
UNIDENTIFIED MALE: We'll start with introductions by you and the ALAC chair. Then under items for discussion, we have updates on developments and views regarding six items. That's funding options for secretariat functions, community based applications (follow up from meetings in Copenhagen), names of geographic significance, the At-Large Review, the underserved regions, and a recent addition, a new domain abuse reporting tool that has been circulated or mentioned very recently.

Then planning for ICANN 59 in Johannesburg and a GAC/ALAC session over there. And fourth and last, any other business. There we have a very short briefing on capacity building workshop in Fiji. Actually, I think no one on the call attended, but we do have some [inaudible] hearsay at least to report back on that.

That's what the agenda looks like.

THOMAS SCHNEIDER: Can you hear me?

UNIDENTIFIED MALE: Yes.

THOMAS SCHNEIDER: There's one thing that I didn't hear on the agenda that I would use the opportunity to have an informal discussion with our colleagues from ALAC, which is independent secretariat support. Because I do understand that this is an issue also for the ALAC and that it is

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[inaudible] people are happy with or unhappy with to different degrees that has also been an issue that was at least looked at or discussed. And, of course, as you probably know, this is a big issue for us currently. So I would be interested in having an exchange on this.

UNIDENTIFIED MALE: Thomas, this was the inner meaning of the first item for discussion, which was captioned as funding options for secretariat functions.

THOMAS SCHNEIDER: Okay. Just one information for you. My Adobe nightmare gets worse and worse. Now it tells me that I need to download and install Adobe Connect add-in, which is something that [inaudible].

GULTEN TEPE: No, don't do it.

THOMAS SCHNEIDER: I'll try again to connect. Sorry for this, but somehow my computer and Adobe like each other less and less. No, it doesn't let me go in. I'll try with another browser because I have two. Let me see whether it works with Firefox. Okay. No, it does not. Sorry. This is really very annoying. It does not let me use – let me close the VPN and then see whether that has an effect so that I can try and connect with you. No, sorry. It doesn't work. Well, could somebody send me – it would be good if I had the agenda in front of me. I guess you've sent it around. Could somebody send me the latest version of the agenda by e-mail?

UNIDENTIFIED MALE: It should have come through on the GAC Leadership list sent by Gisella. If you check, it should be in your inbox somewhere.

GULTEN TEPE: I'm sending it again, Thomas.

THOMAS SCHNEIDER: Okay, thank you. No, I have no mail from Gisella. I'm sorry. This is getting a nightmare with these Adobe connections, but it's getting worse and worse. I don't know why, but it's really a problem for me.

JULIA CHARVOLEN: Thomas, this is Julia. I sent it to you. I sent it to you by text message as well. It's not [inaudible]. It's easy to read, I think.

THOMAS SCHNEIDER: Okay, excellent. Okay, so let's start. Let's just start with the first one [until I] get it. Sorry, if you could quickly repeat, the first one was?

UNIDENTIFIED MALE: The first is introductions. Maybe we've managed that. But the second is items for discussion, and the first sub point of that is the funding options for secretariat functions. So I think we jump to that.

THOMAS SCHNEIDER: Okay, maybe the introductions, let us give the floor to Alan and Yrjo to see whether you have some additional things.

ALAN GREENBERG: I don't really have anything to say other than I hope you can make this work for the rest of this meeting. We have added the one item on to the agenda which I think may be of some interest. I want to let you know what the details are of both the tool and the politics around it. Other than that, I think we should start off because otherwise we're going to run out of time at this point.

THOMAS SCHNEIDER: Okay, thank you. I agree. First item for discussion. I received Gulten's e-mail, so at least e-mail works. Still something to trust.

The issue is, as you probably know, that we for some years now have been enjoying an independent secretariat support funded by some donor [inaudible] in the GAC. They funded this for five or six years and then announced that they can't continue to fund it on their own forever. Now we have something like one and a half years, almost two years or one and a half we are reaching out to members to try and get funding spread all over the GAC membership. We are at about half to two-thirds of the resources that we used to have.

And, of course, there are several voices that say it is actually [inaudible] of ICANN and of the multi-stakeholder model that the system would provide and help, the SOs and particularly the ACs, with some independent secretariat funds or independent secretariat support for us

and you, for instance, so that we can fulfill our goal and we are better equipped to help cope with the enormous workload at ICANN.

I'll stop here because I guess you are aware of our situation because many of these discussions have been held publicly. So the question is, should ICANN put some funds at the disposals of SOs or particular ACs? That would [inaudible] not for people employed by ICANN but for people that would not be on the payroll of ICANN. I would like to hear from you whether you have similar discussions about substantive secretariat support, in particular [inaudible] substance that would be independent from ICANN. Thank you.

ALAN GREENBERG:

Certainly. I'll give it a try. The short answer is no, we've never had these discussions. Very informally we may have discussed it. But to be honest, there has been zero chance that we could have donors providing any of that level of support as you have in the past. And I don't think we entertained it as a viable thing that ICANN was likely to do or that we had the leverage to force them to do it. So it really has never come up.

