We feel that if we are going to have the ability to do this that we must indemnify volunteers – volunteers cannot be subject to legal liabilities because of the rules we put in place.

The third issue is there are a very significant number of changes in the Article 1 of the ICANN Bylaws, which talks about ICANN's mission, the commitments, core values. I won't go into them all here. The document goes into them in some detail. There are a lot of changes. We don't understand the interactions and in some cases the change itself looks like it may invalidate a core part of what ICANN does.

It is not clear if they are just badly worded, or indeed there are people that are trying hard to make sure that some of what ICANN does can't be done anymore, but regardless there are parts of the proposal the ALAC feels would be harmful to ICANN and its ability to carry out its mission if they go ahead.

The next one is there has been a strong push to institute, within the ICANN Bylaws, a statement saying that ICANN supports human rights. There is a lot of concern that we don't quite understand what that means or how this kind of commitment could be used if someone feels that we are violating their human rights. The current wording in the proposal is that we put something in the Bylaws saying that we'll study the matter and come up with wording within one year. The target seems reasonable to many people.

There are some people who feel we should not be talking about human rights at all, but from a political correctness point of view that's probably not going to happen. We probably are going to have some statement about human rights, and certainly my concern right now is there is an absolute commitment that this will be done within a one-year timeframe. I think that within ICANN's timeframes that's too tight. It's not clear what would happen if we missed the deadline. At that point we're in violation of our Bylaws if we miss the deadline, and it's not clear what the implications of that would be.

The last Item is a relatively small one, but it's something that must be resolved. There's been general agreement to resolve it, but we're just reiterating that there is still an issue, and that's an issue of how the IRP can look at conflicting decisions of panels. If you're a Member within the new gTLD process we ended up with panelists making decisions at odds with each other.

One panelist decided that the .cam TLD is confusingly similar with .com. Another panelist decided exactly the opposite, and therefore how do you resolve a situation where you have multiple panelists coming up with different answers to the same question. So the question is how we resolve it. There is a proposal, but it hasn't been worked through at this point. That's where we stand. This is a complex issue.

If you haven't followed it along all the way, you have a fair amount of homework to do to get up to speed, but for anyone who has even looked at this kind of stuff before, we do appreciate if you can look at where we are right now, what our recommendations are, and let us know if you support them or not. There are several dangers right now.

We are in a very tight timeline. My personal position is we no longer have an opportunity for individuals to say, "I like this," or, "I don't like this."

We really have to identify the issues where the ALAC is willing to kill the transition, essentially, because we feel it would harm ICANN too much. So that's where we are. It's a rather onerous position, and we really have to take the decision now and very early January. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. Alan, the first draft, which you've put on the Wiki, is currently on the screen. Is there any part, based on the feedback you've had so far, that you'd like to specifically ask people in this region about.

ALAN GREENBERG: That's the third draft, by the way. It's the third draft of ALAC comments on proposal three. There's a date on the bottom. We've gone through three versions of it, if you look at the dates. I don't know if there's anything I want to highlight more than I have right now. Certainly among the crucial things to us is the very first one in the document. That is, can we really kill the Board with only three ACs or SOs saying so? I think that would just send the wrong message.

It's an onerous thing, and if it's going to be done it has to be done if not by a unanimous requirement of all ACs and SOs – which is probably too stringent, but at least certainly the vast majority of them – and three out of five would just not be sufficient. The other place where we've

certainly put most of our focus is on the changes in the mission. We believe that with the changes as suggested right now, ICANN may not be able to enforce its contracts, and significant parts of its contracts could well be invalidated very quickly, and certainly from my point of view and those of most of the people who've been involved in this discussion, that's simply not acceptable.

