

GISELLA GRUBER:

Good morning, good afternoon, and good evening to everyone. Welcome to the ALAC Monthly Teleconference on Tuesday, the 28th of March at 21:00 UTC. On today's call the call today on the English channel, we have Alan Greenberg, Javier Rua-Jovet, Maureen Hilyard, Holly Raiche, Sébastien Bachollet, Tijani Ben Jemaa, Wafa Dahmani, Julie Hammer, Cheryl Langdon-Orr, David McAuley, who is our guest speaker, Sarah Kiden, Barrack Otieno, Olivier Crépin-Leblond, Nkem Nweke, Roger Oteng Baah, Leah Symekher, Isaac Maposa, Dev Anand Teelucksingh, Aziz Hilali, Seun Ojedeji has just joined us, as well. Welcome, Seun.

On the Spanish channel we have Alberto Soto, Harold Arcos, and Maritza Aguero. Currently nobody on the French channel, but we are dialing out to Abdeldjalil Bashar Bong to join us on the French channel, and no participants on the Russian channel, either. Apologies noted from Marita Moll, Aris Ignacio, Bastiaan Goslings, Yrjö Länsipuro.

From Staff, we have Heidi Ullrich, Silvia Vivanco, Ariel Liang, Yesim Nazlar, Evin Erdoğan, and myself, Gisella Gruber. Our French interpreters today are Isabelle and Jacques. Our Spanish interpreters are Paula and Marina, and Russian, Galina and Ekaterina. Please also note that on the French channel we only have a one-way audio, that is English to French. Unfortunately, due to technical issues, we do not have French to English, but we will make sure that Abdeldjalil is aware of this when joining the channel. Judith Hellerstein has also just joined the call, welcome Judith.

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.

If I could also please remind everyone to state their names when speaking, not only for transcript purposes, but also to allow the interpreters to identify you on the other language channel, which is very important, and if you could also speak at a reasonable speed to allow for accurate interpretation. Thank you, and over to you, Alan.

ALAN GREENBERG: Thank you very much, Gisella. Does anyone have any comments on the agenda or any other business? We already have one item of any other business listed, and that's the NARALA General Assembly. Hearing nothing, seeing nothing, we'll take the agenda as accepted as distributed, and go on to the first item. The order of items has changed today.

HEIDI ULLRICH: Alan?

ALAN GREENBERG: Yes, go ahead.

HEIDI ULLRICH: This is Heidi, Tijani has his hand up.

ALAN GREENBERG: Oh, Tijani, you had your hand up, sorry, didn't see it before I went on. Go ahead, Tijani.

TIJANI BEN JEMAA: Thank you very much, Alan. I have added on the agenda another point of any other business.

ALAN GREENBERG: Alright.

TIJANI BEN JEMAA: Okay?

ALAN GREENBERG: Yes, I have seen it now, thank you, I hadn't noticed it.

TIJANI BEN JEMAA: Okay, thank you.

ALAN GREENBERG: Thank you very much. We'll try to make sure we have time for it. We often run close to the end, but we'll do our best to manage the time today. If there are no other comments, we have changed the order of the agenda a little bit today. We have a guest speaker, David McAuley. David just flew from the US to Brussels today, and it's 11:00 his time, and I think we'd let him speak early and then get off the call so he can attend to either his following conference calls, or actually go to bed.

David has been chairing the IRP group within the CCWG Accountability, that's the implementation oversight team that is looking at the

implementation of the IRP. David stepped in relatively recently into that job, following Becky Burr, and Becky Burr is a pretty hard act to follow, but I think David has done a marvelous job so far, and I certainly couldn't have come anywhere near going into that job and both getting up to speed and making a lot of progress.

One of the reasons David is on the call is if you look at the Adobe Connect, there is an excerpt from the ICANN bylaws, and one aspect of the IRP, although I'm sure we're all fascinated with it for a bunch of reasons, is there is a throwaway line in it saying, "Supporting organizations and advisory committees shall nominate the slate of proposed panel and standing panel members."

And there is no more guidance there as to what that means or how we're supposed to do that, or even why we're doing it, and David offered to come and talk to us about it. He actually offered to come and talk to us in Copenhagen, but we did run out of time, and to go a little bit into where the IRP process is today, and talk a little bit about the standing panel and what our involvement is supposed to be. David, I'll turn it over to you.

DAVID MCAULEY:

Thank you, Alan. And I'd like to say, this is David McAuley speaking for the transcript. I am an employee of the corporation, Verisign, and I typically participate in the CCNSO and the registry stakeholder group. And as Alan said, I'm now chairing the group called the IRP Implementation Oversight Team. And I want to thank Alan and Gisella for helping me to participate in this call. And Alan is absolutely correct.

As a consequence of the new bylaws being adopted by ICANN last October 1st, there is a new IRP in place, and it is in place in the bylaws and in order to operate, it's getting up to speed to be fully in place, and I'll speak about that in just a moment. And I appreciate what Alan said about you have a very full agenda, so I will try to be very quick in this, but in that, I want to give a little brief oversight as to what IRP is, and then get into the new bylaws.

ALAN GREENBERG: Do what you need, David, we'll work around it.

DAVID MCAULEY: Okay, thank you Alan. The IRP is the independent review process and it is basically the highest form of ICANN's internal accountability structures. It is a form of formal arbitration with panel members in the past that are sort of eminent jurists or eminent arbitrators from around the world who apply to become panelists and hear cases that look like litigation. There are usually lawyers involved on both sides, there don't have to be, but there usually are. The goal is to have a formal process that is, despite being formal, potentially quite quick and lower cost. And what I mean by that, or I think what experience shows by that is that it's intended to be quick and lower cost when compared to litigation. That doesn't mean in absolute terms that it's necessarily quick or necessarily uncostly.

But this is sort of part of the accountability steps that ICANN has. There's the ombudsmen, there is the request for reconsideration, and then at the top of the pyramid is the IRP. Beyond that, people have to

go to court, basically, if they have a complaint that is that serious against ICANN. So October 1st, the bylaw changed in. In Workstream 1 in the CCWG on accountability, many of you were there, as I was. You remember that there was concern about the IRP as it existed prior to October 1st.

The basic concern was twofold – one, the IRP was limited to looking at process questions, rather than substantive issues. You know, the question really was did ICANN follow the procedure in reaching a decision that it made, not was the decision correct in accordance with the bylaws and the articles of incorporation. And two, the IRP was intended to speak to ICANN in a nonbinding manner. The new bylaws changed that and make IRP able to look at substantive questions, the standard is did ICANN or staff violate the articles or bylaws by their action or their inaction. That is a new standard that didn't exist before. And so that's a welcome change.

And the new bylaws make the decisions of the IRP potentially binding, both the empower community and people who have a case against ICANN can take a resolution from the IRP to court if ICANN chooses not to honor. The IRP itself doesn't tell ICANN what to do, it simply renders a judgment that it did not reach its bylaws or articles. So, all of that having been said as background, you will see the slides that I'm talking to are the same presentation that I gave a couple weeks ago in Copenhagen. And it's an update as to what is going on. So, if we could move to the next slide, please. And hopefully I'm not speaking too fast for interpretation, I hope not. If I am, if someone would not that.

So the next slide simply shows that the new bylaws went into effect October 1st. And for those who are interested, Bylaw Section 4.3 is where you want to go to learn about IRP. Next slide, please.

The IRP can now look, I'll show you in this slide and the next slide, what it can look at a little bit more specifically. This slide talks about reviews, where the standard is, did ICANN violate by its action or its inaction, and when I say ICANN, I mean board or staff. Did it violate its articles of incorporation or its bylaws. And we'll look at that in the context of claims that if it basically did that, it exceeded the scope of its mission, there are specifically allowed to be claims regarding action taken in response to an SO or an AC that may cause ICANN to violate the articles, et cetera, it specifically now permitted for IRP to look at whether ICANN's action on decisions from expert panels may violate the articles of the bylaws.

These panels are those that looked at new GTLD applications. These are called legal objections, community objections, string similarity objections, those kinds of panels. It used to be that the panel made a rule and there was no appeal. Claims resulting from ICANN's action to a request for the documentary disclosure, known as DIDP, document information disclosure policy, those are now subject to review by IRP. And the empowered community has the right to bring claims to the IRP. Next slide, please.

Beyond these specific claims – woops, I think we may have missed a slide – there it is. Beyond these specific claims and no longer held at the standard of did it violate the articles or bylaws, IRP can look at two fairly esoteric things. Claims that ICANN board or staff did not enforce their

contractual rights under the IN, a naming function contract, and claims from customers of PTI services, I'm sorry, that, by direct customers o of the IN naming functions, you know, that the services were incorrect and to resolved through mediation. Next slide, please.