Does it have merits? It's hard to say. To some extent, we get pretty good support from ICANN, but very much the priorities and the people's responsibilities are to some extent out of our control. Things change and we don't always have full control over what people are doing or what we want them to do. And the level of staffing obviously is contingent on ICANN, which it would be even if they allocated a certain amount of money. It's still not an endless supply.

So the short answer is we haven't had those discussions. And I'm not sure we would spend a lot of time on it unless we thought it was something that was likely to happen or could happen. We don't have, to be honest, the leverage that governments might have to force that to happen, at least in the moderately short term.

Anyone else from ALAC want to contribute any?

UNIDENTIFIED FEMALE: I totally agree with you, Alan.

THOMAS SCHNEIDER: Okay. Thank you for this information. A question just for my understanding: so the people that ICANN puts at your disposal to serve you, to support you, these are determined by ICANN? Do you have a say in who you want, who you get, or is that completely at ICANN's discretion?

ALAN GREENBERG: To a very large extent, it's completely at ICANN's discretion. On occasion, I may have discussions with our lead staff person, with Heidi, if we think someone is not performing. But other than that, we're not consulted and periodically we are told that the staffing is changing, hopefully usually going up but not always. But the allocation of the people, what they do is largely out of our control.

For instance, Julia on your staff was on our staff at one point. Then one day we were told she isn't. There are others. When [inaudible] left, we

lost some staff members because they were good people who were needed somewhere else. That kind of thing does happen on a regular basis.

Are we relatively well served? In a lot of cases, yes. But, no, it's not the same as having full control both in terms of selecting staff and deciding what their priorities are at any given moment.

THOMAS SCHNEIDER:

Yeah, okay. Thank you. Any questions or comments from anybody else on the call, including GAC members, on this issue? Speak up because I can't see you because I'm not on Adobe.

ALAN GREENBERG:

One question I have, Thomas, is you not only have had an independent secretariat but you also obviously have ICANN staff working with you. How has that meshed? How have you decided who does what? Because clearly you have people like Julia and Olof who have been with you for a long time now, and they haven't disappeared because you had an independent secretariat. I'm not quite sure how the merger of the two has worked and how it's being decided who does what.

THOMAS SCHNEIDER:

Yes, thank you. That's a good question, of course. First of all, let me tell you that on a personal level, the cooperation is excellent between the GAC leadership and ACIG and ICANN staff. In all combinations of these three, it is excellent.

There's a division of labor that has somehow without a big [theory] behind it has emerged. Of course, I have taken over the situation from [inaudible] from my previous chair. I don't know to what extent that has changed, but in many ways, not always, but the logistics are taken care of, organizational issues, resource issues are taken care of by ICANN support staff and substantive issues are dealt with and are supported by ACIG.

But that is not 100% true for everything. So there are some papers or documentation [inaudible] support that it gets from ICANN support staff. But if I would have to draw a big division of labor line, then that would be it. But it's not 100% [coherent], and it's more flexible and the lines are very [inaudible]. But it works fairly well, or excellent actually.

ALAN GREENBERG:

Yeah, I guess in my mind the question that would come up to what extent do you feel it would not meet your needs if ICANN would add an extra two people to your support staff and you would have the secretariat but not the independent secretariat. That's really the question: to what extent that would have a real impact or is it more of an optical impact of you're not in control at that point?

THOMAS SCHNEIDER:

Thank you. Well, [inaudible] [frankly] historical reasons that it has happened in earlier occasions that ICANN has [inaudible] influenced or that the substantive work of support staff people. It also has happened that documents have first gone to the [NTIA] before they have been shared with the GAC from the ICANN side. Things like that have

happened in the past. So there was a lack of trust, not to the people that worked for us – that is very clear – but on the ICANN [system]. And there was a strong majority that deemed it absolutely indispensable that the GAC would have a secretariat that is not somehow under control of ICANN in any way.

ALAN GREENBERG: Okay, thank you.

THOMAS SCHNEIDER: That is the reason behind it. I think given that the time is moving on, I think we can move to the next issue, which is the community-based applications [inaudible] right. I guess that's a follow up to discussions that we already started to have, triggered in particular by the [inaudible] report. I don't think that's from our side as much you to say, but we would as we've already had some discussions about the report, we've looked at it.

But maybe what would be interesting for us is to see whether you now in the time that you have had to look at this what your reaction is to the report, to the recommendations, how [inaudible] how you would like to use this or what you see as next. And also including the [CCT] Review Team findings regarding [inaudible] applications. What are your [elected] policy goals or objectives regarding community-based applications as we are [inaudible] from the first phase and moving to the second?

ALAN GREENBERG:

Thank you. That's to a large extent a discussion we're going to be having in Johannesburg. Although we have a couple of people who have been working very heavily on the new gTLD issue, including community applications, we haven't had a lot of substantive discussions with the ALAC as a whole. And that's one of the ones that I think we need to have and hopefully we'll have the opportunity to do in Johannesburg.

One of the interesting things that's happening within the gTLD PDP is there are starting to be discussions, no decisions made, but the issue has been raised of maybe we should replace community applications with not-for-profit applications. That is, if you look at the community applications, one of them or several of them are in fact for-profit but have benefited because they have [inaudible] organizations behind them who have supported them as a community application.