The whole concept of parts of the contract not being defendable says that the parts that have been added to protect consumers may well die, and that's not something that I feel is something we can live with. Now, the Board has made a couple of comments a couple of days ago. Some of them are very much in-line with what the ALAC has said. They also have very significant concerns over the changes in the mission. It's not at all clear at this point how those comments get integrated into the proposal and in what timeline it will be done. So we have a lot of unknowns ahead of us right now.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. The section you were speaking about here was Recommendation 5, I believe?

ALAN GREENBERG: That's correct, and by the way, a half hour after this meeting ends, there is another meeting of the ad hoc group advising the ALAC on both the IANA transition and accountability. We will be reviewing some of these issues again in some detail and accepting input from people who've been participating. We'll also be joined by Rinalia Abdul Rahim for about half an hour to talk about the Board changes. If you have any

interest in any of these things, please come back and join us half an hour after this call ends.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Alan. I'll ask Terri to please put the link for that meeting in the chat so people can join if they have a spare evening after this call. I'm not expecting any immediate reaction. I expect a lot of the reactions perhaps could be helpful if you want to join half an hour after the end of this call, but I'm opening the floor if there are any questions relating to this? Okay, well, Alan, thank you for coming onto the call and explaining things to us. I see Christopher Wilkinson has put his hand up. You have the floor.

CHRISTOPHER WILKINSON: I just wanted to make a short statement in support of the declarations that Alan has just outlined. It is not correct for [unclear 00:30:15] of the registrar and commercial interests in the DNS to narrow down ICANN's mission statement to the point that public interests can be excluded. I think that in the extreme case, that's what we're facing. I thank Alan for his intransigence and stubbornness in ensuring that this doesn't go further. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Christopher. Alan, any thought on this?

EN

ALAN GREENBERG: Just that I'm not sure I want to go down in history books being famous for my intransigence and stubbornness, but other than that, no.

OLIVIER CRÉPIN-LEBLOND: Alan, is this a red line issue for the ALAC?

ALAN GREENBERG: I believe that in summary the mission statements are a red line issue, yes. In an individual one we may be talked out of it if someone can give a good rationale, but to-date, all of the issues that we're still pressing on… I should say, a fair number of the issues that we've raised have been adjusted, and in one or two cases it's been demonstrated that it really was not a concern, or shouldn't have been, and we misread something or we didn't connect the dots properly. It's not that we're simply reiterating what we say over and over again, but the ones that are left on the table we believe have merit.

Now, what the ALAC will ultimately decide when it comes down to potentially us being the only group that's not ratifying the proposal, that's a decision the ALAC will have to take. We appoint people to the ALAC. Hopefully they'll be able to consider the various issues and make a decision at that point. I'm not going to predict whether in fact we'll fail to ratify because of these issues, but at this point yes, they are crucial and they may be the issues that we refuse to ratify because of.

OLIVIER CRÉPIN-LEBLOND: Christopher?

CHRISTOPHER WILKINSON: I think ALAC must perceive themselves as in a negotiation. It's not for ALAC to let the rest of the community go forward and then discover which of the issues on which they will only die in the ditch. ALAC has to come out of this very much alive, so you must negotiate strongly towards a solution that Internet users and consumers broadly defined their interests will be protected. I happen to know that several of the newly-elected EURALO Board Members would be on the same lines. Good luck Alan, and you have our support.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Christopher. Sébastian?

SÉBASTIAN BACHOLLET: I would like to start by telling you that maybe you've forgotten that you have a EURALO Member in this group, and I am the one. It seems you never take advantage of that. It seems that it's always others who are talking to EURALO. I hope that one day you'll ask my point of view on all that, and if you don't I will tell you. I think we're not strong enough. We are, with this report, jeopardizing ICANN, not because we are putting ICANN as an organization, but because why it's important for ALAC [unclear 00:35:00] is because we're putting in [jeopardy] the multistakeholder where we, as end users, can have a vote.

