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UNIDENTIFIED MALE: Good morning.

OLIVIER CRÉPIN-LEBLOND: Okay, let's get going please. Let's get going for the start of the recording and start the call.

EVIN ERDOĞDU: Sure. Good morning, good afternoon, and good evening, everyone, and welcome to the EURALO Monthly Teleconference on Tuesday, 17<sup>th</sup> October, 2017 from 18:00 UTC to 19:00 UTC.

Today on the call with us we have Olivier Crépin-Leblond, Wolf Ludwig, Danko Jevtovic, Sebastien Bachollet, Matthias Hudbrik, Yrjö Lansipuro, Fiorella Belciu, Christopher Wilkinson, Wale Bakare, Sandra Hoferichter, Roberto Gaetano, Anne Marie Joly, and Andrei Kolesnikov.

We have listed apologies from Matthieu Camus and Bastiaan Goslings.

And on staff, we have with us Silvia Vivanco and myself, Evin Erdoğan. I will also be doing call management.

We just had Oksana Prykhodko join us as well.

And with that, I would like to remind everyone to please state your name for the record and also for transcription purposes.

And I'll turn it over to you, Olivier. Please begin.

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*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.*

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OLIVIER CRÉPIN-LEBLOND: Thank you very much, Evin. Have we missed anybody in the roll call? Have we?

It doesn't look like we have, so welcome, everyone, to this EURALO monthly call, the last call before the ICANN meeting that's to take place in Abu Dhabi.

We have a call today that will be looking at the current policy development going on or policy commenting going on, and we have an announcement with regards to the RIPE EURALO MoU and then we'll have a presentation by Oluwale Bakare about the CCWG, so Cross-Community Working Group on auction [proceeds], the new generic top-level domains while they have volunteered on our last call to come up with a presentation on this. So he will be speaking to us. It says here five minutes on the agenda. We might have him for a little longer than this, I think. And then an update on the EURALO Bylaws Task Force, and after that, a quick update or a final roundup of the EURALO hot topics and the EURALO strategy.

Is there Any Other Business to add to this? Sebastien Bachollet.

SEBASTIEN BACHOLLET: Thank you, Olivier. [Inaudible] just to say that when we will be talking about the next public comments related to ICANN announcing ICANN accountability, I would like that we spend some minutes on discussing some issues that will come up to us. Thank you.

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OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Sebastien. All right, so I think this is something we can touch on then in three upcoming public comment requests where there will be some discussion regarding enhancing accountability, and no doubt, you will be involved with this.

So that's great. Any other comments? I don't see anyone else putting their hand up, so let's move on then to the action items from our last call, the call on September the 26<sup>th</sup> and then two remaining action items are that I would add the GDPR (Generic Data Protection Regulations) to the EURALO hot topics.

That being done, we'll be seeing this in a moment and for Yrjö to include text in the EURALO Strategy Google Doc. And I believe that Yrjö has done so as well. I can't remember what text it was. Perhaps Yrjö would be able to enlighten us if he is on the call. I do see him. Yrjö Lansipuro, what text was it that you needed to add and has it been added?

YRJÖ LANSIPURO: Yeah. Mainly the basic document was written. The original document was written with individual users in mind, or individual members, and what I tried to do was to write it into more a sort of applying both to individual users and ALSes. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this, Yrjö. That being done, let's then continue. I don't see any other hands up, so we've done the action items. We can now move to the next part of the call, which is Agenda Item 3, read public consultations.

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Currently, there is one statement that has been recently approved by the ALAC, and that's the proposed dates for the ICANN public meetings from 2021 to 2023. Yrjö has very kindly picked up the pen from this. The statement was adopted with 14 people on the ALAC in favor and that was sent out to the relevant comments forum.

There are currently no statements in process and no statements that seem to be stalled. There are a couple of potential topics for public commenting that the ALAC has decided not to submit statements to. There are some people who are interested in submitting comments on it, but it doesn't seem to be happening. But if you do wish to push this forward and to know we actually do need something, then I'm sure we'll do it.

I'm actually quite confused by this statement here because it says the ALAC has decided not to submit a statement, but then somebody is interested in submitting a statement. So the draft PTI, so that's Post-Transition IANA in the IANA fiscal year '19 Operating Terms and Budget, I think this should be the ALAC Finance and Budget Subcommittee that would work on this. I'm surprised it's not being picked up.

And then the ICANN Reserve Fund, public comment on rationale and target levels. That, again, would have to be with the Finance and Budget Subcommittee, but if anybody wishes to volunteer to pick up the pen on this, then please do so.

And just to explain to you what these two are, so the first one, the PTI, Post-Transition IANA is the semi-independent organization that is now running the root, the center, I guess, of the Internet Naming System, the

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top of the pyramid in the Dynamic Naming System. That's a semi-independent organization now that's wholly funded by ICANN and so there is a separate budget that's being drafted for this.