So .bank and .insurance are examples, for instance. There are some people who said they really should not have had the benefit of preferential treatment because they really are businesses. They are TLDs, which in those particular cases have had certain protections and they're not bad. But it's not clear that they meet the model that we envisioned when we talked about community and that perhaps we should be talking about whether it's for-profit or not-for-profit as the distinction.

So just an insight that the discussion may move in that direction. I'm not sure that it's at odds with the overall recommendations associated with what we're now talking about as community applications, but it may change the tone and direction of the discussion somewhat.

Holly, do you have anything on that? You're the other person who has talked about that.

HOLLY RAICHE:

No. You summed up pretty well where we're up to and the debate that we have had. We haven't gone any further than that at this stage.

ALAN GREENBERG:

Yeah. So we haven't looked at that particular report or the overall concept in terms of coming up with an ALAC position. I think we're supportive of the intent. And I think when some of us look at the specific recommendations, some of them were more attractive than others. But I don't think the overall direction is very different, and I think we're going to support the overall –

We certainly strongly support the concept that the community application process was badly mishandled last time. That ICANN was far too focused on preventing gaming than it was in actually trying to see communities helped. And there were clearly some very significant problems in how one defined community. Therefore, we ended up with applications that in the minds of many people should have been community applications but they did not meet the thresholds that were required for it.

So clearly there has to be some very significant work done. Those recommendations in that particular report I think are a good place to start, and they are being looked at by the PDP. The CCT review basically came to the same conclusions: that the community application process

was not handled very well and it or some evolution of it is going to have to change very significantly in the next go-round.

One of the questions, however, that's being asked right now is, just what are the aims? There are people who are saying we shouldn't have community applications. There's no reason to give anyone preferential treatment. Of course, the answer that many of us come up with is ICANN has a requirement to meet social needs and to look at the interests other than just business interests, and the community application was a methodology by which it could try to fulfill some of those needs. Not surprisingly, there are some people who think they shouldn't exist at all.

THOMAS SCHNEIDER: Thank you, Alan. I think was extremely useful. Continue.

ALAN GREENBERG: Mark has his hand up.

THOMAS SCHNEIDER: [Mark, go ahead].

MARK CARVELL: Yes, thank you. Thank you, Alan. That's very helpful. The only other point I would remind ourselves of is that you may have situations of contention where there is perhaps a keyword such as "music" for example where you could have a wholly commercially based

application. The company just wants to go for that. But you have a whole industry sector saying we appreciate the need for a top-level domain, and one could argue that that global body representing the music industry – composers, publishers of music, and so on – the whole raft of interests in the music sector perhaps deserve preference. And when it comes to contention, of course, some of these organizations will not have the resources to fight it out in an auction. So there are issues like that which [we] have to take into account when going down the route of commercial profit or not-for-profit.

The other contention issue is for communities. These are groups of [inaudible] populations who have a shared interests. They haven't got the resources to fight it out in an auction. So it's certainly very relevant for those social and cultural type applications which are inherently community-based in characteristic. Thanks.

ALAN GREENBERG:

I don't think you'll find any arguments from us on that. The question is, how do you differentiate between a community that is truly a volunteer community as it were and one which is made up of very large businesses? That's the discussion that we're going to have to have. I'm just giving you a heads up that there are people suggesting that not-for-profit should be the measure as opposed to "community," which might be largely a profit-driven organization. So good questions all.

THOMAS SCHNEIDER:

Thanks to the two of you. I think what both of you say makes sense. Maybe this is similar to, let's say, you can be applying for a geographic

TLD. You can do this according to ICANN's definition as a community TLD or as a not-for-profit TLD or as a for-profit TLD. Maybe we have to make a double distinction also with community names. That you can be a for-profit organization or an entity that's wanting to run a community TLD, and you can be a not-for-profit one that is running a TLD which can be a community but does not have to be a community.

So like with the geographic names. I think you could be running a geographic name as a community TLD or as a standard TLD. So if we would switch from, like introduce the category of for-profit or not-for-profit and that that's a community one, accordingly maybe that one needs some thinking but we may get closer to something that is actually targeted to different needs than what is a little blurry notion that we had.

ALAN GREENBERG:

That gets into the discussion of categories and, of course, that was one that was very controversial in the first round and still is. There are strong voices saying that we should not have categories at all and we shouldn't give preferential treatment to anyone and others who say just the argument you made right now, which I think certainly At-Large would strongly support.

So there's lots of work to be done. I think to the extent possible, we need more GAC voices in the PDP who can speak up on behalf of the public interest and issues like the ones we've talked about because I'm not sure they get well represented in that group.

THOMAS SCHNEIDER:

Yes, thank you, Alan. Just one comment on this. I don't know if you were there in 2009. I was one of those who proposed a system with more categories, including for instance brand TLD category which is obviously something that is completely different in terms of business model but also in terms of risks or opportunities that absolutely I think in my view it has become clear to everybody that brands are a completely different category and we would have done good in creating that category in the beginning.