We will end up having a lot of different sub-groups, sub-organizations, where we'll not be, where the voice of the commercial providers; either registries or registrars, ccTLDs, gTLDs, so on and so forth, will have the

major voice. They'll say, "We put the money on ICANN and therefore we need to decide." We have to remind them each time that the money is coming from – who? From the end user. Because at the end, we pay the bill. The old system put in place is very complex, too complex. People try to put things that aren't very useful for ICANN and not useful for end users.

At the end of the day, I'd like us and all ALAC Members to answer one question: what are we gaining in this game? What are we taking as a step ahead towards the voice of end users, better heard, and taken into account? For the moment, I don't see so much. I see that we are taking care of what the US Government is asking for, other governments are asking for, what some US people in different communities are asking for – but where are we taking into account our needs? I'd still like to understand that, and I'm not seeing anything.

Both you, Olivier, and Alan say it's too late, and I would like to repeat what I put in the chat. It's never too late. If I take the word of Christopher, it's time to be strong and to be able to negotiate good things for end users and for At-Large. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Sébastian. Alan, we've now had two people in EURALO that have mentioned the need for ALAC to negotiate. How likely is this to happen? Is it something that we would be able to do? Is this the plan forward?

ALAN GREENBERG: First of all, I should point out I volunteered to draft this statement. I'm the Chair of ALAC but I'm not the spokesman for ALAC, except where decisions have actually been taken or I've been given guidance. There are other ALAC Members, as Sébastian pointed out, and each of them are free to speak. If the IANA Issues Group and/or the ALAC make a statement saying that we need to be harder, or we need to push particular points, then clearly we will.

As drafter of the statement, I'm trying to make sure it's cohesive, but I'm not the sole controller of what is in it. I personally believe that we have identified some of the really crucial issues. I think the Board may have identified a few others that we may have missed or are maybe looking at from a different perspective. I think we have to pay some close attention to whether we want to come out and essentially support what the Board has said or say no. There are many people on the CCWG who believe we should just ignore the Board because they're just another stakeholder.

I happen to think they're another stakeholder who also has the ability to decide not to ratify changes, or to pass on a message to the NTIA saying they don't support it. I think they're more than just another stakeholder. Nevertheless, we have to make our own decision on whether what they're asking for is reasonable or not. The Board ultimately will look at the public comments and if everyone says what they are asking for is wrong, they may well change.

To what extent we can negotiate at this point, I think our strong negotiating card is the threat of not ratifying if we cannot get a certain aim, a certain thing achieved. I'm not sure we have a lot of other

options right now. So we have to make sure that if we are saying something and using it as a potential threat – and threat is the right word – that we will not ratify if we cannot get something changed, we have to be, at some level, emotionally prepared to do that.

That's simply a decision the ALAC's going to have to come to closure on, and the ALAC will only do that with guidance from the rest of the organization. I'm not going to try to say whether a particular issue raised by a person is one of those that should be in that list or not. I can give my opinion, but that's all it is at that point.

I think at this point if the issues we've raised, perhaps augmented by some of the Board ones, are addressed, we are not doing danger to ICANN. We're changing the nature of ICANN, there's no question about it, but different is not necessarily bad. On the other hand, there are parts of what's been proposed, and certainly in the history over the last year parts of what have been proposed, that I think would irreparably harm ICANN.

In doing things that we claim are in support of the multistakeholder model we'll be killing it if we're not careful. We simply have to decide which items are in which category at this point. I don't think we have a lot of negotiating strength other than to say this is a really serious issue and we may well withhold ratification because of it, if it comes down to that. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you very much for this Alan. I'm mindful of the time, so for anyone who wants to continue this discussion – and we're going to be

digging deep into this discussion – I invite you to join the At-Large Ad Hoc Working Group on IANA Transition and ICANN Accountability at 20:30 UTC. The Wiki page is in your chat. Now, next we have a brief summary of the current ALAC consultation initiatives. I see that Sébastian's put his hand up. Let's ask Sébastian, and then I'd like to move on. Sébastian?