And then, of course, there is the overall Operating Plan and Budget, which is quite a significant document that will start for FY19, fiscal year '19 is the next one. We're currently in fiscal year '18. I know it's a bit confusing.

Financial year, or fiscal year, starts in July and ends at the end of June, so we're currently in FY18 because we're moving on to, well, it will finish in June 2018 and then it will be FY19 and the budget process is quite long, so that's why it starts now. There are quite a few opportunities to comment along the way. And this is the first one.

So it might well be that it's a little [inaudible] perhaps to start commenting now. But it's always good to know what's going on and sometimes catching an error or catching something early is important because later on, it becomes much more political and much more complicated.

With regards to the ICANN Reserve Fund, that's something that I was told has been around for a long time. It's a lot of money that ICANN would wish to keep as a sort of financial cushion just in case something catastrophic happens, for example, if it got sued, or worse still, if the revenue from the domain names starts decreasing rapidly, perhaps. Who knows if the new technology comes up? And at that point, ICANN needs to find some time to find new revenue streams or to reduce its

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own budget. But there needs to be an amount of money that is kept on the side just for a rainy day.

These are the two topics, so if there are any comments or questions, please raise your hand.

And then we've got the upcoming public comment requests with a number of meetings that are going to take place in Abu Dhabi, just a couple of days before the official opening, and they are all related to the topics on Cross-Community Working Group on ICANN accountability.

And we are now dealing with Work Stream 2, which is the second part and possibly, the final part to the various work streams that have been created, including the one on jurisdiction, on the Ombudsman, on guidelines for staff accountability and also on competition, consumer trust, and consumer choice, which is actually not enhancing accountability. I'm mixing the two but okay.

The first three, jurisdiction, Ombudsman, staff accountability – Sebastien Bachollet is very much involved in this, so I'll give the floor over to him. Sebastien, you have the floor.

SEBASTIEN BACHOLLET:

Thank you, Olivier. But before I go to the Work Stream 2, I wanted to talk about the question of the reserve fund because [with] that fund lastly was used for maybe some money to do the transition and to have lawyers and so on and so forth with the IANA Transition Working Group and the first Work Stream 1 of the ICANN Accountability.

And we have an example where a lot of money were spent from the reserve fund. And the question today, [inaudible] take it to the first one is what is the level of the reserve fund we need to go, knowing that ICANN as a grower of the organization, the number of people employed, if we need to close the house tomorrow, we need to have enough money to give to everyone before they left the company.

And the second is how we will put money in the reserve fund. And one of the questions is linked with the discussion that we will have later on about the auction proceeds because some people, especially in the [inaudible], are asking – I will not say requesting – but asking that ICANN can use part of these auction proceed funds to reprocreate or refurnish the money for the reserves.

And now, if you want, I can go to Work Stream 2, but maybe there are now some comments specifically on that. If not, I will go to Work Stream 2.

Work Stream 2, here [which] is some of the public comments [we] will come, but I need to add that we will have some additional ones, I guess, and we will have apology or [inaudible], Ombuds guideline for staff accountability, but also one about transparency and one about human rights. That means that after Abu Dhabi, we will have five topics to be comment on, and it will be an important moment to do so.

I wanted to dig into the one about jurisdiction because we will have a call tomorrow afternoon to decide if we agree with the first reading of the jurisdiction, and one of the questions raised is about do we have a discussion about customizing. And I am not participating to this group,

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but I am trying to follow here. I would like very much to have the feedback of EURALO members about this question because today, it's not really discussed and it's pushed by the [resident] government, and I guess some other governments, to try to have this discussion about not moving the headquarters of ICANN outside of California, but to request from the U.S., some customized immunity for the core work of ICANN. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sebastien. Are there any questions? You've raised quite a number of very interesting points. I now see Erich Schweighofer. You have the floor, Erich.

ERICH SCHWEIGHOFER: Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Very well, thank you.

ERICH SCHWEIGHOFER: I am about to say [inaudible] and summarize it. There was a strong discussion about partial immunity, particularly for members from Brazil and India, and the [folks] to discuss this consider this not possible at all under the present government. And then there was a list of topics, and there was [inaudible] parking issue, and the other is jurisdiction issue concerning the Registry Agreement.



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And the solution was not the [manual] approach. The [inaudible] other countries than the United States to develop some kind of different jurisdictions for Registry and Registrar Agreements.