The question [inaudible] of course that maybe this is the next item [inaudible] significance but that's the same like with the community names. You may have several groups or several stakeholders that have a stake on a name or that attribute a meaning to a name or claim they have a right. And we will need to maybe further develop a system where you can notify that you have either a right or if it's not a right, that it's a claim or a meaning, an importance attached to a name that allows you to be looked at, at least.

That does not necessarily give you special rights, but it allows you to be part of the circle of applicants that are looked at a little bit more closely. Like for instance if the name of a god of your culture or so, that may be not a written right, but it may nevertheless be a strong stake.

This is why some of us in the GAC came up with this idea of a repository of claims or stakes, whatever you call it – not necessarily rights – where you can say we have a special, this name means something for us. We are a community. We are a country. We are a group of people that share a common value with regard to this name, and we want to notify this and we somehow need to see what other interests we have [in this

name] and then try and find out how to share or distribute or allocate these names in a way that all these stakes or claims are respected or considered in one way or another.

That is the general model that we would, or at least some of us in the GAC, would like to [spend some time] thinking about because we think otherwise we'll always have unsatisfactory solutions that something will be occupied by a company because they have a brand on it and then exclusively used by these and other uses that would be legitimate or even were lawful or would not be possible or the other way around and don't have to [inaudible] things like Amazon.

But if there are several stakes or claims on the same name, we should find better ways of weighing and balancing trying to find maybe sharing models or, if not, financial compensation and so on and so forth. So there are several ways of dealing with [this]. In the real world there are several models around how to deal with something that several demand or stake a claim that they somehow would like to use that or have a share in something. I think we should go for something like this in ICANN.

That's all I'll say about this whole set of issues regarding geographic names, communities, brands, or categories. [inaudible] categories depending on very different uses, different customers, different target groups. I think it would help the ones that are more or less clearly identifiable to identify them and to be clear about [their roles] but also be clear about the conditions you need to fulfill in order to be part of a particular category. I'll stop here and leave the floor to others [inaudible].

UNIDENTIFIED MALE: Thomas, Mark has his hand raised.

THOMAS SCHNEIDER: Okay, thank you.

MARK CARVELL: Thank you, Thomas. I just wanted to pick up on Alan's point about getting participation in the PDP, the subsequent procedures one in particular. We acknowledge that problem. We will discuss this in the GAC leadership, how we can improve the situation of GAC participation in that particular PDP.

The problem is within the GAC representation, you've got a core group of people who are active in the intersessional and transversal work and they can't do everything. The burden is being shared by a small group, basically, and we have to extend that pool of GAC representatives who have the capacity and resource to be able to participate and contribute actively to the PDPs.

I look back to the time of the gTLD round four years ago, whenever it was, and the scorecard and we had a great team of volunteer [top leads] to develop the scorecard and had the interaction with the Board. We had that intersessional meeting with the Board in Brussels. The GAC really geared up at that time, and we need to get back to a similar approach. As the gTLDs subsequent procedures process is [inaudible] expands and escalates, the GAC needs to gear up. So we readily acknowledge that.

But I would also comment that this is actually a problem that is quite widely apparent across the ICANN community. From the GNSO side, you have pretty much the same people participating in a number of PDPs. So there's not a huge diversity there either. This is maybe a common feature, but it's certainly a problem that we have in the GAC. Thanks.

ALAN GREENBERG:

Yeah, thank you. And it's a problem we have in At-Large. We only have two or three people who are actively participating, and given that there is a plenary working group and then four subgroups that meet regularly, staffing those and doing those is really problematic. Nowadays, they're even rotating times so it's inevitable some of them happen in the middle of the night no matter where you are.

HOLLY RAICHE:

Aw.

ALAN GREENBERG:

Thank you, Holly. It's really difficult, but the problem is decisions will ultimately be made. It has been going on for 15 months already. It's not over yet. And you don't want to be in the position as you were in the situation you talked about where the GAC comes in after the fact. And we're now in a position where the Board does not have the discretion they had at that round to make the changes. So it's going to get really messy.

I don't know how to fix the problem. We started off by saying, has the ALAC made any decisions or taken any positions? And my answer was,

no, we haven't because the ALAC in general is completely disconnected from this just as much as the GAC is. So, yes, it's a common problem. There's no question.

In terms of whether it's communities or not-for-profit, we set the precedent in the first round where there was priority to certain types of applications. There's no question we're going to have categories, whether we call them that or not. We've invented categories along the way in the first round. We were fighting and screaming saying we didn't want them, but then we ended up having them, just not calling them that.

So the real question is, how do you determine who has priority? Or in the kind of scenario Thomas was talking about, how do you resolve the differences when you have established that various people have rights? Hopefully, we'll come up with answers. I don't have a clue what they're going to be though.

But time is going. Perhaps we should quickly start moving down the list. If someone else has their hand up. The next one is the geographic names, geographic significance. I think we've already addressed that to a large extent.