SÉBASTIAN BACHOLLET: Thank you Olivier. I'm sorry, but our next call will be in one month. In one month it will be too late. This discussion…   Yes, ALAC will have to make a decision, but I hope that we'll be able to include EURALO in the decision making and hopefully the ALSes in the opinion-making. How will we do that? What are we planning? Because the 21st of December is the end of the comment period, and the 22nd of January, around this date, the decision will already have been taken by ALAC and therefore by the other chartering organizations.

I'd like not just to say, "Okay, come to the Working Group," but, "How do we as EURALO take a stand on that discussion?" Sorry for disturbing your running of the meeting.

OLIVIER CRÉPIN-LEBLOND: Thank you Sébastian. Alan, when is the ALAC decision due?

ALAN GREENBERG: Our decision is due on the 22nd of January, no later than, as I understand the current schedule.

OLIVIER CRÉPIN-LEBLOND: Okay, so what I'd suggest then is that we have a single issue call for EURALO early in January, after the public comments have been sent, so that we have some feedback as to whether they've been incorporated in the final draft, and of course before the ALAC proceeds forward with ratification or non-ratification.

At this single issue call I invite all of those people in EURALO who find this important, I invite you Alan, and all of the Members of the CCWG Accountability, and Sébastian obviously you'd need to be there as well, and I think it would be important for our ALAC Members to be there, since they would be voting, and ultimately they're the ones who hold the vote for moving forward.

ALAN GREENBERG: I'll point out there are two webinars on Wednesday and Thursday this week that will be going over our draft comments in some detail. That is also an opportunity for people to try to understand what the issues are and to make comments.

OLIVIER CRÉPIN-LEBLOND: That's very important. Thank you Alan. Terri, if you can put the links to the webinars in the chat, that would be helpful.

EN

ALAN GREENBERG: I think there's a CCWG webinar preceding one of ours, which is reviewing the overall proposal, for those that haven't had the stamina to read the several hundred pages of documents.

OLIVIER CRÉPIN-LEBLOND: Okay. Quite a few links then in the chat. Terri, maybe you'll have to forward the chat over to the mailing list as well. That would be helpful. Then people who are not on the call here will be able to participate in the future call. Therefore we'll have to have a single issue call in early January, prior to the date at which the ALAC will need to ratify or not ratify this. Sébastian, is that better? At that point that really provides us with a lot more input and a lot more space to be able to discuss this.

ALAN GREENBERG: Olivier, not too early in January because I think, but I'm not sure, it's the 7th when the revised draft is due out, based on inputs from the other comments that are coming in. I'm not sure on that date.

OLIVIER CRÉPIN-LEBLOND: We're looking at the second week or third week of January. We'll pick a time closer to the date. Sébastian, and then we need to move on.

SÉBASTIAN BACHOLLET: I agree with you.

OLIVIER CRÉPIN-LEBLOND: Thanks.   Next, the brief summary of the current ALAC policy advice. Alan, since you're on the call I don't know if you wanted to go through this quickly, or shall I take it if you need to go?

ALAN GREENBERG: Please take it. I've got the IANA issues meeting and an ALAC Leadership Meeting to prepare for, and I have a total of 40 minutes to do that. So I'd appreciate it if you could do it.

OLIVIER CRÉPIN-LEBLOND: Thank you Alan, and thank you for joining us. Now, the statements recently approved by the ALAC, there was one on the planned implementation of the new registration data access protocol – a bit of a technical thing, but that's all related to what used to be the WHOIS system. Anyway, if you're interested in these issues then please have a look at this. The ALAC adopted it. The next one is a Preliminary Issue Report on the GNSO policy development process to review all rights protection mechanisms in all generic TLDs. That's to do with intellectual property rights. If you're interested in this topic then please read the comment.