The next slide simply talks about the team that I'm now chairing, that Becky very ably got started. In 4.3 IM-1, this implementation oversight team moved from being a construct of the CCWG to now being recognized and established under the bylaws themselves. So we're not really a Workstream 2 subgroup. We are now a group that is established under the bylaws, and the reason for that has to do with some ongoing support, and I'll speak to that in just a minute. At least that's my belief, as the reason for this. Next slide, please.

This is the most important slide, and is the next to the last slide, and it tells you roughly where we are in standing up the new IRP. And when I say standing up the new IRP, I speak of it in our group as having three legs, three independent legs, it's like a three-legged stool. One is the new bylaws themselves, two is a standing panel of members, and three is the administrative support or the secretariat that will help it run. Once those three are in place, the new IRP will be fully up and functioning. The new standard by which IRPs are going to be looked at is already in place. That's the new bylaws.

Then looking at this particular slide, we note that the new bylaws are done, the admin support organization, which I'm using as a term for the secretariat that is in place from prior IRPs. It's called the International Center For Dispute Resolution, and ICANN under the bylaws will retender that or I guess reapprove this organization, but you need a

secretariat basically to do all the admin stuff, to make sure the IRP process, the jurists are paid, et cetera.,

Next point on the slide is the rules and procedures. Those are in process. The group of which I'm a part, we're looking at that. We've had draft rules put in place, we've had public commentary on them, a lot of good very thoughtful comments, and we are now plowing through them, and hoping to come up with revised rules to take into account the comments, and we will do that.

The next point, ICANN is going to release an expression of interest publically for people around the world who feel they are qualified to be panelists, to submit applications to become panelists. This is a job for ICANN. ICANN will release – they're going to give to us the draft expression of interest and when I say us, I mean the implementation team, in the next week or so. It's basically almost done, according to Sam Eisner of ICANN Legal. We will then give them our thoughts, hopefully very quickly.

My hope and my expectation is that the expression of interest will be released to the world in the month of April. I'm very, very hopeful that will take place. When that expression of interest goes out, it will cause people to apply to become panelists, and that will then create a job coming your way to the ALAC, as well as the other supporting organizations and advisory committees. There are two or three things that you have to do. One is, when a whole slew – let's assume that there will be plenty of applications – when they come in, ICANN staff, ICANN board, and the SOs and ACs will go through those applications and divide them in two.

I'm now speaking of what I think is going to happen, the bylaws are not this specific, but they are specific in saying those three groups will do this, and they will put them in two piles. One, good people who have great qualifications but are not well qualified for this position, and two, those who are well qualified for this position. And then the SOs and ACs will step forward and act on their own to look at that pile of well qualified applications, and nominate at least seven members to a standing panel. Could be more, but it has to be at least seven.

And as I said, ICANN and board and staff have stepped back for that particular action. The SOs and ACs will do the nominating and then ICANN board steps back into the picture and the SOs and ACs step back. The board has the right to confirm members who the SOs and ACs have nominated. And the bylaws do state that confirmation cannot be unreasonably withheld. So that's the nomination process to get the standing panel in place.

And as Alan pointed out, there's no real direction given, and so the implementation oversight team is of the view that it's our role to support SOs and ACs, ICANN staff, and ICANN board, in helping to discharge these functions. And we have made that offer, and that's part of what we're doing in this call. And it is not our job to make nominations, that's your job basically, but I think it is our job to try and help SOs and ACs get together and find a way to do this.

And so that's what we will be discussing among ourselves on the team and as I said, I think this work is going to be coming your way in the near future, in my guess, if applications come in between now and the end of

May or June, this work will probably kick off in the summertime. So we are doing our best to get ourselves prepared to help in that respect.

We can go to the final slide, and it will simply show you some of the issues – woops, I just lost my connection, but I remember that slide, and it shows you some of the issues that we're grappling with in the rules, time for filing a claim, how discovery is handled, how hearings are handled, there's plenty of things like that, who can join as a party. So, we're very busy. But I guess the bottom line of this presentation is to say there are bylaws required work coming towards the SOs and ACs. It's not very well defined, but there are people who are willing to help, and this work will probably come your way in the next several months. It is important work and it will be important to find a way to work with other SOs and ACs to get this done.

I believe that sort of summarizes, Alan, what I wanted to say, and I'll be happy to address questions if there are any, but I no longer have access, I've lost my connection.

ALAN GREENBERG:

That's not a problem, luckily, I still have mine. And we have two hands up, the first of which would be mine. The bylaws section, the first section of the bylaws that I posted, and that you've been referencing, has some interesting wording, it says, "ICANN shall issue a call for expressions of interest from potential panelists, and work with the supporting organizations and advisory committees and the board to identify and solicit applications from well qualified candidates, and to conduct an initial review and vetting of the applicants."

So if you remove the phrase and commas in the middle, it says, "ICANN," presumably ICANN staff, will do an initial review and vetting of the applicants. Does that match your understanding? So the only ones that will be coming to us are ones that are already presumably past some minimal standard.

DAVID MCAULEY:

No, I don't, that's not the way I read it, but I recognize what you say. And so I do acknowledge there are rooms for other points of view than mine. I'm simply telling you how I read it, and that's how I stated it. So we will have to work our way through that, and if ICANN chooses to take a position on that, we'll have to deal with it. But I take your point.

ALAN GREENBERG:

I guess my concern is that although we have a few lawyers among our community members, we in general are not legal experts, and we're not necessarily experts on the IRP. So I don't even remember what the rationale was for saying that we would do the selection. But it's interesting how we're going to do it. For other groups, SOs and ACs often nominate one or two, and then somehow they get merged, 1, 2, 3, 4, 5, whatever, and then somewhat they get merged. I guess there's going to be some interesting discussions about just how do we do this, do we get together, or do we do it one by one and then merge?

DAVID MCAULEY:

That's exactly right. The bylaws do not say, and so we the community need to figure our way through this.

ALAN GREENBERG: Thank you. Holly, you're next. And Holly is a lawyer.

HOLLY RAICHE: Thank you, Alan. Just a question, and maybe you just said it in passing, but you mentioned that one of the things the IRP could do was hear appeals, when in fact ICANN has not acted to enforce its contractual rights. Now going back in some of our history and what we've said, for contractual compliance, we being some members of ALAC, have felt that contractual compliance has not done its job as well as it might. Is this a tool that we have not had to date to say contractual compliance we have found that you are not enforcing some of the rules against some of the registrars and registries? Thank you.

DAVID MCAULEY: I don't think so, Holly, because this is really with respect to the naming functions contract. The IANA contract. And it's part of the bylaws that was written because we were transitioning IANA and it was becoming part of ICANN in a sense. Up above, I forget the number, it's under 4.3, but there are definitions in 4.3, and in the definition of dispute is where you will find what claims the IRP is going to be able to hear. And I believe when it gets down to contracts, it's going to be just the contracts that have to do with IANA naming functions and the PTI services.

Now, I do think, you know, if someone can construct an argument that ICANN by not enforcing other contracts, has violated its articles or

bylaws, that would still be – and as a consequence has gone beyond its mission, that would be an argument that someone could float. I don't know how a panel would decide that or not.

HOLLY RAICHE: Thank you.

DAVID MCAULEY: You're welcome.

ALAN GREENBERG: Do we have any other questions for David? There are no hands up at the moment.

SEUN OJEDEJI: This is Seun.

ALAN GREENBERG: Seun, go ahead.

SEUN OJEDEJI: Okay, thank you David, Seun for the record. A question, you mentioned that the oversight team will be seen through the process. I just want to get an understanding, once the first set of (inaudible) what is the process, I mean, who is going to see through the process in the future. Is this going to be the implementation for the oversight time, or do you have organization as a group (inaudible) through to it. The second

question I wanted to ask is in relation to the (inaudible) initial group, organization or something? Could you clarify briefly what that is all about?

DAVID MCAULEY:

Thank you, it's good to hear Seun's voice, which I got quite used to at Workstream 1. He has many good interventions. But I do have to say, Seun, I didn't quite hear – the connection between your phone and mine is not great – but I think what you were driving at is the nature of the IOT team itself and how it would carry forward. If I got that correctly, a little brief history, the IOT team was established under Workstream I by the CCWG itself, and now it's been adopted as part of the bylaws. My expectation is that it will be up to the community to determine.

Obviously it's going to have a little bit of a longer life than the CCWG itself might, and so there might be people that leave, and we have, it's an established group of 25 people, and so, you know, if there are folks that leave, will have to be replaced, I don't know how that will work, other than to say that it will problem be something that would be blessed by the SOs and ACs, or at least by the chartering organizations of the CCWG. The bylaws speak about the IOT, I had it in one of those slides, but they don't say how it would be continued. And so I think it would have something to do with the input, if I got that right. If I misunderstood, if someone could help me with the rest of the question.