THOMAS SCHNEIDER:

Yep. Just one brief comment. Or two comments, actually. I wouldn't talk about rights only. I really would talk about stakes or claims or whatever their rights were in English. It's [inaudible] in German. It doesn't need to have a national or international rights. But you need to have some relationship that you can testify that you have it to a name, and that

gives you a special attention. It doesn't give you a right either, but it gives you special treatment maybe, whatever that is. So I would the threshold lower. I wouldn't actually talk about rights or not because some things you have no rights but you can get into war if you don't respect them.

ALAN GREENBERG: [laughs]

THOMAS SCHNEIDER: I'm serious. It's not a question of rights.

ALAN GREENBERG: I understand. I believe you. I know.

THOMAS SCHNEIDER: The other thing is about what Mark has said, and you, about this whole recurring discussion about workload. We can't invent more time or more government [people] that work for free. That doesn't exist. And you can't invent more volunteers than the ones you have. Some will come, some will disappear, but the problem will stay the same. There's only solution, and it's to force if we can and if we want to be able to do that, ICANN to prioritize. [inaudible] now and we do this later and not now as well.

Because the only thing that we can do is basically say there's a limit to the legitimacy of the bottom-up, inclusive model if a certain threshold

of participation in terms of diversity – or whatever you call it, regional, SO/AC diversity, and so on – if a certain threshold of diversity or bias is crossed, it means we are moving too fast because people can't cope. This is why we do not recognize the outcome of a particular process, full-stop.

I'm very blunt, but I think more and more I'm realizing this is the only way. Because, of course, the industry wants to move ahead. That's logic. That's understandable. But to just keep saying [inaudible] have to work more, we have to work more won't change anything at all. On the contrary, it's getting worse and worse.

So the only thing is to really have a pressure to say, okay, you can move as fast as you like as long as enough people are able to participate. That is the trigger that defines the speed of work and the number of parallel work streams. But that's just a personal insight that I'm gaining over the last months and years.

I don't know. I think we more or less covered the geographic [inaudible] part of this.

ALAN GREENBERG:

Just one quick thing on that aspect. There are other issues that certainly we're bringing up also. We have people who would work more, but they can't afford it. They live in places where the communication is so expensive that it is literally too expensive for them to participate more, even if they're willing to put the time into it. Those are issues that industry just doesn't have. Governments may or may not have it, depending on where you are and how rich your government is. But

there are lots of issues here that ICANN is going to have to start looking at that they've been able to ignore completely up until now.

Yrjo has his hand up.

YRJÖ LÄNSIPURO: Yeah, this discussion shows to me that we should keep this item on the agenda in Johannesburg. I think there's a lot to discuss. Perhaps we would widen the title a little bit so that we can discuss all these aspects related to the subsequent procedures [under that]. Thank you.

ALAN GREENBERG: Thank you. The next item is the At-Large Review. I don't think we have a large amount to report.

HOLLY RAICHE: Do you want me to do it in one minute?

ALAN GREENBERG: I thought Yrjo had an X. I don't know if that was a mistake or you were trying to say something, Yrjo.

YRJÖ LÄNSIPURO: Oh, that was a mistake. I'm sorry.

ALAN GREENBERG: Okay, fine. Sure, Holly, go ahead.

HOLLY RAICHE:

Okay, very, very briefly, the final report from ITEMS came out on the 5th of May. Really, that's our last engagement with them. It was summarizing the ALAC Review. There are many, many things with which we agree. They made some structural recommendations, which we do not agree with. So we're up to now the stage where we have to come up with a feasibility assessment and initial implementation plan. We will be meeting with ICANN staff to work out timelines for that and tasks. Then we have a working group. We should be ready – we're supposed to be ready – by about September for an evaluation. So really, that's where we're up to. Probably, we have a leadership team on that working group, I expect that we will be setting those timelines and tasks sometime next week.

I think the only thing I can say about the actual review, because their recommendations included in some really significant structural change that we deeply did not agree with, we asked them to identify the issues they thought they were addressing apart from the solutions they thought so that when in going to the Board and saying these are the issues we agree, these are the issues we don't agree with, we could actually address the issue and simply explain to the Board why we don't believe their solution which would be a structural one will address the issue and the way that we would address the issue [differently]. So that's all in the future. As I say, I think our deadline really is to get as much done as possible by September, so there's going to be a bit of work between now and then.

ALAN GREENBERG:

Thank you, Holly. I'll add one more thing. The GNSO review, the GNSO gave a critique of the recommendations and said this one we're going to implement, this one we're recommending we not implement. The Organizational Effectiveness Committee basically said, yes, that's fine. Go ahead. So we're optimistic they will do something similar to us. But to be honest, we are rejecting some very substantive changes that the reviewers recommended, and there may be pushback in parts of the Board to that, more so than there were for the GNSO. But that remains to be seen, and we're optimistic.

It's hard to imagine a Board in 2017 telling an AC that you must make changes which the AC would say, and we are saying, that these would destroy the organization if we did that. That it would render us completely ineffective. It's hard for the Board to say do it anyway. But that's the world we're in today, so we'll see.

That's really all we can report at this point. It has been an amazingly resource intensive process, and it's not something I would wish on my best enemies.