Thirdly, the proposed implementation of GNSO policy development process recommendations on inter-registrar transfer policy part B. That's when you change your domain name from one registrar to another registrar. In other words, you bought it from one vendor and you decide they might be too expensive, or for whatever reason you want to transfer to another vendor. These three are done. It's a bit late to comment on these right now.

Next, the statements that are currently in process – there's one about the gTLD health index proposal. That's a set of metrics that are being proposed to show whether the TLD marketplace is healthy or not healthy, whether there's good competition and so on. The ALAC is already voting on this. It's a bit late to be looking at drafting the statement, however there is a current call for volunteers to go into some kind of Working Group that will address this health index.

It would be important to have some people from EURALO on this. I know that many of you are following the domain name marketplace in your own country, or from your perspective, and it's important that we have someone. Anyone interested in volunteering, please contact staff, and they'll put your name forward.

Now, CCWG on Accountability, we've just been discussing this just now. The commenting on the draft closes 21st of December. Then the New gTLD Program Implementation Review Draft Report – that's a report of the implementation of the actual whole round of new gTLDs that have been sent out, and so the ALAC is already voting on this. The statement has been submitted already, but the ratification is pending.

There are some public comments where the ALAC has decided not to submit statements. One is on the guidelines for developing reference label generation rule sets on the second level. That's to do with IDNs that are not in Latin character set – often in Chinese, Cyrillic, Arabic, Hebrew or others. We've decided not to comment on this, and that came out of our IDN Working Group.

EN

The new public comments currently requiring a decision – there is a registration date access protocol operational profile for gTLD registries and registrars. That closes in a few days from now. That might have been a bit behind on this, so we might not wish to move forward on that. Proposed implementation of the GNSO Thick WHOIS Consensus Policy requiring consistent labeling and display of RDDS WHOIS output for all gTLDs.

I wish that they thought about smaller titles in this, because this is just ridiculous. Again, that closes on January 18th. It's a short time until this closes. The launch of the supplementary registration proxy service for gTLDs operated by xyz.com LLC, this probably is something we'll not be commenting on. We've very rarely commented on anything relating to a specific TLD. The label generation rule set for the rule zone version one, that's an IDN issue. The continuous data driven analysis of root server system stability study plan, for anyone that is technically minded, that's a way to look at the root server system stability.

There's a plan that's been put forward for tracking this. And finally, the notice of preliminary determination to grant registrar data retention waiver request from Ascio Technologies in Denmark. That's again to do with a specific TLD. In the past we've not responded – we, as in the ALAC – to such requests. In general, it's all to do with the ICANN Bylaws that are somehow unaligned with the local laws in Europe, specifically regarding privacy and the sharing of private information. That's one thing where there have been quite a few that have been given so far. Sébastian?

SÉBASTIAN BACHOLLET: Thank you very much Olivier. It was for a topic you talked about at the beginning of this long list of items. As you can see in the statement approved by ALAC, the second bullet point one, the "no" – that's been one with an against, and it was me. I would like to explain to my colleagues in EURALO why I disagree with the document position sent by ALAC.

OLIVIER CRÉPIN-LEBLOND: Sébastian, for all [avoidance 00:54:24] of that, this is the At-Large Preliminary Issue Report on a GNSO PDP to review all rights protection mechanisms in all gTLDs.

SÉBASTIAN BACHOLLET: Exactly. Thank you Olivier. I just want to express here why I was against that. In the document it says something about the [TMTH 00:54:50] services and it's provided as a solution to open more providers for competition. I feel for other reasons also that we are not the group to push for the market. We need to say what we need, but end users don't need to say how it must give us more rights or more possibilities. Maybe there are better ways to do it than to open it to more providers.

Maybe it's to have a better service from the current provider and open the service to us. But we push to have more market, more market, more market, and at the end of the day we will get what we want, market, and for the market we don't need to have an end user voice. I think we have to be really careful about how we want to express our point of view on all issues around the domain name so-called "market".

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this. Just for the record, did you record this publicly for the ALAC as well? Or would you like this to be transferred over?