SEUN OJEDEJI:

If you can hear me, this is Seun.

ALAN GREENBERG: Yes, go ahead Seun.

SEUN OJEDEJI: Yeah, so that is the point, the point is that there is (inaudible) life line and (inaudible) for the team, so my concern is who is going to sit through to a me when they get need for replacement (inaudible) once you oversee the initial setup now, is it going to be able run itself, maybe one (inaudible) because they have (inaudible) for the final members, and so on, who is going to introduce continuous running? Because once you complete initial (inaudible) I just want to understand that. Will you be setting up the process for that? Is that part of your intention as a team?

DAVID MCAULEY: Thank you, Seun, it's not part of our intention of the team, just because we haven't discussed that. And frankly we're so wrapped up in the rules right now, that we just haven't discussed that. But it's a good question, how would this thing unfold going forward. It's not a self executing team in a sense that it's going to keep itself going. I think in the future there will be have to be some kind of oversight to it, just like there was from the CCWG in establishing it. And so that has yet to be done.

I have a feeling that our team would be of a view that we would make proposals along those lines, and probably to the SOs and ACs, but we'll have to sort that out. And I just haven't given it a lot of thought right now. But you're also raising a point that I'd like to underscore, and that

is that this particular presentation is very high level. There are things I didn't mention, that being one of them.

Another one is that when the standing panel is established, further work on the rules and typically when you unwrap a new product like this, there is a requirement that rules be amended or supplemented again, that the standing panel itself will participate in that. And there is also part of the bylaws under 4.6 that the IRP, the verb is "may," may be subject to accountability reviews every five years. So there's work in the background as to how this thing will move forward, but not specifically to address your question.

ALAN GREENBERG:

It's Alan speaking. It's quite clear that the bylaws were drafted with sufficient detail to convince us that we were not creating a monster, but there is an awful lot of details that are not there that will either have to be added to the bylaws at some point, or put into the documentation that goes along with managing the process. And things like, how do we get panelists replaced five years from now, when one of them decides they're not interested in this anymore, lots of that was not covered.

And in fact it wasn't necessarily covered in the previous bylaws, either. So to some extent, you make up the rules as you go along, and hopefully the IOT will be trying to look into it's crystal ball and do things ahead of time, so we're not playing catch up, but there's lots and lots of details that are not there yet.

DAVID MCAULEY: Thank you, you said that very well, it's exactly right.

ALAN GREENBERG: Any further comments before we let David go? And we are way over time at this point for the rest of our agenda, but if there's anything further? Seeing no hands, hearing no one, thank you very much, David.

DAVID MCAULEY: You're welcome, it was a great pleasure. Thank you very much.

ALAN GREENBERG: Wish you a successful trip. Bye-bye.

DAVID MCAULEY: Thanks, bye-bye.

ALAN GREENBERG: Alright, back to our regular agenda, we have a review of outstanding action items, zero minutes were assigned, so I'm presuming there is nothing of great import for the ALAC to look at right now. The next item is policy development, and I'll turn it over to Ariel. There are a large number of policy, not a large number, there are a number of policy issues that have opened up in the last little while. Ariel?

ARIEL LIANG: Thanks, Alan. This is Ariel speaking. So just a quick reminder for the RALO leaders on this call. Currently the RALO statement on the At-Large review draft report has been submitted and URALO and NARALO have

been ratifying this statement via electronic vote, but then I haven't heard back from three other RALOs, how you'd like to ratify the statement. So when you have figured out the method, please contact me if you want to set up a vote. And then the staff reported April 7th, so I presume that we need to complete the ratification process before that date. Just a quick reminder on that. Then regarding open public comment, right now we have eight open public comments that ALAC has to kind of decide on whether to respond or not. So the first one is on the recommendations to improve ICANN's transparency, and that is through April 10th.

ALAN GREENBERG: And we will be making a comment on that.

ARIEL LIANG: Okay. Do we know who will be making a comment on that?

ALAN GREENBERG: No, we will need to consult among the people who have been participating in those activities to try to identify someone, but there's no question, we have to make a comment, even if it is only a minimal comment.

ARIEL LIANG: Okay, and I will follow up with these people in that subgroup. Thank you. And then the second one is on the international line, so implementation and guidelines. I saw that Satish Babu has sent an email

to the working groups, and also that brought a large community via the mailing list, asking whether anybody is interested in coming on this topic, but I haven't seen any followup on that.

ALAN GREENBERG: Okay, if anyone wants to intercede on any of these, please put your hand up or call out if you're not on Adobe Connect. Not hearing anything, please go ahead.

ARIEL LIANG: And the third one is on the (inaudible) cross community working group and use of names of countries and territories as top level domains, and that's the public comments due on the 21st of April. And I think there is a webinar coming up on this topic very soon.

ALAN GREENBERG: Yes, there is. Do we have anyone on this call who is prepared to take responsibility for that one? Again, that's an issue that we have just a little bit of interest in. We will go to the mailing list to try to solicit someone on that one. Again, it's not a foregone conclusion that we will comment, but I would suspect we might be interested in commenting on it. Please make sure the information at the webinar is well distributed, though.

ARIEL LIANG: Okay, yes, actually I think the message about that webinar has been forwarded to ALAC, so when the date is getting closer, we can send a reminder on that. I'll go to the next one.

ALAN GREENBERG: Please.

ARIEL LIANG: Thank you, the next topic is on the accountability guidelines for good faith, and that's due on the 24th of April.

ALAN GREENBERG: That one, there has been a lot of At-Large involvement in. It is exceedingly uncontroversial, I don't really see a need to comment on that one, I'm not sure if anyone else does. Cheryl is one of the other people who have been working on that. To be honest, I think that one is a waste of paper if we do something on that one. No comment?

ARIEL LIANG: Should I mark this as no statement?

ALAN GREENBERG: Cheryl is agreeing, I think no statement on that one.

ARIEL LIANG: Okay, got it.

ALAN GREENBERG: For those who aren't familiar, it essentially is a set of rules to make sure that if we ever try to remove a board director and we don't do something so stupid as to get sued by the director, and ICANN will not indemnify us because we did something stupid, so in short, that is what the recommendations are doing. When the recommendations are finally adopted by the board, we may well have to take a little bit action to make sure our rules of procedure are in line with them, but they're not particularly onerous. Please go ahead.

ARIEL LIANG: Thanks, Alan. The next one is on the competitions and consumer trust and consumer choice review teams report, recommendations for a new GTLD, that's due the 27th of April and I'm happy to contact Kylie and Carlton on that, and I see Holly raised her hand.

ALAN GREENBERG: Holly, go ahead please.

HOLLY RAICHE: I'm putting my hand up to say I'd be interested.

ALAN GREENBERG: Thank you very much. We have one volunteer, we'll probably need someone else to work on that as well. This is a very substantive area. It is an area – part of what the review, the draft recommendations are

saying, is ICANN has to do a lot more work to be able to get data to really understand the impact of new GTLDs. Most of the issues that are perfect of interest to At-Large are ones that we really have no, not sufficient data on.

Some of these things we actually asked for ahead of time and were basically told no, they're too complex or they're too expensive, so we won't do that kind of thing. We're now paying the price for that, and I think the ALAC is going to have to put a very strong statement in. And this will actually come back up on the agenda a couple of items later. Thank you Holly, you'll probably find I'm going to work with you, and I suspect we'll find one or two other people, but thank you for taking the lead. Olivier, go ahead.

OLIVIER CREPIN-LEBLOND: Thanks very much Alan. Olivier Crepin-Leblond speaking. I would want to be on this as well, because the health index actually does touch on some of these, as well, so I'd be happy to share what's going on in the health index working group.

ALAN GREENBERG: I wasn't going to volunteer you, but I'm delighted that you have volunteered. Anybody else before we go on to the next item? Not putting your hand up today does not mean you can't work on this, so everyone can get in line, we're delighted. This is going to have to be a substantive piece of work, not quite as large as the At-Large review comment, but I think we do have to do some work on this one. Leon, go ahead.

LEON SANCHEZ: Thanks, Alan, this is Leon, just to volunteer as well for this issue.

ALAN GREENBERG: Thank you very much. Ariel, next item, please.

ARIEL LIANG: Thanks, Alan. The next one is on the ICANN's trust FYA team upgrading plan and budget, and (inaudible)update, and that's due April 28th.

ALAN GREENBERG: Thank you. Sebastien is your hand up for this one of the previous item? Sebastien, if you're speaking, we can't hear you.

SEBASTIEN BACHOLLET: Yes, time to find the way to unmute myself, sorry. Internet is not working well from my side and I have trouble. I wanted to comment on all the good names that came to work for the previous items. I think you need to – I don't know how to say that, but maybe to be clear that we need to have also new people. Because it's not, we are showing to the reviewer, yes, it's the same people doing again and again, and that will be a wrong image.