THOMAS SCHNEIDER:

Thank you, Alan. I've heard from a number of ALAC people very similar reactions. That actually brings me again to another not revolutionary but nevertheless fundamental basic insight that a lot of processes in ICANN are formulated on paper but there's little guidance of common sense that is actually critically questioning these processes to what extent they actually lead to the outcome that they are originally decided for.

The whole review discussion also like we have in the Bylaws that we have to have a review every three years and I don't know why. We are doing this review knowing that in every second time for whatever reason. The way it's written in the Bylaws doesn't make sense, so we have discussions and so on and on. I don't have to name all this to you. So maybe – I don't know, this is probably wishful thinking – but a little bit more common sense in how to interpret things and how to structure processes and how to make things lightweight.

If we were malicious, then we would say this is done on purpose to block institutions or to keep them or get them dysfunctional. But if we don't assume, then it's maybe just ignorance or [inaudible] like what we used to say in French. But I think this whole notion of review has developed into a machine that is not really serving the purposes.

My policy if I were you would be, okay, let's go back and agree on the [intents]. So before discussing the resolutions one-by-one and questioning whether or not you can be forced to implement them, let's try and go back and agree on the intent behind the resolution and then have a serious and frank discussion on whether we think the logic behind the concrete recommendation is actually perceivably, transparently, traceably somehow reasonable, that it actually has a chance that this gets in the right direction. I think you really have to go back to the objectives of the whole exercise and then create that link again because I think in some ways that has been lost and this is what you get as a result or what you may get as a result. I'll stop there. I could go on forever.

ALAN GREENBERG: As we all could at this point. I think the reviews are there because the premise is that we cannot presume that all of our organizations are perfect and therefore we should look at them and see if we can make them better. But the implementation of the organizational reviews, I think we would be more successful on the [AOC] type reviews, but the implementation of the organizational reviews has been spectacularly unsuccessful. So, yes, I think we do need to go back and try to understand how we can make sure we're not stagnant but at the same time not impose work on us that is just not productive.

The next item on the list was underserved regions, and it's the second to last item and we are about 12 minutes before the end of the hour.

THOMAS SCHNEIDER: Yes, but we do have 3 and the brief on the capacity workshop [in Fiji].

ALAN GREENBERG: Oh, you're right. Correct.

HOLLY RAICHE: A lot for 12 minutes.

THOMAS SCHNEIDER: Let's quickly spend two or three minutes on the underserved regions. I don't know who brought this up. It may have been us in terms of probably the GAC that has a working group that is trying to support underserved regions through government. But maybe ICANN staff and

ACIG now is more difficult with the reduction, but ICANN staff are supporting the GAC working group and underserved regions in general.

If that has come from us, which I'm not sure but I assume, then probably the idea behind this agenda point would be how can we cooperate better in order to create synergies with what you are doing, what we are doing to better serve underserved regions in any way – policy wise or innovation, market development, capacity building in general.

ALAN GREENBERG: Manal has suggested in the chat that we merge this item with the Fiji workshop one.

THOMAS SCHNEIDER: Makes sense.

ALAN GREENBERG: I have hands up from Holly and Tijani.

HOLLY RAICHE: Okay, very briefly, the CCT review did have a lot to say about underserved regions both in terms of looking at the costs, looking at the demand and so forth. So this fits nicely with that CCT review and we're coming up with comments on that. And we are supporting a long look at how to provide support and assistance. Thank you.

ALAN GREENBERG: Thank you, Holly. Tijani? Cannot hear you, Tijani. Your microphone says you're speaking, but I can't hear you. Now it says you're muted.

TIJANI BEN JEMAA: [Can you hear me?]

GULTEN TEPE: Yes, we can hear you, but barely, Tijani.

HOLLY RAICHE: No, we can't at all.

TIJANI BEN JEMAA: And now?

ALAN GREENBERG: Now you're fine.

HOLLY RAICHE: Yes.

TIJANI BEN JEMAA: Ah, okay. Very good. What I want to say is that this issue of underserved regions is something which is common between GAC and ALAC. I think we have to have better collaboration in this regard. We care a lot about underserved regions. We have in our community a lot of people from

underserved regions. As you know, the [inaudible] working group worked a lot on the discrimination more or less of those regions for the first round of the new gTLD. It is not only about [inaudible]. It is about everything in ICANN. So I think we have to perhaps dig better and deeper in this issue together. If you want, you can perhaps make a cross-stakeholder group to work on it together. Thank you.

ALAN GREENBERG:

Thank you, Tijani. I think one thing that's common in a lot of these discussions, and we're going to have to figure out some way to actually do some discussion and find areas where we can work together by actually doing it, these meetings and the 45 or 60 minutes that we find at ICANN meetings just don't actually get any real work done. They simply identify areas where we maybe should do some work. I think we need to figure out a way that we actually start cooperating essentially on the ground on issues and not just talk about the concept of cooperating. I'm not sure how we do that, but I think it's something that maybe when we're face-to-face we should focus on.

THOMAS SCHNEIDER:

Thank you. If I may jump in on this one too.