Maybe, and this is a move on to a different kind of morning unity of ICANN, but for most of the [e-games] for India or Brazil, it's not enough. So it's even not a step forward. It's simply a disregard of the [inaudible] kind of immunity for ICANN, so there has been an [audit] report on that and maybe business stuff that we consider this kind of separate [inaudible] appropriate or should we follow that view to either say we should have a stronger step forward now, some kind of immunity was recognized by the United States or some other government. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thanks for this, Erich. Very interesting discussion. I don't see anyone else putting their hand up. I'm really not sure, apart from seeing what the discussions are going to yield in the face-to-face in Abu Dhabi, I must say the concern I personally have is the politicization of the discussions. The moment one starts debating about jurisdiction, there seems to be two clans that form very quickly and the actual meaningful discussion suddenly ends up being just not making sense.

But I guess that things have moved on since the last meeting and I understand that there is a session that will take place in Abu Dhabi, specifically again, a public session if I understand correctly.

Sebastien Bachollet?

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SEBASTIEN BACHOLLET: Yeah. We have first CCWG Plenary call tomorrow and then we will have a one-day session of the CCWG on Accountability and then we will have two week sessions just after the opening on Monday during the ICANN meeting in Abu Dhabi.

But I wanted to give you my feeling and what I will suggest tomorrow. If things are going the right way, it's to say that we need to agree with the current proposal of the report of the jurisdiction. But we need, at ICANN [inaudible], I am not sure that it needs to be within Work Stream 2 or even within the CCWG on Accountability.

But we need to open this discussion about the possible partial immunity, customized immunity. I don't think it's a need to do that straight on now and I don't know how it could be under, but I think we need to conclude with Work Stream 2. And this topic will not be completed in the next [three] [inaudible]. My suggestion is to keep it aside and to reopen it within ICANN somewhere where it's [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Sebastien. Next is Christopher Wilkinson. Sorry, not Christopher. Sorry, I've missed out. There was Erich Schweighofer and then Christopher Wilkinson. Erich, you have the floor. Sorry for this.

ERICH SCHWEIGHOFER: That's okay. A small command to that [inaudible] that we should expect to resolve the Work Stream 2 is now, but almost be there that is only a small step in the right direction. [inaudible] in ICANN's affairs and we

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should also consider the user interest. But then it's quite bad if government interferes in domain names and numbers, and that should be avoided so the discussion should be higher up in ICANN [inaudible] for that. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Erich. Next is Christopher Wilkinson.

CHRISTOPHER WILKINSON: Hello. Good evening. Thank you, Olivier. Just on the Jurisdiction Working Group's report, you may have noticed that representatives of Brazil and Iran have entered very strong reservations and minority statements on the reports. But if we do get into the question of commenting on these reports, we could make as many friends as enemies, I think. But we'll come onto that later.

As you said, there are two plans and I think one of the non-U.S. groups, particularly led by Brazil, frankly, the non-U.S. group led by Brazil are very much concerned by the risks of an expected and irrational behavior by the United States administration, linked particularly to the United States policy of sanctions against certain countries.

This is going to become extremely complicated and delicate, if not confrontational, and my personal opinion is that it's beyond the competence of Work Stream 2, or indeed, CCWG. In my experience and in my opinion, jurisdiction issues of that scale are an intergovernmental matter and you will never get agreement between or consensus between the representatives of certain governments and the dominant

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United States opinion, which is essentially based on maintaining at all costs United States jurisdiction of ICANN.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Christopher. I think we need to move on, on this topic, but thanks for this. This is an upcoming public comment request so we are very likely to see a lot more discussion on this when the time comes, and certainly, as I said, there's some face-to-face meetings that stand between that public comment request and the end of the public comment request and today. So no doubt, more discussions will take place about this topic.

I see Oksana Prykhodko who has put her hand up. Oksana Prykhodko? I cannot hear Oksana [inaudible].

OKSANA PRYKHODKO: Hello.

OLIVIER CRÉPIN-LEBLOND: Now we can hear you.

OKSANA PRYKHODKO: Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes, we can hear you, Oksana. Go ahead.

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OKSANA PRYKHODKO: Thank you very much, Olivier. I have [inaudible]. This is my question to Christopher.

European Union will prepare any statement on ICANN jurisdiction or not?

OLIVIER CRÉPIN-LEBLOND: Christopher Wilkinson?

CHRISTOPHER WILKINSON: I'm sorry. I could not hear the question. Could you repeat or paraphrase the question? What about what?

OKSANA PRYKHODKO: What about statement of European Commission regarding ICANN jurisdiction? Do you know about any statement which is preparing now?

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this, Oksana. So the question is what about the statement of the European Commission? Apparently they are or they might be preparing a statement at present. Do you know anything about it? Christopher Wilkinson.

CHRISTOPHER WILKINSON: No, I don't and I don't have a hotline to the commission. If that is the case, it does tend to concern my general attitude that this debate,

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which will not be resolved in the short-term, should be moved out of the CCWG and into the GAC or into intergovernmental relations.