SÉBASTIAN BACHOLLET: Thank you. I'm supposed to write something on that, and I didn't take the time yet, but maybe with the transcript of today I will take that and put it in writing to be sent to the ALAC list.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this. Next is Christopher Wilkinson.

CHRISTOPHER WILKINSON: Good evening. Thank you Olivier. I don't want to take too much time from this conference call, but in relation to what Sébastian has just been saying, the indications are first that the registrar market is becoming highly concentrated and that the original idea of having a competitive market for registrars is not working out correctly. A few registrars are dominating the market and dominating the new gTLD market.

As a result, the registry market is also becoming concentrated, notably because Verisign, for reasons of which I'll spare you now, but has succeeded in growing the .com registry in spite of the attempts by ICANN to diversify the registry market. We are getting very close to a situation where whatever the claims of the market, they'll not work,

because you've got a situation where the industry is already so concentrated that the competitive market is not functioning.

I think Sébastian has got a point there, and frankly I'm really worried, because on the one hand – both in terms of the registry/registrar separation that was mandated in the 1990s and which resulted initially in a large number of new registries – it has ultimately resulted in concentration. And for reasons that have been discussed notably by Mr [Lavine 00:59:14] on the list, the New gTLD Program has not succeeded in creating a competitive and diverse market for registries. So I think Sébastian's points are well taken. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Christopher. I gather you're a prime contender for being a volunteer to join that Working Group on the gTLD marketplace health index proposal, since I guess this is exactly what the health index is going to be looking at. Alan?

ALAN GREENBERG: Thank you. Just a couple of very brief comments, and not on this specific topic. One of the problems we have in At-Large is we do draft a large number of these statements, and typically it's done by one or two people with one or two other people commenting. We really need to – as part of the revitalization of the RALOs and ALSes – get wider input into these processes, to make sure that when we come up with a statement it does indeed represent the community we represent, not just the person who happened to have drafted it. I'm not saying in these cases this was the case, but it's really a generic problem that we have.

With regard to Christopher's statement, in addition to passing judgment on the state of the market today we really need to look at what we can do. Consolidation of industries into several large players is something we see across the Board in many industries across the world. The small guys get eaten up by the big guys, and you end up with a very small number of people and questionable competition, and we really need to look at what our options are and how we fix that problem – is it fixable indeed in our part of the world or not? They are all very serious problems. We really need to try to be part of the solution. I think that's how the buzz-line goes.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. I need to now swiftly usher us along to the next Agenda Item. I've been told by Silvia that we may have another ten minutes on the call, maximum ten minutes. Wolf, you're still with us. We need a follow up now to this discussion on the public interest document. What are our next steps? I recall that our Action Items mention that we should circulate this document with other RALOs. Has this been done? I hope for an update from you on this, and how we can move forward with this.

WOLF LUDWIG: Thank you Olivier. Yes, it was decided in Dublin at the end of the first part of the General Assembly, after the document as such was approved by our community, and I suggested to forward it to other RALOs for further consultations and for further inputs. There was also an idea to

create a [Thematic 01:03:13] Working Group on this issue, which to my memory was also approved. These would be now the next steps.

I didn't have the time after Dublin, because I had a lot of organizational issues with my lost computer, stolen computer in Dublin following the IGF, and it's on my list for the end of the year to circulate this document with an email explaining the context a little bit to other RALOs and asking for inputs, and then announcing at this opportunity to create a Working Group on this subject.

I have at least four responses from our community already from people interested in joining such a Working Group, but I think it should be an At-Large-wide Working Group with at least one to two representatives from each region. These would be the next steps to be followed up and it's on my to-do list for the seasonal holidays.

OLIVIER CRÉPIN-LEBLOND: Okay, that's a good point. Thank you very much for this Wolf. Are you willing to lead the charge on this?