If I may suggest that if the four of you are doing that, you need, each of you find a newbie to help you in this work. When I say newbie, it could be not so new, but to find somebody maybe not so much involved in the issue, to learn. It will be good training for what we want to do to

change the way we are working, and that is important in the discussion with the reviewer. Thank you.

ALAN GREENBERG: Thank you, Sebastien. I would be delighted if people would step up, or we can find other people. The experience with trying to reactivate the new GTLD committee working group has not been very positive.

SEBASTIEN BACHOLLET: Yeah, and I get your point. Just to add one point, I guess it's very difficult when you, well to use a newbie immediately, not newbie at all, and to the job, and there is no room, then it's not just saying that yes, it happens, we need to do something to try to find people. I know it's not easy, I know it's not a done deal, but I think it's important to do. It was just that I wanted to remind everybody, not you specifically. Thank you.

ALAN GREENBERG: Thank you, and just for the record, there has been a lot of work been done to try to find people, it's not just asking people to put their hands up. Alberto, go ahead. Are you still on the last item or on we on the new item? Alberto?

ALBERTO SOTO: This is Alberto Soto. I have said it on the chat, but I want to say it, I cannot volunteer, because it's only going to be next week that I will have new internet, so that's the only comment I wanted to say. I have no internet connection, that's why I am apologizing, thank you.

ALAN GREENBERG: This work will take many weeks, so you're still welcome to join. Ariel, please let's go on to the budget.

ARIEL LIANG: Yes, the next one is the FYA team upgrading plan budge.

ALAN GREENBERG: And thankfully we have Tijani's hand up. Go ahead Tijani.

TIJANI BEN JEMAA: Thank you very much, Alan. I volunteer to take the pen for this public comment.

ALAN GREENBERG: Thank you very much.

TIJANI BEN JEMAA: And I welcome anyone to join, as Sebastien said, we would like other people to help.

ALAN GREENBERG: And I'm sure you will have some help on this one. I'll note there are a number of items from the special budget request which will have to be reflected into this request, as well. So it's not only a review of the document, but adding a number of things which, because of the ICANN budget process, have to be requested and commented on. Any further comment?

TIJANI BEN JEMAA: And Alan?

ALAN GREENBERG: Yes, go ahead.

TIJANI BEN JEMAA: Since I have the microphone, I would like to add something. During the Copenhagen meeting, I didn't have the chance to attend all meetings of the budge and finance group, speaking about the budget of 2018, and also about 17, so I would like to ask you, if you don't mind, that we make the budge and finance subgroup, invite Javier and his team to make a call with them, and to present for us, for all of us, the presentation they made in Copenhagen, so that everyone will be informed and so that myself also will be more informed. Thank you.

ALAN GREENBERG: Thank you Tijani, could we have an action on that, schedule a meeting for the week after next, I will not be here next week, but the week after next as early as possible, we should schedule that, meeting of the finance and budge subcommittee. Any further comments on this item? Seeing nothing, hearing nothing. Ariel, back to you.

ARIEL LIANG: Thanks, Alan. The next one is on the GNSO community comment II. New GTL. These subsequent procedures policy development process. And public comment closing date is May 1st.

ALAN GREENBERG: We will be commenting on it. No doubt Cheryl and I who are members of that group will draft something initial and put it out for further discussion among this group. And Cheryl has a tick, noting she agrees. So that should be a next item for Cheryl and I to start the process. Back to you.

ARIEL LIANG: The last one is on the draft 2906, African domain name system, market study. Due date is May 5th and I also send this public comment to the AFRALO mailing list, but so far I haven't seen any traction on that.

ALAN GREENBERG: Wafa, please go ahead.

WAFDA DAHMANI: Yes, just to say that I am interested to make a comment on this study.

ALAN GREENBERG: Thank you very much, and I presume you'll have other colleagues...

Wafa DAHMANI: By the way, I'm also interested about an item that you have already talked about, the first committee working group and use of names and countries, but seeing the deadline is 21 April, I will confirm the mailing list if I will do it or not.

ALAN GREENBERG: Thank you very much. And if would also have it on the action items, that Wafa is considering. We should get back to Wafa on whether she will participate in the country names on, or not. Ariel back to you.

ARIEL LIANG: That's all for public comments.

ALAN GREENBERG: Alright, any further comments on public comments before we go on to the next item? We are a little bit behind time, but not too bad. Sebastien, go ahead.

SEBASTIEN BACHOLLET: Yes, I wanted to take this opportunity to come to a previous comment, it's about the ICANN community (inaudible) policy and time of participation and complaint procedures. I have some trouble with the decision of the board, but one thing that bothers me, the way it's done, the staff reviewing the comments and board making a decision without any discussion between the staff comments or the staff reviewing the comments and the decision of the board gives me some trouble, because some of our comments were not taken into account and I still

that they were valuable, and it would be a better document if they have been taken into account.

It's not just on that topic, marginally how this is now with what the community is supposed to do, we may think about, when I say we, ICANN global may think to revisit this way of doing, because the fact that the board discusses that in a public meeting of the board on a Saturday morning with no real announcement to the public, and then decide on the last day of the meeting, it's a concern. Thank you.

ALAN GREENBERG:

Thank you, Sebastien. I'll note, there was another issue, there was a comment a while ago, you might remember, on the revised registry, you know, the standard registry agreement, that we submitted a number of comments, other people submitted some very substantive comments, staff evaluation, basically rejected everything, and that contract is now being voted on by the registries and will then go to the board.

Although the details are quite different from the one Sebastien outlined, the process is also one that is lacking, in my mind, in transparency. That one was made even a little bit worse, because the staff comments were difficult to find because a document was reissued and it wasn't clear what the changes were, and it was reissued about two days before the Christmas holiday started.

So, we may want to consider, Sebastien, you may want to bring this up on our mailing list, on the ALAC mailing list, and this may be an opportunity that we make some comment to the board on overall processes like this. So please feel free to follow on. Is that a new hand

or an old hand? Old hand. I encourage you or others to look at the details, and perhaps we have a statement to the board or even advice to the board that we may want to make.

SEBASTIEN BACHOLLET: Okay, thank you.

ALAN GREENBERG: The next item on our agenda is ALS applications, and Evin is listed as the point person on that. Evin?

EVIN ERDOGDU: Hello, everyone. I'll be very brief. Just three or so points of update. Our current total number of ALS's is 222, in 100 countries, so that is up from 99. Our 100th country is Malawi, and that belongs to ALS Number 261, the ICT Association of Malawi in AFRALO, and our other new ALS is AEFP Chad, also in AFRALO. We have no other updates, but we current are processing due diligence for three new ALS applications. Two are in APALO and one is in AFRALO, so that will be it for now.

ALAN GREENBERG: Thank you, I will note, and I believe it was noted at the last ALAC meeting, there are some decertifications that seem to be hanging around and not being processed, so I think we probably need to bring these to the attention of the ALAC and have a vote on those. They've been around for quite some time now. Ariel, is that a new hand up?

ARIEL LIANG: Yes. And it's the comment on the decertification. In fact, I drafted the motion for you to review, so we can launch the vote without sending a motion to the (inaudible) if it's okay with you.

ALAN GREENBERG: If it's sitting in my in basket, I need a reminder.

ARIEL LIANG: I just sent you a reminder this morning.

ALAN GREENBERG: Thank you very much.

ARIEL LIANG: No problem.

ALAN GREENBERG: The focus of the chair should not be a reason that we don't get things done. Alright. And that was quick. The next item is any reports from working groups, liaisons, or RALOs. Normally our practice is that we do not give extensive reports, but if anything needs to be brought to the attention of the ALAC, this is an opportunity to do so. Maureen, go ahead.

MAUREEN HILYARD: Yes, Alan, I was just going to ask if you were going to raise the CCNSO is sick.

ALAN GREENBERG: It's the next item on the agenda.

MAUREEN HILYARD: Oh, well then we'll wait for that.

ALAN GREENBERG: Anyone else on reports want to comment? Or do we buy back 10 minutes? Going once, twice, going three times. Alright, next item up for discussion is the discussion and possibly decision, the outcome of our discussion at the wrap-up meeting on the disagreement between the CCNSO and the SSAC and how that is being handled. Now, we met with both the SSAC and the CCNSO.

In the end, we decided that because we believe the SSAC concern is something that has to be addressed one way or another, and our support of the CCNSO recommendation to the board was used as part of their rationale, we felt that we have to rescind our past motion and encourage the parties to come to an agreement, which will not lower the rigor of the two character string evaluations, but at the same time will make sure that to the extent possible, IDNT and CCTLDs are deployed as expediently as possible.