European Commission has a certain responsibility in this field, which goes back 20 years. Twenty years ago, we decided with the support of stakeholders in Europe, particularly the ccTLDs and RIPE, we decided to accept that the transition to ICANN would involve maintaining U.S. jurisdiction.

And for two decades, my personal opinion is that that decision did not result in any serious harm and that U.S. administrations have acted responsibly and predictably in exercising their responsibility and authority, notably through the NTIA of relations with ICANN, contracts with ICANN.

It was not ideal, but it worked. International attitudes have changed for obvious reasons and the preconditions of trust and mutual understanding that, I think, did prevail 20 years ago are not shared by many governments today.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Christopher. I see more people wanting to speak. I really want to move on, but let's just quickly close off with Sebastien Bachollet, and then Wale Bakare after that. Sebastien, you have the floor.

SEBASTIEN BACHOLLET: Thank you, Olivier. Yeah, just to say that for the moment, it's just a subgroup of the Work Stream 2 that is producing a report. These

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discussions are just at this level. Then I think that the comments made [comfort] my opinion that I will [inaudible] discuss that outside of the Work Stream 2 and even the CCWG as Christopher said.

But in the same time, I need to tell you that each [currently] discussed at the level of the national government as they support a [Brazil] statement or not, and maybe at the commission also but rather something at the European level which is to be done [inaudible] national level and that's, for the moment, where it is. And we will see what happens in Abu Dhabi. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Sebastien. Wale Bakare is next.

OLUWALE BAKARE: Hello, good evening. Can you hear me?

OLIVIER CRÉPIN-LEBLOND: We can hear you. We can hear you twice, actually.

OLUWALE BAKARE: Okay, thank you. Right, just with regard to the question asked by Oksana, I am one of the participants for the Jurisdiction Subgroup. As of this moment, there hasn't been any report or documentation from the European Commission regarding the jurisdiction of ICANN. [Or do], there have been the kind of strong letter from Brazil and Iran. We [just got] to that, but national level-wise, from Europe, there has been no

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kind of government in terms of whether support or ideas for the jurisdiction of ICANN at the last meeting led by the Jurisdiction Subgroup. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this [position], Wale. And we're going to have to move on in our agenda. It's a very fascinating discussion, and no doubt, we will come back to this when the time comes.

Just one thing to note, there was a mistake in the agenda. The Draft PTI and IANA Fiscal Year '19 Operating Plan and Budget, and the ICANN Reserve Fund – Public Comment on the Rationale and Target Level. These two are actually open at the moment and the ALAC has not yet decided on whether to submit a statement or not.

So Ricardo Holmquist has pointed out an error, or a potential error, in the FY19 Operating Plan and Budget that is quite likely to be a comment on this and other things as well. The ALAC usually comments on their operating plan and budget because they're [practically] important. Without a budget, we can't really operate very well.

And with regards to the reserve fund, having heard some of the points that were made and the [positions] that were provided on today's call, it might well be that there is a statement from the ALAC on this as well.

Let's then move on. Wale, I still see your hand up. Is this a new hand, or is this the hand from previously?



WALE BAKARE:

Oh, sorry.

OLIVIER CRÉPIN-LEBLOND:

That's fine. Great, excellent. The next thing in our agenda is the update on RIPE. RIPE and EURALO, as you have heard in previous discussions on previous calls, we've had quite some collaborating going on with RIPE ever since many years, with both RIPE and EURALO being founding members of the European Dialog in Internet Governance.

That early collaboration was a really great starting point for moving on to have something more direct between RIPE and EURALO, and it's ended up as a proposal for a Memorandum of Understanding. And as you will see from the title here, it says Memorandum of Understanding Signing Ceremony, which means that indeed, we've reached agreement.

On previous calls, we've discussed the potential contents of the agreement. RIPE has come back and has now agreed to the contents. What we just need to do – won't do it on today's call, but I think I'll send it out to the mailing list. We'll have a consensus call on moving forward with this.

I think we've had a green light, but just to make sure everybody sees what the final MoU is. We've had feedback from ICANN Legal that they are not going to comment on it because it's between EURALO and RIPE, it's not between ICANN and another organization as such. And so it paves the way for a ceremony that will take place at the ICANN meeting in Abu Dhabi.

Often, there's a European stakeholders meeting that takes place at ICANN meetings. We're not in Europe on this occasion, so there won't be a European stakeholders meeting, but there'll be a special little cocktail and networking reception that will be held, and we'll be signing this MoU.

So I'm really excited about it. I'm really thankful that the way has been paved over many years, and that's of course with the hard work that Wolf has done over many years. Wolf Ludwig, many years in reaching this level now of being able to sign this. And I kind of feel like I've arrived just at the right moment when the last person in the room suddenly goes, "Oh, what is there to do? Oh, I'll just shake the hand. There you go, done it."