ALAN GREENBERG:

Please.

THOMAS SCHNEIDER:

And thank you, all of you who raised this. I'm with Alan, and I would go one step further. Instead of creating additional structures and blah, blah, blah, I think we should – and this is not so complicated I think – we should just maybe those who have the experience put down on paper what are the needs of underserved regions. Put a list together of what would you wish somebody to do or to support you or to support any others. That can come from government [inaudible], from civil society, from users, from industry, whatever.

Put it together and then get the people together and say, okay, how can we cooperate to get these things better? Instead of talking about structures and talking about how can we meet to discuss and then meet again to discuss, what are the issues? What are the challenges? Go from that end and then see, okay, who is able to help on this, on this, on this, on this? Go for it [inaudible]. Then the processes and the teams will emerge by themselves. Then I'm sure we can actually get things done.

But I would not spend more time with new groups and new coordination and blah, blah, blah unless it's [substance and] solution driven. That would be my strong urge [of this one] given that we're all overworked and over-working grouped and over-structured with everything that we have [inaudible].

ALAN GREENBERG:

Yeah, I'm certainly not advocating new groups. I'm just saying we need to identify one or two people on both sides on some topic and then ensure they really do go off in a corner and talk to each other outside of the formal meeting structure. Because otherwise I don't think we're

actually going to come up with something that can claim is joint work unless we get people on the ground who are actually talking to each other. I think we need to identify just one of these issues and identify one or two people on either side who care about it enough to put some time into it.

THOMAS SCHNEIDER: Absolutely. Thank you.

ALAN GREENBERG: Yrjo? And we are running desperately out of time, so go ahead.

YRJÖ LÄNSIPURO: Yeah, Alan, just to say thank you very much for that observation. I think that so far these joint meetings have served a purpose because we have now come to the point where we actually start not formal working groups or anything like that but just somebody from both sides, a couple of people, and really start hammering out these joint suggestions. Thank you.

ALAN GREENBERG: Thank you. Next item is domain abuse reporting tool. There's a link in the agenda to a presentation. This is a tool that was developed by David Conrad's group. What they're doing – and it's rather radical for ICANN, to be quite honest – is they are looking at the various sources of abuse, whether they're spam lists or the anti-phishing working group identifying particular problems, and they're going back and essentially

looking at what registries are these happening in, what are the ratios of abuse occurring within the registry, what registrars registered that name. And they're talking about going so far as to actually identify the names and using this as a tool for the registry and registrars, should they care, to perhaps take some action.

As input into ICANN, it's not clear to what extent ICANN has a remit. We obviously don't have a remit to control spam and phishing. But it is very clear that these domain names are essential for those things to happen, and therefore maybe there is policy that is within our remit that we can enact that can help control the use of domain names in these ways.

So this is a rather radical thing that ICANN is doing. They've always said it's not our business. To what extent they will really allow and to what extent the contracted parties will allow names to be named is really interesting. They're only using information that is public. They are not using confidential information as Compliance does. Compliance, for instance, says that they cannot release names because that's part of a confidential process. But this tool is only using public information.

I think it's fascinating. I'm trying to get a presentation on it for ALAC. It's too late to a general public presentation in Johannesburg. We're trying to get a presentation at least to ALAC, which may or may not happen at this point. I think a face-to-face discussion would be far more preferable than a webinar where only a third of the people attend. But I just wanted to let you know about the existence of it.

You may want to ask for something similar if you have time in the GAC sessions. We can try to do it at a time when if you have the 45 minutes

or 30 minutes to allocate to it, we can try to find a common time for it to be presented to both of us if you have an interest. But otherwise, I'm certainly going to do my best to try to get it presented to the ALAC if at all possible in Johannesburg.

So just a heads up that it exists. It's something relatively interesting and different. And I think we need to encourage the ICANN organization to continue this and not yield to pressure from the contracted parties to suppress it because there is going to be pressure like that. That's all I have on that item.

THOMAS SCHNEIDER:

Thank you, Alan. I wasn't aware of this, so thank you for [signaling] this to me and to us. The thing is as long as this is respecting privacy and other laws and I guess this is based on law enforcement commitments and efforts to improve the situation, as long as things are legal and the rules are followed, I think this is something that probably everybody will welcome.

I think the question, of course, the Devil is always in the detail and there may be some [inaudible]. Of course, if this is about using WHOIS and other information which is maybe published but that does not necessarily mean that's it's legally public in all jurisdictions – and I won't go into detail [inaudible] – that may be something that will need to be looked at more closely. But in general, I think if everything is transparent and according to the rules, I think this is a positive [development].

I assume that we'll somehow at some time become informed by ICANN about these things rather sooner than later, I guess.

ALAN GREENBERG: Yeah, this is very new. They did demonstrate it at the contracted parties conference in Madrid, but it's really hot off the presses.

THOMAS SCHNEIDER: Okay, I understand.

ALAN GREENBERG: Now in terms of privacy, the only information they used from WHOIS, for instance, is who the registrar is. They're not identifying who it is that's actually doing it. It's just looking at where the focus is from registrars and registries, and that's all completely public information.