And essentially the action item out of the wrap-up meeting said all of that. I have tried to put it in words and reference the various

documents, and that is what is on the table. We have had one suggestion that the wording of the first bullet, where I said, "Confusion is of paramount importance," be softened somewhat, and I believe the reason we are reopening this is because of the concern over confusion. So I think that wording is reasonable. Javier I know wanted to soften it somewhat, and I will give him an opportunity to present that. I don't feel particularly strong on whether we change it or not, but I would like to understand the general feeling of this group.

We also had a request from IHAD, I think it was in the public list, from Shun, who had some concern that we shouldn't rescind the statement, and I believe in fact that is the decision we made, because our statement on record was being used in a way that at this point we didn't feel was quite appropriate. I have a hand up from Holly, but Maureen, would you like to give us the currently update as the extent you know it? My understanding was there were discussions in Copenhagen between representatives of the board, the CCNSO, and the SSAC, and there was some work proceeding that would hopefully lead to an ability to find a middle path. Do you have any update on that? Or anything else?

MAUREEN HILYARD:

Thank you, Alan, Maureen for the record. Unfortunately, I don't actually have any final sort of like offerings in regards to this. I did speak to Katrina sort of like on the last day of the conference, and they were still in the process of having their meeting, so there was nothing for me, and it wasn't an appropriate time to be discussing it anyway. So, no, I can't offer anything more.

ALAN GREENBERG: Okay, thank you. Julie are you on the call? Do you have any further insight you want to add before we open the meeting to overall discussion?

JULIE HAMMER: Thanks, Alan. Julie speaking. I don't believe that there is any further updates from what I advised for their wrap-up meeting which was that the board are going to ask the CCNSO to respond to the (inaudible) and that the board doesn't intend to discuss the issue again until their May meeting. So they're very much, as Judy said, wanting this issue to be resolved to mutual satisfaction of both the CCNSO and the SSAC.

ALAN GREENBERG: I can somehow understand why they don't want to "take sides." Holly, you're up.

HOLLY RAICHE: Yeah, look, I would strongly support us making a strong statement. First of all, I was completely persuaded by Patrick on the argument that SSAC had, we are actually representing the interest of end users, and it was very clear to me that SSAC was raising an issue that was of importance to end users, and I was frankly, I would say almost offended by the arrogance of the CCNSO when they basically looked at us, well, you support us, and we might talk about it, but we're not going to move at all. And I think they probably need a jolt to say, "Well, I'm sorry, but we

don't support you, and we really strongly support you having a much better attitude."

So, I would be reluctant to water it down too much, and I certainly would not support us not saying we have changed our minds, we were convinced by SSAC, and please get together and find a solution. Which is what I think we are saying, and I support it. And to Marie's comment, arrogant, yes, it was arrogant. I was really offended by the way they kind of looked at us and you know, "Well, you support us, and we're not changing. Alan, that was (inaudible) response to your comment, and they just looked back and said, oh no, we'll talk, we're not changing. It really was almost offensive.

ALAN GREENBERG: Let's try to keep strong words out of this discussion...

HOLLY RAICHE: Oh no, happy to. Well, I wouldn't say it publically. Thank you.

ALAN GREENBERG: (laughter) this is a public call, however. Tijani?

TIJANI BEN JEMAA: Yes, thank you very much, Alan, Tijani speaking. I support the fact that we have to consider our position. I think it is necessary because I am also convinced by the argument of the upper case lower case similarity and this may cause a problem for the end users, so I think that it is

important that we reconsider our position. And what Holly called arrogance of the CNSO, it is the position of the board, and especially the GNSO and CCNSO, they are always like this. They believe that they are in charge of the policy and are all only to accept or to say yes, yes, that's all. Thank you.

ALAN GREENBERG:

Thank you very much. I will point out, we did informally decide to go ahead with this. I hope we're not revisiting the issue itself, but just talking about the wording and how to proceed at this point. Any other further comments? I'll note in the chat, we do have Leon saying that he does support the process and the statement. Any other further comments?

TIJANI BEN JEMAA:

I also support the wording that I saw on the top of the...

ALAN GREENBERG:

Yes, thank you very much. If we have quorum at this point, and I will note that on a vote like this which is not time sensitive, we will take to trouble to get confirmation from the other people not on the call. But if we have quorum, which means more than eight people on this call and all regions represented? Staff?

GISELLA GRUBER:

Alan, Gisella here, I'm just trying to confirm that, but I believe we have quorum and all regions represented. Thank you.

ALAN GREENBERG: Then I would like to call the question. If there is no more further discussion, and I don't see any hands up. Is there anyone on this call who wishes to abstain? These are ALAC members only. Is there anyone who wishes to abstain? Please let yourself be known. Is Seun still on the call, by the way? We're not quite sure. Alright, I have heard no abstains and one comment.

SEUN OJEDEJI: Hello, can you hear me?

ALAN GREENBERG: Yes, we can hear you Seun, you are still on the call, then.

SEUN OJEDEJI: I'd like to abstain, please.

ALAN GREENBERG: You wish to abstain. Note that Seun is abstaining. Is there anyone that wishes to vote no? I believe Wafa is abstaining, as well. At this point, then, we have Alan Greenberg, Maureen Hilyard, Holly Raiche, Sebastien Bachollet, Alberto Soto, Leon Sanches, Harold Arcos, Tijani Ben Jemaa, are left, and are voting yes. Is there anyone on the call who disagrees with that? That's 8 votes yes at this point.

Alright, I ask staff to contact in the next two days the other people who did not vote, and confirm whether their vote is abstain, no, or yes, at

which point we can issue a result. We do, however, have eight votes at this point for the motion, and therefore it will carry, but we have to give the other people and opportunity. Thank you very much for that. Next item on the agenda is item number 9, and that is the At-Large review status. A very quick update.

SEBASTIEN BACHOLLET: Alan, before you go to the next, Sebastien Bachollet.

ALAN GREENBERG: Sebastien, go ahead, sorry.

SEBASTIEN BACHOLLET: Just to ask you if you look into the Adobe Chat, because Alberto Soto writes no, and I don't know if it's about the vote, or it's something else, but you may wish to confirm that it's not a no vote.

ALAN GREENBERG: He typed no when I asked is there any who wishes to abstain.

SEBASTIEN BACHOLLET: Okay. It might be difficult to understand for people who read that. But that's okay, thank you.

ALAN GREENBERG: Yes, I understand. I do wish we would use the timestamp in Adobe Connect, that would help a little bit, although it doesn't confirm exactly,

because the audio recording does not have a timestamp unless you replay it from scratch. But he has confirmed that he was saying no to a previous question. Thank you Alerto, thank you Sebastien for pointing it out. We don't need any lack of clarity on these votes, so thank you both. And some noted that Sebastien had already said he voted yes by mail, but now that the formal motion has been put, we do need confirmation from him.

Alright, the next item is the At-Large review, just a quick comment, as you all know, the statements from the RALOs and the ALAC and working party were submitted. There are a number of other statements that you may choose to read, some of them are quite interesting, some of them are somewhat supportive of us, some of them are not. I think everyone here with the amount of effort we put into it, should go and look at those other comments and see what they say.

And I note our votes outstanding, particularly the ALAC vote, there were as of earlier today, still about 5 or 6 people who had not voted. So if you have not voted, please go ahead and do so. We would like to make sure we have a full complement of votes before we announce the outcome of those, and I believe the ALAC vote closes on the 30th, which is Thursday. I'm not sure about any outstanding RALO votes. Ariel, is there anything you need to add on that one?

ARIEL LIANG:

Yes, thanks Alan. So we have two RALO votes going on, as mentioned earlier. One for URALO and the other for NARALO, and I believe they end on Monday next week, actually the URALO one ends earlier, I think

Saturday this week. But so far the turnout is not that great. Not that many ALAC members have voted, so I think it's kind of new to them. The RALO leaders help to make sure ALAC understand what they are voting for. And Olivier did send a summary of the RALO statements to the mailing list, but still we don't have that many people that have voted.

ALAN GREENBERG:

Please make sure you contact the RALO chairs and secretariats, and try to get that work done. Other than that, I thank everyone who put a huge amount of effort into it, and certainly not least is Maureen, who on the ALAC statement did a yeoman amount of work. But everyone who contributed. If we can get that level of contribution on our other substantive issues, we're doing really well. So, thank you very much, thank you for Holly and Cheryl for seeing the process through to that stage, and I hope you're getting lots of sleep to ready for the next stage. (laughter) We have hands, Sebastien go ahead.