So it's really great, and it opens a new chapter for us as an organization to be able to collaborate with RIPE on outreach, be more involved in all the work that is taking place regarding the allocation of IP addresses. These are the numbers, and that kind of also works in line with the wishes of both the various At-Large reviews that have come about, with regional Internet registries collaborating with other organizations in their region, and also, it's worth noting that all of the regional Internet registries now and all of their regional At-Large organizations will have that type of Memorandum of Understanding between them. So it's great to see that we might be the last one there, but we were actually really the first ones to start the work in this.

Christopher Wilkinson, I see your hand up.

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CHRISTOPHER WILKINSON: Thank you, and very well done. Congratulations to those of you who were drafting and negotiating with RIPE. I just wanted to check that the amendment that we had proposed a few weeks ago was actually finally accepted by RIPE.

OLIVIER CRÉPIN-LEBLOND: Yes. Thanks for this, Christopher. I do not know. I'll have to check the latest one. This is a problem when the agenda doesn't actually have the link to the thing, which is a bit of a shame, but what can you do? Give me a second. I will check that.

So the RIPE has left it open for the time being to have the amendment. What we did was to send the original text over, and we've asked RIPE whether it was possible to add this. I did note that we didn't have a full consensus on this point, and so we do not know – I'm unwilling to reopen the discussion on this, but I did ask about this and said whether there was going to be any objection from RIPE in having this.

Identifying Internet developments which had or are likely to have an impact on the global internet user, placing the users' interest and experience at the center of the future Internet structures and processes, making known and defending where necessary the interests and requirements of the global internet user in the European context.

So at the end, we ended up not adding this to the text because of the concern that was raised by many – or by some – that it could be outside both RIPE's and EURALO's remit. I'm sure we can perhaps discuss this when we meet with RIPE people and with colleagues at the signing ceremony, and perhaps this is something that we can then work on,

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perhaps outside an agreement, but in a manner that paves the way for a plan for the next few years. Christopher Wilkinson.

CHRISTOPHER WILKINSON: Yes. I would obviously have preferred an amendment along those lines. It'd be simpler, but it would have been included, because Europe is host to two of the root servers. And as I've already said, there is increasing evidence of instability in the political situation in the United States. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Christopher. I think that since we now have an MoU with RIPE, we can certainly stage some more frequent interactions with them, and we now have a channel by which we can discuss things. So this could certainly be some of the discussions that we might need to or wish to raise in the future with them.

And I've just been told by staff when it comes down to the agreement itself that this will be put on the wiki. Because it was under legal review from ICANN, it hadn't been put on the wiki yet. We only got the response a couple of hours ago. So this will be put on the wiki and shared with EURALO, so you'll be able to see the final agreement.

The next thing on our agenda is the Cross-Community Working Group on Auction Proceeds for the new generic top level domains. Wale Bakari has volunteered during the last call to give us a quick update with a few slides that he's put together. And so I hand the floor over to Wale. And

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if you could please be brief, that would be helpful. I gather the slide deck is all ready to go.

WALE BAKARI: Hello. Good evening, everybody. Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Go ahead, Wale. You have the floor.

WALE BAKARI: All right. Good evening, everybody. Can you hear me now?

OLIVIER CRÉPIN-LEBLOND: Yes, we can hear you.

WALE BAKARI: Alright. This topic... I mean this group rather, the Cross-Community Working Group on gTLD auction proceeds. I think there is echo there.

OLIVIER CRÉPIN-LEBLOND: I'm not hearing any echo. Are you getting echo on your... It's okay here.

WALE BAKARI: All right. Thank you. The auction proceeds, what is it all about? Just to give you a brief background about the auction proceeds, these auction

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proceeds are the money realized from the auctions of the last resort by ICANN on string contention set of applicants for the New gTLD Program.

These auction proceeds in total are about \$235 million. So now, ICANN said, "How do we spend this money?" So what we spend this money for, what are the projects that we need to use this money for? There's this kind of discussion so far since this group came together to discuss how this money would be spent.

One, ICANN came up with legal and financial considerations. These [three] considerations were just to develop the kind of principles for how these funds would be allocated for projects. Also, the purpose of that as well is just to guide the group on how the proposal and the objective would be set clear for the proposal that ICANN would be expected to use the money for.

Then in the third slide, you discover that ICANN specifically mentioned that any proposal that the group would be considered needs to fall in line with the ICANN mission [inaudible] and core businesses. So, as a result of that, there have been different kinds of topics and discussions on how the money would be allocated.

Also, there is a guideline and proposed principles set by the CCWG in line with the ICANN mission and the Bylaws. One of the concerns raised is about the private [debit] of individuals who will participate in this auction proceed.