It falls under the category of name and shame. If you identify the registrars or registries that have the problems, maybe they'll get their act together and do something about it. It all depends on philosophy. There are cities in the world where they publicly post any time a restaurant has a health infraction. For a long time in Montreal they said we can't do that because it would hurt their business. From my perspective as a consumer, I want their business to be hurt if they have rats in the kitchen.

THOMAS SCHNEIDER: Absolutely. We have similar discussions with [hooligans] and with football for instance and with other kinds of [criminals]. But there are some things that some people do that is illegal while others is not or is in a gray zone. Okay, thank you. That is very useful.

ALAN GREENBERG: Manal has her hand up. If it's quick, we should do that and then go on to the rest of the agenda.

THOMAS SCHNEIDER: All right.

ALAN GREENBERG: Manal?

MANAL ISMAIL: Very quickly to thank Alan and to support that this is a very interesting thing to know more about in Johannesburg. Maybe we can discuss it within the GAC leadership [inaudible] other colleagues and we can get back to you whether or not we can benefit of a joint brief or this is going to be difficult within the [compact] agenda. Thanks.

THOMAS SCHNEIDER: Thank you.

ALAN GREENBERG: Okay, thank you. We will have to make a decision within days. So to the extent you can get back quickly, that would be good.

THOMAS SCHNEIDER: Are with now moving to the planning for ICANN 59?

ALAN GREENBERG: That is where we are, and we are officially two minutes over. I have no constraints, but other people might.

THOMAS SCHNEIDER: I should be back at the [inaudible] half an hour ago, but [inaudible] doesn't really matter.

The thing is I think, to try and cut it short, I think many of these elements that we discussed in the smaller group [would marry to a bigger group discussion], i.e., we can basically as a draft, what I would suggest, is that we take this agenda as a draft and share it – you with the ALAC, we with the GAC – and I guess there will be some reporting from this call anyway to both our constituencies. And that we would build on that and then see whether additional things come up.

For instance, the last item, this information about this tool, is probably something that we do not need to discuss. Actually, I assume that ICANN will approach us by themselves and in one way or another inform everybody together actually about this new tool. If they don't, I assume that the law enforcement people will take it to us. So it will get to us somehow.

ALAN GREENBERG: Yeah, they're viewing this – Thomas, just to be clear, they're viewing this – this is a policy meeting where ICANN staff cannot propose meetings. So it's only going to come from demand from you, at least until we get to Abu Dhabi.

In terms of the agenda, I'm happy with the agenda excluding that item. Just note, I think we only have 45 minutes, so we may want to cut it down a little bit and think of it from that perspective. Back to you.

THOMAS SCHNEIDER: Yeah, when preparing, we may discuss whether some things are just for noting for information which may be something that we could also put on the paper and share on the paper and just refer that we have shared this on paper and maybe spend 30 seconds on an item like, for instance, your review process or other things.

ALAN GREENBERG: Yeah.

THOMAS SCHNEIDER: I'm fine with sharing, without the last item, the agenda as a draft notifying that we only have 45 minutes and some will have to take priority but must discuss and would like to if possible and maybe just for notification without discussion.

ALAN GREENBERG: The last item on the agenda – I’m happy with that – is the brief on the capacity building workshop on Fiji, if you want to spend any time on it now. If not, then....

OLOF NORDLING: I suggest that we do that rather in Johannesburg. But very briefly, I can say that this was co-organized by the GAC underserved regions working group together with global stakeholder engagement from ICANN. It happened in the latter half of April. Seventeen governments took part, and that identified a number of issues that they do have with participation in ICANN in general and GAC in particular, ranging from pure staffing, availability and bandwidth of staff; travel, which is pretty complicated in order to get to the ICANN meetings; bandwidth also and connectivity problems; and actually general knowledge about what’s going on.

One of the conclusions just briefly was apparently to use the Pacific Forum as a common resource for ICANN and GAC engagement. I just mention that as a brief introduction, and I think you can get more information from those who actually attended the Fiji workshop when we are in Johannesburg.

ALAN GREENBERG: Sounds good to me.

HOLLY RAICHE: Yep.

THOMAS SCHNEIDER: Yes, and to me too. Just one comment. That was just something I was going to say. We probably all [stakeholder] we have to learn to unite forces and delegate tasks to some organizations that have resources to actually support those who are most disadvantaged in a way that they are somehow kept in the loop through an intermediary or a support institution that can be part of the ICANN system or can even be somebody from outside that is actually sharing information and building bridges to those who are very disadvantages in participating or those who have actually no chance to participate. I'll stop here. Thank you.

ALAN GREENBERG: Agreed all around. Any other business from anyone? Or should we adjourn? We are at this point almost ten minutes over.

THOMAS SCHNEIDER: I have nothing.

HOLLY RAICHE: I think it has been useful. Thank you.

ALAN GREENBERG: Then I think we thank you all for a very productive meeting and look forward to seeing you a few weeks from now in Johannesburg.

THOMAS SCHNEIDER: Same to you all.

[END OF TRANSCRIPTION]