SEBASTIEN BACHOLLET:

Yes, thank you. Sebastien Bachollet speaking. Yeah, I think it's very good work done by a lot of people, but now looking ahead, what will be the next step? We know some of them, but I would like to suggest that ALAC consider to have a specific meeting on this issue and maybe not during an ICANN meeting. I think, anyhow, we will need to work out, to take some of the recommendation, and to do our own recommendation, our own homework to make the change needed to be

made, and it may be a good time to do that between two meetings, I don't know, like in September, October.

I wanted to raise that right now, because it will take time, it will take also budget, before we make any comments on the current budget, maybe even if it's a little bit late, it's still time to have some request about that, if we collectively consider that it could be a good way to do the work we have to do to enhance the At-Large, RALO and ALAC. Thank you.

ALAN GREENBERG:

Thank you Sebastien. A fair amount of that work is already ongoing, but yes, there's no doubt that if we are going to ultimately, if we have to ultimately reject any of the recommendations from the final version of the review, then we have to be in a strong position to say whether we disagree with their analysis, and if so, why, or if we don't disagree with their analysis, what are we going to do to at least attempt to address the problems otherwise. That certainly is what has to go on going forward. Olivier, go ahead.

OLIVIER CREPIN-LEBLOND:

Thank you Alan. Olivier Crepin-Leblond speaking. I just wanted to say a couple of words on the RALO response. Ariel mentioned just a moment ago that there wasn't very much voting so far, and you know, the voting was started 48 hours ago. I would expect that the votes will probably take place in the second part of the week, after At-Large structure representatives would have shared this with their community and discussion it briefly. These are long responses, it's a long report, I

gather many have now read the report from the contractor, but the response perhaps has not been something that they have spent so much time on.

So I'm really hopeful on this, and hopefully that will also serve to enhance participation, if we can use this to wake up our At-Large structures and get them more involved, and wake us up, as well, to really point out, and I think that's what Sebastien was saying, to focus on the things that we seem to have done pretty badly, as a community, as a committee when I was on the ALAC and now the RALO leader, then I think we can take this in a very positive way.

And one last thing I wanted to mention, I have had some informal feedback on the ALAC and the RALO responses, and indeed even some surprise from some people, saying, oh, everybody is being so negative regarding the ALAC and At-Large, and yet the response is quite a positive response for a lot of things. So I wanted to thank you and the others that have taken part in drafting this.

ALAN GREENBERG:

Thank you very much. I will note that if you look at the other comments that are in the public comment, there are a fair amount of comments saying they agree with the analysis and therefore we should implement the recommendations, without really looking at the recommendations, as to whether they will address the problems or not, but taking it on faith that they will. And there were a number saying some of the recommendations are just not right. So I'm not all that unhappy with what's there, although, to be honest, there were a few surprises of

statements from groups that I wasn't quite expecting that kind of working. Tijani, go ahead.

TIJANI BEN JEMAA:

Thank you very much, Alan. Tijani speaking. On the table you put at the end of the objective summary, Alan, point number 14, recommendation number 14, which is about publishing the travel support funding. You put "yes." I would put conditionally, because yes is done for all (inaudible). Number 14.

ALAN GREENBERG:

Tijani, at this point I acknowledge that if it got past all the reviews that all the people did, I think we have to accept it. I'm not sure we really want to amend it based on the summary in the executive summary. If people feel very strongly, we can issue a revised version, I would take that off line until the working party ALAC list. If there is a strong belief that we should reissue it because of that, there was another small error that was found in another section that we can do.

I personally don't think it changes the substance of the comment, but if people feel strongly the table should be updated, we certainly can do that. This really was meant as a very short item to summarize for the rest of the ALAC and I'm not sure we want to take too much time to go into detail at this point, but Cheryl, go ahead.

CHERYL LANGDON-ORR:

Has Tijani finished, Alan?

ALAN GREENBERG: I think so, Tijani? Did you want to further comment?

TIJANI BEN JEMAA: No, I wanted to add that we discussed that in Copenhagen and the decision was that we accept it, assuming that it is done for all the constituencies of ICANN. That's all, thank you.

ALAN GREENBERG: And that is what our comment says, you're simply saying the summary did not accurately reflect that. And as I said, we can certainly change the summary, if people feel that it is important enough. I don't have a large vested interest either way. Cheryl, go ahead.

CHERYL LANGDON-ORR: Thank you, Alon. Cheryl Langdon-Orr for the record. I just wanted to raise the ALAC pension, a matter that is of deep concern with the template that the ALAC itself and the working party rejected the use of, that it continued to exist in the public comment form space. I believe it was either question 2 or question 3, the one that had to do with individual membership and the, I keep wanting to see, the empowered member model, that EMM nonsense.

ALAN GREENBERG: Number 3.

CHERYL LANGDON-ORR: Thank you, 3. The question was a bit like, when did you stop beating your wife? You could either reject or not the increased activities of individual members, which I think many people including myself strongly support, I've supported it since the last review, and yet it was inextricably linked, like some ghastly twining of some monstrous Siamese thing to the EMM, and I'm very concerned that was maintained, I think it's an inherent (inaudible) and I think later on the ALAC could consider writing a letter to MSSJ to raise our concerns about how poor question structure in such templates do more harm than good, and indeed do I believe great damage to the outcome. Thank you.

ALAN GREENBERG: Thank you. I believe the template simply reflected the words and their recommendations, so it wasn't really MSSJ forcing the issue, but that is the way the recommendation was worded. Our response quiet correctly pointed out there were two aspects to that recommendation, part of which we supported, and part of which we rejected outright. However, that notwithstanding, I would suggest we wait to see the summary of the responses before we choose to complain or not.

CHERYL LANGDON-ORR: Alan, fair enough, but when the template gives a drop down yes, no, maybe, and it doesn't lead people, as only one person in the respondancy did say yes, but with the caveat that they did not support the empowered member model, I think it's particularly for people who

may not have English as their first language, an entrapment, and nothing short of.

ALAN GREENBERG:

Noted. Let's capture that for when we probably do make a comment. (laughter) I'm trying not to show any bias in this call. Any other further comments? I see hands from Tijani and Cheryl, I believe they're both old. Tijani is a new one? Speak up. No. Alright. Thank you very much. We will go on to the next item.

The next item is a registry request. This is a letter that went from the registry stakeholder group, Paul Diaz as the chair, to ACRA (inaudible) and GDV asking, talking about the current surplus of money in the new GTLD implementation fund. As a bit of background, the fee was set was \$185,000 per GTLD. Because of the large numbers of GTLDs that were applied for and perhaps the lack of significant litigation that we expected might come out of it, which may still materialize, there is currently about \$86 million that is being held pending the closure of the program. The initial intent was that this program be self funding, that is that it not lose money, but not earn money, either.

So at one point there may well be a pile of money left over, which would have to be somehow attributed to the new GTLD program, whether that's back to applicants, whether it's carried forward to a next round, or whatever, or somehow is used towards the program, is unclear. At this point it's still sitting. The registry stakeholder group is saying since there is so much money left, since they do not believe we are ever going to use up that amount of money in litigation or other

unexpected expenses, that they are suggesting some part of that money, a moderately small part, I think they're saying 15%, be used in two different ways.

One is essentially an advertising campaign telling people around the world about these new GTLDs, and the second is to reduce the fees associated with these GTLDs, both of these driven off a rationale that a lot of these TLDs are not selling nearly as many domains, or not issuing nearly as many domains as the applicants had expected, and therefore many of them are having a hard time meeting ends, that is, their expenses are higher than they expected and their income is less than their expenses.

So, they're asking ICANN to reduce the fees and the letter goes into some detail, and spend money on advertising to increase the demand for such requests. I don't really want to have a debate on whether ICANN should do that right now, I just wanted to bring the letter to your attention, and I think everyone should read it, that's number one. Number two, do we have any thoughts on how that money should be used, once it is decided that it is not needed specifically for litigation or for other aspects of this program.

Now, I have a particular interest in that. If you go back to the CCT review, they are recommending a lot of studies, these are going to expensive studies, and some of them are going to have to go on for years, and I personally believe that some of that money, if used for those kind of studies, is completely within the bounds of what the original intent was, and they lessen ICANN's reluctance to go into some

of these expensive long-term studies, which I believe are needed if we are to understand this marketplace.

So that would be my suggestion. We're not making suggestions right now, and certainly not putting anything in place to the board, but I wanted to bring the letter to people's attention, read it, and at some point in the moderately near future, I'd like to have a discussion within the ALAC and At-Large on whether we have anything to counter this request with. Now, how quickly the board will act on this, or how quickly ICANN will act on this, I don't know. So we don't want to waste too much time, but I did want to bring it to your attention, highlight it, and ask people to read it. Holly, you have your hand up, go ahead.

HOLLY RAICHE:

Very quickly, I agree that this should be an item discussion. I have very little sympathy for people who make bad commercial decisions, and I would point out in the review, when it was talking about auction funds, it may not be the same thing, but we basically said there is a pool of money, we are not claiming it, it should be a community decision. I think that should be our response here.