Then three, they mentioned that the money should not be used for political activities. Also, the ICANN say that the money should not be

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used for lobby activities. And also, there is a discussion about conflict of interest consideration, then procedural concern as well.

If you look at the slide, at the bottom of this slide there is a link that is provided there. This link will give details about this auction proceed in terms of legal and financial principles set up by the ICANN.

And the fifth slide of this documentation, there is investment management presented by ICANN Legal Team to the group. The ICANN Legal Team says that the current auction proceed investment has been allocated to some managers around the world, and on the fifth [graph] we see that there is a pie chart mentioning the managers that are in charge of these funds. There's 28% allocated to Deutsche Bank, 28% to U.S. Bank Of, and another 44% to Northern Trust.

Also, as of March 24<sup>th</sup>, 2017, the table indicates the portfolio characteristics of this investment management according to the ICANN Legal and the Financial Staff.

So now in general, the proposed objectives for the fund allocation for the CCWG Team was set along that the funds should be first used to distribute evolution and structure of projects that support the Internet's unique identifiers. Two, they said the funds must be used to develop capacity in underserved populations. And the third part of it said the money should be used to benefit the open Internet and [inaudible].

So this discussion in general is just about what projects do we expect these funds to be used for. This came up with the idea about, "Okay, let us use this money for a particular project." What is going to be the project? What is the project all about? So the idea came up from the

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group that we should adopt the open Internet definition by the ISOC global organization.

This open Internet definition has been the basis for the gTLD Auction Proceeds Team to adopt. So when you look at the Google link I had in slide seven, there are two links where people who are participants of the group have been discussing about the open Internet, and also briefly, the idea came up, “Okay, should we define this definition in terms of interoperable Internet rather than open Internet?” [inaudible]

There are different kinds of topics and suggestions from participants all around the world. The one major concern about this is, one, everybody is concerned that, “Okay, we can’t fund this project based on ICANN mission only.” But some people are suggesting that if we go along with ICANN mission only, there’s going to be a way where DNS – which is the core ICANN business – we will exclude that totally as part of the project.

So a few people volunteered to draft a definition about either the open Internet or interoperable Internet, which would form the basis of the objective for the gTLD Auction Proceeds group who will draft the definition for the funds to be used with regard to ICANN objectives.

Then the last meeting that was held about two weeks ago, ICANN came up with the idea that, “Okay, there’s going to be a kind of rule. Different options are available for ICANN to participate in this gTLD auction proceed.” One, ICANN will be involved in [solicitation] and evaluation of proposals, and also the development process.

So how will ICANN involve in process? Well, you look at the ninth slide, an idea came up by ICANN that, okay, if ICANN should be part of this



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auction proceeds initiative, then ICANN said they need to form an ICANN foundation.

So if ICANN foundation be in place, and ICANN foundation would be the policy, guidance and the procedures oversight and audits around this auction proceed in terms of recipient, how maybe individual proposals would be selected, and what are the procedures to choose the project, how the money will be disbursed.

So this is the whole idea ICANN came up in the last meeting that, “Okay, yes, we are going to be involved in this meeting and in this initiative, but what are the rules that we are expecting ICANN to perform?” Or in terms of solicitation and evaluation of proposal, and the disbursement process.

Then ICANN came up with this in the last slide, and I said there are scenarios that ICANN would get involved. And this is going to be cost implication in terms of resource impact. So ICANN now produce a kind of [inaudible] governance application process, disbursement process, then operational cost as well.

So if ICANN will be involved, we’re going to be [internal] to ICANN only. That means the only option that is left for ICANN is ICANN should be involved in this initiative in terms of disbursement and selection of proposals. Then ICANN [participation] will be the best option to undo this issue.

If you look at the last slide, in the first column, column one, that is [internal] relating to ICANN foundation, internal resources will be used by ICANN [inaudible] governance, yes. Then for external resources, the

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ICANN will not be – there won't be external resources needed in terms of if ICANN foundation should be set up on that.

In the second column of the scenario, then ICANN said, "Okay, if it has to be ICANN and the other organization may be outsourced to any other organization, there's going to be a kind of [inaudible] model which has to be one. ICANN would be involved by using the internal resources and it'll be the outsourced team that'll get involved who will be part of the external resources needed.

Then the third column [inaudible] the third scenario where the – why not outsource this outright without the need of any other party involved? So it's without the use of internal resources or external resources. So if ICANN should get involved, there is going to be an outright oversight to be taken by ICANN. Then the fourth column is going to be fully outsourced with no oversight.

But the conclusion the gTLD Auction Proceeds Group reached in the last meeting was that they are going to deliberate on this, on the first, second and third column of the scenario to determine whether the auction proceeds should be handled completely by ICANN, to be through ICANN foundation – who knows. They are [inaudible] talking about yet. Or go through the [inaudible] which is the second column or fully outsource, in which ICANN will not be take over the responsibility of oversight in this case.