WOLF LUDWIG: Yes, I will. I have started it, and I think it makes sense that I continue with this at least for the next steps, and then let's see. It's also a question afterwards to then create such a Working Group we need a group from ALAC, from Alan, to continue.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you for this Wolf. That's a good way forward. Silvia?

SILVIA VIVANCO: Wolf, I wanted to offer an idea, and perhaps we can do this. We could send the document to the RALO Secretariat mailing list, which is intended to support all the cross-RALO issues, and then the RALO Leaders can start looking at the document and be ready to come up with some feedback by mid-January. We could use that mailing list to start the discussion and then to move the discussion to our Working Group, once this Working Group is approved.

WOLF LUDWIG: Silvia, I think it's a good idea. I think it should be circulated [unclear 01:06:38] approval from Alan via the ALAC list but also via the Secretariat list. It should address the regional leaderships and the ALAC Members, and then let's say I think the middle of January deadline will be too short, because a lot of people, according to previous experience, a lot of people come back from seasonal holidays in mid-January. It will give a broader group of people a chance to really see it and respond to it. It would be good to set a deadline of until the end of January, in my opinion.

SILVIA VIVANCO: Okay, thank you Wolf. We can already start drafting that message and sending it to the list so everybody can take this as homework for during the holidays. They can look at it later and review it and come up with ideas after the holiday. I'm happy to work with you on this draft note.

WOLF LUDWIG: Okay, thanks a lot.

OLIVIER CRÉPIN-LEBLOND: Thank you Wolf and thanks Silvia for this follow up. Let's now move to Agenda Item #6, Any Other Business. Oksana Prykhodko asked earlier whether there was any update on the World Summit on Information Society +10 document. This is a process that was launched by the United Nations ten years ago, and now we are looking at a review of this document. There is a CCWG on Internet governance that is closely following these developments and other developments in the Internet governance space outside of ICANN.

                               If you are interested in being subscribed to its mailing list, I happen to be one of its Co Chairs. Please just drop me a note and I'll make sure you are included in the mailing list as a member. We are following very closely anything to do with Internet governance – so that's WSIS+10, that's any work on the ITU, anything that somehow relates to the ICANN space, and of course lots of work on the IGF. I see two people with their hands up. Wolf?

WOLF LUDWIG: Just for information in this respect, the DIPLO Foundation and the Geneva Internet Platform are closely following the process, and at the moment they're sending a newsletter every day where you can find more details on the negotiations taking place in New York at the moment. It's a source of information that I can recommend, just to get subscribed to the DIPLO Foundation newsletter.

OLIVIER CRÉPIN-LEBLOND: Thank you Wolf.   Anybody interested in subscribing to the DIPLO Foundation newsletter please email Wolf, and Wolf, could you please let me know the details on how to subscribe – I'd be interested too.

WOLF LUDWIG: Via the website of the DIPLO Foundation, to the newsletter, and then get subscribed, so you get updates about the cause of the DIPLO Foundation, regular emails, events, et cetera, and for about a year it's also been writing regular updates about the Geneva Internet Platform.

OLIVIER CRÉPIN-LEBLOND: Thanks for this Wolf. Any other business? No? Well, I'd like to thank everyone for having attended this call.   I'd like to thank our Board Members for their introduction. I think we've had good progress today. Have wonderful holidays everybody. Now it's just a few more days and we've hopefully got a break that we'll all be able to take. If we don't speak before the New Year, have also a wonderful New Year. See you next year, or see you on the Internet in the meantime.

Thanks to Terri and staff, Silvia and others. Yesim Nazlar is our new At-Large staff who will also be helping out for this region, thanks for having spent those extra minutes. I know that you've got another call in 50 minutes to prepare for. Of course, those people who are interested in IANA stewardship transition, and specifically in the ICANN accountability process, in 50 minutes is the next call. Thanks everyone. This call is now adjourned. Happy holidays.

[END OF TRANSCRIPTION]