ALAN GREENBERG:

Perhaps, the auction funds are very different. The auction funds were intended to do good things, whereas this money, clearly the intent was that it be associated with the new GTLD program. So it's a little bit different in intent, but overall, I personally would not support either of the applications that the registry stakeholder group are looking for. So I certainly agree with you on that. But it's not clear that the range is

quite as wide as it would be on the auction funds. Alberto. Alberto, go ahead.

ALBERTO SOTO: This is Alberto Soto. Alan referred to limitations, and if this (inaudible) is our cause, it may cause damage to ICANN. I can certainly agree an analysis of what can be done with this money, so we can see what ICANN can do. Thank you.

ALAN GREENBERG: Any further comments? I see none, hearing none. There are a number of comments in the chat with words like, "We shouldn't subsidize failed businesses. I certainly support that. But then again, I've been heard to say that were not many applicants in the development world because they were stupid than the rest of us. Olivier, go ahead.

OLIVIER CREPIN-LEBLOND: Thanks very much Alan. Olivier Crepin-Leblond speaking. In responding to this, making a decision on this, I think we need to consider a couple of the things, as well. The first one, obviously, if it's within ICANN's mandate and whether that falls under the consumer trust and consumer choice mandate that ICANN has, and I haven't got an answer on that, but I wondered whether we could study this.

And second, whether the failure of GTLD operators, GTLD registry might introduce instability in the DNS. And I'm not saying instability in the marketplace, but instability in the use of domain names. I'm not

pointing in any direction, but I think these are two questions we might wish to ask.

ALAN GREENBERG:

Yeah, it's an interesting comment, Olivier, but I guess one would also factor in the number of domains in these TLDs that might fail. It's an interesting discussion, it's not one we can have in substance on this call, but I do want to make sure that people were aware of the letter, read it, and we will have the right discussion. And I welcome discussion on the list with either suggestion on how we respond or other thoughts.

Going on to the next item is the election schedule. We have election selections for ALAC seats, RALO leadership and NONCOM delegates, which will have to start very soon. Could we have the documents or the webpage, the thing that's pointed to in the agenda up on the Adobe Connect.

GISELLA GRUBER:

Alan, it's Gisella, sorry to interrupt. Olivier did have his hand up, and in order to display the documents in the AC room, I had to lower it, and I don't know if it was an old hand or not.

ALAN GREENBERG:

Olivier, I think it was an old hand, but if not, please speak up.

OLIVIER CREPIN-LEBLOND:

Gisella beat me to it.

ALAN GREENBERG:

Thank you very much. Gisella, someday you'll have to explain why to load a PDF you have to lower a hand, I'm intrigued, but we don't need to know now. This is a proposed schedule, we announce the selections on the 1st of May. There is a 10-day nomination period, and I'm told the 1st to the 12th is 10 working days, followed by an acceptance period, and elections, if necessary.

That will give us the results of those elections before June, and our requirement is we must, well, we are obliged to inform the NONCOM of the ALAC members prior to their making decisions after the June meeting, so that they can try to balance regions, if necessary. With the decision that is currently being taken by LACRALO, they will be synchronizing their chair and secretariat to end at the annual general meeting.

There is still a question of whether that synchronization will apply to the current incumbents or to the next set, but we will have that answer before the 1st of May. I will point out that this timing does not apply to NARALO. NARALO has a 30-day nomination period in their current rules, and this schedule allows the NARALO nomination process to start earlier, but the rest of the timing will be in synchronization. And that's about all I have to say at this point. If there are any questions or comments, then I open the floor. I see no comments, questions, then we'll go on to the next item.

The next item is a review of ICANN58. At our wrap up meeting we did spend about 10 minutes, probably a little bit more than that, about

postmortem discussion. There were a number of recommendations made, there was some very good discussion which I will ask to have summarized.

I did listen to it myself yesterday on the Adobe Connect on the recording. I just have a little bit of time here, if anyone wants to have any further thoughts, now that they've had a week or two to think about it, to comment on how well this meeting went. Not to repeat the same things that were said that last meeting, but if anyone has any input or thoughts, then I open the floor for a few minutes. And if not, we'll go on to the other item, maybe even end a few minutes early. But I open the floor if anyone has any thoughts. Sebastien, go ahead.

SEBASTIEN BACHOLLET:

Yes, thank you very much, Sebastien speaking. I really think that we need to find a way to have more time to revisit others and to be involved in discussion in other parts of the community. I know that it's difficult due to the amount of work we have to do, but we need to think about that, and maybe take some radical decision of some meeting not going on. I really think that it could enhance also our visibility in the community. Thank you.

ALAN GREENBERG:

Thank you. Sebastien, it would be helpful if you identify which times you think would be most useful, and I don't need an answer this moment, but as we go forward into planning for the Johannesburg meeting which is starting very soon, and that meeting of course is a four day meeting, it's a different schedule, are we talking about the first

couple of days, are we talking about what in Copenhagen was constituency days where we meet all day but the other groups meet essentially within themselves also on Tuesday. Wednesday and Monday we had largely open, other than some working groups or RALO meetings, so if you can look over the schedule and try to identify which parts of the schedule you would want to see more flexibility on, that would be useful as we go forward. Thank you. Maureen, go ahead.

MAUREEN HILYARD:

Thank you, Alan, Maureen for the record. On reflection after ICANN58. And Sebastien has raised an issue already. I was wondering if we could return to some sort of formal review as a report after each meeting so that we can keep a log of what ALAC has actually been involved in and what At-Large has been involved in.

I know that Olivier had sent the last chair report that was written after Durbin, which was an excellent record of all things that members of the ALAC and At-Large were involved in at that particular meeting, and we hadn't had one since. But I think we really do need to have some sort of record so we can all keep tabs on what we need to follow up on and what was important at that meeting, and how we can make it so the effectiveness of it is actually recorded. Thank you.

ALAN GREENBERG:

Thank you very much. I'm not sure if Olivier sent those out to the whole group or to a small subset of people. Just to fill people on the background, there used to be a session, when ICANN meetings ran to Friday, there was an open board meeting and an open forum on Friday

preceded that early in the morning. The chairs had to get out of bed and come make reports. In preparation for that, there was quite an exhaustive report done by ICANN staff in the case of At-Large, of which a subset of that was actually reported verbally by the chair, and the rest was presented. When those meetings were canceled because we ceased meeting on Friday and we ceased having the chairs report on their activities, the document ceased, as well.

And the question is can we get back to that level. The question was driven by someone noticing, I think it was Maureen actually, that the communiqué included in addition to statements to the board, included a summary of what they did during the meeting. And I think that's an excellent thing to do. Whether we have staff resources to do that or not is an interesting question we can talk about, or whether we have volunteers volunteering to report on each of the sessions, I think is something we need to go forward with. Ariel, go ahead.

ARIEL LIANG: I think Cheryl is before me.

ALAN GREENBERG: Cheryl, go ahead then.

CHERYL LANGDON-ORR: Thank you Alan, Cheryl Langdon-Orr for the record. I just wanted to give my voice in support of this. When we were doing the report, the verbal report was given and it did have a couple of different times. It was only an executive summary or synopsis of a fuller version written

report, and I do think whilst some of the newsletters and updates and various things that go out from staff do take up a number of the things that were in those reports, to have them tied to the public meetings is a very good idea. In some places it may not adding or duplicating work that's being done for other forms or reporting and updating. But it would be a matter of having it more archived and searched for future reference. Thanks.

ALAN GREENBERG: Thank you, Cheryl. Ariel?

ARIEL LIANG: Thanks, Alan. So I'm not sure whether all of you are aware from the ICANN policy staff team, we have been producing these pre ICANN meeting and post ICANN meetings reports and I'm posting this link in the chat so watch for it. So, basically probably you'll notice, well, maybe not, in the last day of the meeting, I was typing away on my laptop and writing what happened at ICANN58, what are the next steps and providing some kind of links and resources for people to read further on the At-Large activities.

So the process is right now I communicate the topics and check with Heidi. I think it will be great if we have more community input on this. Because usually they're producing a rather tight timeline, maybe we could produce this by the end of the ICANN meeting. So maybe that's a good starting point. If we have more members in the community who want to be involved in the process, and provide some content, input, that would be very helpful. Also, all these reports in the post and pre

ICANN meeting, they're currently held at the page at ICANN.org and then you can see the previous editions. So I just wanted to bring this to your attention.

ALAN GREENBERG: Thank you, I was aware of the pre ones, I wasn't aware of the post ones. Olivier, go ahead.