So that has been the discussion so far, but the major issues now, there are two issues to be discussed in the next meeting, and I think that all participants will get involved in this. We need to determine who and

which of these scenarios will be chosen by the group, and also to draft the definition in terms of whether the group will go with open Internet or interoperable Internet definition.

So these are the two key issues that the group will discuss in their next meeting. But the whole group has been aware that any proposal of any objective that the team would draft, or whatever statement or whatever definition they would come up with has to go in line with the ICANN mission.

That has been the [mean], the cause of the matter so far, and the whole group has been aware of this and this will form the basis of the discussion in the next meeting and to choose which scenario the group will adopt whether to give ICANN the outright task to do or not, we don't know yet, but the discussion will start on that maybe at ICANN60 meeting in Abu Dhabi. We don't know.

But one thing that ICANN Board said that was a letter sent to the group. This letter was written on the 1<sup>st</sup> of September, so this is just about repeating what the ICANN Board is expecting the [inaudible] recommendation in terms of conflict of interest. So the recommendations given by ICANN were just for the CCWG Auction Proceeds Team is just for them to look at the Review Team working policy in terms of how they solve the conflict of interest.

So that was one single recommendation given by the Board in terms of the response to the letter written by this gTLD Auction Proceeds team in March. Their recommendation was just, "Okay, if you want to resolve the conflict of interest policy, you should use a template by the Review

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Teams for ICANN. That template is available in public and the team [inaudible] gTLD Auction Proceeds Team.”

I won't discuss that, but although some members are concerned whether to withdraw some participants and where [inaudible] participating. So, all these issues are going to be resolved later on. Thank you very much.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this very thorough presentation, Wale. I'm a bit concerned about the time we're reaching, the top of the hour, but the presentation – I would just ask that we have a link in our agenda to that slide deck, and I don't think that we have much time for a follow-up discussion on this, but if I could ask everyone to follow up on the discussion on the mailing list.

This again of course is a heads up for a discussion that is going to arrive on our desk very soon, because the Auction Proceeds Working Group will not move forward without having a public consultation. And so it's great to have that heads up, and perhaps we will be able to point some people to this presentation in the near future when we actually have to comment on these points.

I don't see anyone putting their hand up. It's worth noting that there are a number of other people who are involved in this topic who are from the EURALO community. As you know, Sébastien has been involved in many of the different working groups, including this one. So it's great to see that we've got good representation.

Let's please move on. I just had one thing I wanted to ask though. On the presentation, you mentioned the open Internet. And there is a link at the bottom of the page which sends us to a review of examples, a Google Doc that has got a review of examples that also mentions the open Internet, that this is treated elsewhere. I can't find where the elsewhere is. So if you can either type it in the chat or let us know later on, because I couldn't find the correct link on this. Perhaps the link was the wrong link. I don't know, I might have clicked on the wrong thing.

Quickly now, we have only – well, we're already over time, which is terrible. There are two more things that we need to talk about. Three, actually. Goodness. First, a quick update on the EURALO Bylaws Task Force. We have Erich Schweighofer with us. And I don't know, Florian isn't, but Erich, would you be able to give us a two-minute update please on what's been going on in the EURALO Bylaws Task Force? Erich Schweighofer.

ERICH SCHWEIGHOFER:

Thank you. Yes, we are moving some milestones, some draft Bylaws. We discussed, our community, there's this topic on voting that we haven't got consensus yet, and [inaudible] discussing with the whole group. It's mostly the question of sleeping members and quorum, and there was discussed a proposal that inactive members may have no voting rights for a while.

Then the other one, this settlement has been [solved,] and there will be some alignment that ICANN [rules on] RALOs, so we just mostly copy-paste what's in other regional At-Large organizations, and maybe also

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move to the draft rules of procedure. So hopefully, there'll be a call next month, and then we have some set of documents to be discussed on our calls, and hopefully we achieve the legal [inaudible] we need for signing this Memorandum of Understanding with RIPE. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Erich. I just wanted to recognize the amount of work that is being done here. Rewriting Bylaws in our European environment isn't quite that easy. We've had some other RALOs that have been spending time redrafting their Bylaws. Some have made it very light indeed, but I think that the culture and also the environment that we are in and that EURALO [evolves] in requires some very thorough – lightweight but thorough – Bylaws, and that's why we're going through them with a very fine-tooth comb. So I'm very thankful for you and your team, including Wolf and Florian to focus on this. And of course everyone who's taking part in those calls.

It's not exciting calls, but I think overall it's going to come out with some nice, good set of Bylaws that are quite professional and that will allow EURALO to continue its evolution.