OLIVIER CREPIN-LEBLOND: Thanks Alan, Olivier Crepin-Leblond speaking, and I have that report that was sent over by David, a post Copenhagen 58 report. It's got all words with links that are underlined and in red, but the links won't work, none of them wants to work.

ARIEL LIANG: Carlos is checking the issue right now, we're aware of that. It's probably some kind of conversion, yeah, we'll fix it.

OLIVIER CREPIN-LEBLOND: Okay, because it doesn't make sense without the links.

ALAN GREENBERG: I've been noticing that in ICANN PDFs for a while now, maybe not regularly, but certainly sporadically. Anyone else? Any further comments on postmortem review of the ICANN58? No, alright, we are a little bit behind, but not a lot. We had 15 minutes allocated for ICANN59, we also have several other business items, and we are 13, 12

minutes from the end of the call. Gisella I'll turn it over to you and presumably you will be as brief as you can be.

GISELLA GRUBER:

Thank you Alan, Gisella here for the record. I will be very brief, as we have only just returned from Copenhagen. However, I wish to point out that we did on Thursday the 16th of March, have a breakfast meeting with various of the SOs and ACs, RALO leaders to already start discussing the policy will be held at ICANN59 in Johannesburg. This is a similar format to what we had in Helsinki, and what I've put up in the Adobe Connect room is the schedule that was shown to us during this meeting, which is only a draft schedule, which was discussed, and which will be discussed further as of, I believe, 10 days time, when we have our next call.

I'm not able to say much more at this stage about the schedule, except for the fact that we have the AFRALO, ICANN59 we will have our ALS's traveling to Johannesburg. So far out of all the AFRALO ALS's, we have 28 confirmed so far, and we will be holding capacity building sessions in the morning, and we still need to confirm what is the earliest time we can actually start. Because as you've noticed recently, over the past few meetings, we are not able to start prior to 8:30. We had already had this discussion with meetings team, and in order to maximize the presence of the ALS's in Johannesburg, we have asked to start a little earlier.

I know that I've got a message from Leon with regarding to scheduling. I don't have any other information, except for the evening network

cocktails will be held, similar to Helsinki. That's also a work in progress. With regards to the travelers, I have sent a note out to all the At-Large funded travelers, and have had very good feedback so far, so we should be able to meet the deadline, which is this coming Friday to submit all names and hopefully by then we will have all our AFRALO ALS's lined up, as well. Alan, that is the update from me so far.

ALAN GREENBERG:

Thank you very much. I seen Tijani's hand is up. Before we do that, you mentioned something about starting early. I would like to mention something about starting on time. Despite the fact that we had a small number of people who were at the table, every single meeting at the beginning the vast majority of people didn't, the record we set was a 30 minute session with finance and budget, we started 25 minutes late. We have to do better.

But part of that is we need to not be disadvantaged by being in a room where the coffee is a mile away. Either we need coffee near our room, and I have no idea what this convention center is coffee urn and other drinks in the room, like some groups get all the time. But it's just not acceptable that we have been put in the position where it is virtually impossible for us to start our meetings on time after a break. And so I ask Giselle, as you're going forward with the logistics plans, please keep that in mind. Tijani go ahead.

TIJANI BEN JEMAA:

Thank you very much, Alan. Tijani speaking. I think that Gisella is speaking about staffing earlier for At-Large for AFRALO ALSs, for their

capacity building session, because this will make us avoid any overlapping and yet we have a very short meeting, so it will be only four sessions, or perhaps five, we tried to make them five. And for the efficiency of the capacity building, we don't have to have any overlapping with other sessions.

A second point, very important, if we seek to the Helsinki model, we will have a cocktail each night, and I don't know where we'll have time to make our social event that we do every time we make our general assembly. So I'd like Gisella to discuss this at this point also with the meeting team and perhaps dedicate one of those nights to our social event, rather than for a cocktail. Thank you.

ALAN GREENBERG:

Thank you Tijani, yes, I was aware that starting early was a different issue, it just triggered my memory to raise the issue. Any further comments on ICANN58? Seeing nothing, the next item is any other business. The first item is the NARALO General Assembly. I don't know who put that on the agenda, but I will open the floor to someone who wants to speak to it. Go ahead Glenn.

GLENN MCKNIGHT:

Yeah, quite quickly, folks, our general assembly is co-located with ERIN39, that's our RAR. So all our logistics and agenda material is on our site, you're welcome to look through it and if it's helpful to your own event. Also we did an extensive survey and again, you're welcome to use that survey if it has value. So yeah, we're looking forward to it, all the activities are set up, including vegetarian meals, which will make

Judith happy, I'm sure. And I think Judith is on the call as with. And I would like to think ICANN and especially the staff for your hard work working with us. It looks like a great event for us. Thank you.

ALAN GREENBERG: Thank you, Glenn.

JUDITH HELLERSTEIN: Yes, thanks again staff for all the work.

ALAN GREENBERG: Thank you Judith, any further comments on that? Seeing none. Tijani you wanted to highlight two briefing webinars.

TIJANI BEN JEMAA: Yes, thank you very much. Thank you, Alan. The capacity building group when establishing the program for 2017 decided to make at least two briefing webinars, but it would be ALAC briefing webinars, it will not be for beginners or for education, it will be about something which is important for the whole community, such as the key rollover that will happen in October. So we need one webinar in September to explain to people who will be affected by this rollover, who will not be affected, and how it should be done, et cetera, and what is the benefit of making the rollover.

And I think that our community needs to be aware of that. The second topic we want to address will be the empowered community, explain to

people, and this webinar should be done perhaps earlier. Explain to people what is the empowered community, what are the powers that the empowered community has, and how it operates. This I don't think that our community is aware about that. Yes, we spoke about it, people who were involved in the CCWG accountability knows much more than the others, and I think that now that it is in operation, we need to explain it to our community.

A final point, also in the framework of the capacity building working group, we think that we need training about engaging the inactive ALS's, and this could be done in Abu Dhabi because we have a long meeting, so we will have perhaps a good time to do that for all our At-Large community. I think that we have to think about this and we are thinking about the format of this session, but we need to have something innovative to have output from this session. Thank you.

ALAN GREENBERG: Thank you, Tijani.

SEUN OJEDEJI: Hello, this is Seun, I'm in the queue.

ALAN GREENBERG: Yes, you'll be next.

ALAN GREENBERG: One comment on key rollover. There was one of our mailing list discussions, I don't remember if it was the At-Large list or something else, a few months ago now, that somebody did contribute a statement that the key rollover affects every single user, and every single user must take action. That particular comment was somewhat ill advised. So if anyone is still working on that assumption, then perhaps talk to be privately and I'll go into it. But there are some people who believe that everybody in the world should do the key rollover, that doesn't map to the reality of other people. So go ahead Seun.

SEUN OJEDEJI: Thank you, this is Seun for the record, can you hear me?

ALAN GREENBERG: Yes, we can.

SEUN OJEDEJI: Hello?

ALAN GREENBERG: Yes, we can hear you Seun.

SEUN OJEDEJI: Okay, thank you. Just a question, why are we taking the webinar in September? (inaudible)

TIJANI BEN JEMAA: Why in September, because it will happen in October, so we thought in the working group that it should be done before the rollover so that people are aware about the issue before it happened.

ALAN GREENBERG: I think he was suggesting why it shouldn't be earlier, but I would suggest that if Seun has some concerns there, that he bring it to the capacity building working group for discussion.

SEUN OJEDEJI: Okay, thank you. That's it.

ALAN GREENBERG: That concludes our agenda. If there are no final comments, I will open the floor a moment and if not, then we will end exactly on time. And Olivier does not want us to end exactly on time. Olivier, the floor is yours.

OLIVIER CREPIN-LEBLOND: Thank you very much, Alan, Olivier Crepin-Leblond speaking, I'm going to be very quick. Just a reminder that I have forwarded you the cross community working group governance annual report, as well as the suggestions for changing or amendments to the charter of that working group. I haven't seen it on the agenda, so I just wanted to point this out to you. I don't know what your plan is on this.

ALAN GREENBERG: Have you forwarded it to me or to the ALAC?

OLIVIER CREPIN-LEBLOND: I've forwarded it over to you and to staff.

ALAN GREENBERG: I'm leaving town tomorrow for the next week-and-a-half. And I would suggest you forward it directly to the ALAC with your suggestions.

OLIVIER CREPIN-LEBLOND: Okay, thanks.

ALAN GREENBERG: Just to fast path it, because otherwise it will get delayed by a significant amount of time, and we may as well let people look at it and start commenting.

OLIVIER CREPIN-LEBLOND: Noted.

ALAN GREENBERG: Thank you. Any further last comments? Then I adjourn this meeting. Thank you all for your attention. Marvelous turnout today, let's keep on doing that. Thank you all.

[END OF TRANSCRIPTION]