Next is the update on the hot topics, and EURALO strategy. For this, what I was going to do I think is the easiest way is if I was to share my screen. So then I can just scroll in time. We've got this. This one is just the document, it doesn't actually have the comments. So that's why the only way to actually have the comments is to share one's own screen.

So you're going to be having a look into my own screen which is right here. And so we have a document. First with the EURALO hot topics.

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Can you all see this, by the way? Could someone let me know if this is seen now? You can see my desk, can you?

EVIN ERDOŽDU:

Hi, Olivier. Yes, we can see it just fine. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Okay. Fantastic. Thank you. So first, I'd like to thank everyone for having put in their comments and made amendments to the document. Just as a quick thing, the basis of this document was last year's EURALO hot topics document, and so the question was whether we needed to make any amendments on this.

The document looks very similar to last year's one because topics are not cooling off that quickly, but we've added a few more things to it. And so just scrolling down, we made of course a few amendments on the points. The background is exactly the same.

The policy issues for the end users, the first thing that we've really added is this, the General Data Protection Regulation, the GDPR as you know is something that has really affected ICANN or is affecting ICANN in a big way because of WHOIS. WHOIS being the database – this big database in fact – that can be consulted in a certain way that then provides the details of the registrant of the domain name.

That's presented just as a one-size-fits-all scenario, so companies, individuals, large organizations, not-for-profit, they're all subject to the same WHOIS requirements and so they need to provide full details.

With the GDPR, things are going to change a lot, and so this has been now appended, and with a link to the ICANN process that is currently dealing with this GDPR discussion. And there's going to be a big discussion in Abu Dhabi about this, so process to be continued.

Why should end users care? We've also added this. And you'll notice I've put it in bold, because it just makes it that much more important. The issue of GDPR seems to be completely dwarfing the registrar data retention waiver and the WHOIS conflict of interest with national privacy law. And so the work that's going on in these working groups seems to have shifted completely on to the GDPR, and no one is moving until the GDPR thing is worked out.

And of course, why? Because ICANN communities can always push things to the next year, but the GDPR is starting in 2019, and if you as a company or an organization are not compliant and you're notified as not being complaint, you have a very short amount of time to become compliant. And if you do not comply, then you're hit with a huge fine which I understand is 3% of your income. And that could be millions of euros. That always gets people to wake up.

The next thing, the second topic was jurisdiction. There wasn't very much added. Oh, what I've also added, by the way and that was recommended was also to extend the discussion on GDPR. You see a little one here. [inaudible] there's a footnote. The footnote here tells us about what it is – let's see, can you see this a little bit bigger? There you go – which is to monitor also what's going on with the EU telecoms and data protection frameworks to ensure about communication over public networks to maintain fundamental rights with a high level of data

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protection and privacy regardless of the technology being used. There's a whole amount of things going on.

That stuff is actually arriving after the GDPR, so it seems as though the GDPR is going to be the first thing that we're dealing with, and then there's something else afterwards.

UNIDENTIFIED MALE: [inaudible]

OLIVIER CRÉPIN-LEBLOND: I think someone needs to be muted on this. I can hear a keyboard. Anyway, next, Human Rights. There hasn't been very much change on this. It's the same. We've just updated it with what's happened in August 2017 and with updates on the CCWG on Accountability Human Rights Subteam. So that's all up to date. Why should end users and European end users care? Same as previous years.

How ICANN needs to defend the public interest, this hasn't changed. Wolf Ludwig is still leading this group on the public interest in ICANN, and there is going to be some discussion going on in Abu Dhabi on this. So I think that's a very important topic for Europeans.

Root zone label generation rules in Cyrillic, Greek and Latin scripts. That work is ongoing as well, so that still remains. And then we've updated the outreach and engagement activities in Europe of course with what's happened in this past year, and with the ongoing work that goes on. And we've updated of course the link to the outreach strategic plan,

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which is now on the wiki and ready for action for our community regional outreach program travel slots.

That's the hot topics document. Are there any last-minute comments or questions on this document? Let me get out of the – am I still sharing my screen? [I probably am]. There we go, stopped sharing. Any comments? I see Sébastien Bachollet. You have the floor.

SÉBASTIEN BACHOLLET:

Thank you, Olivier. Yes, I have one question, it's that we're still not talking about WHOIS data. [At the same time there's] work on the registry data services, and I wonder if we don't need to talk about both and not just one of those two. I hope that one day, WHOIS will go out of our way and [inaudible] precedent, but it's not yet the case. But I think we need to add both even in the title. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thanks for this, Sébastien. Point taken, and we'll add this then. Registration directory services. You're very correct that we need to include both the WHOIS which is the old system and the RDS, Registration Data Services, which is the new system, whatever it will be ultimately. And the two of course are running in parallel. Or not running at the moment, but the two are being worked on in parallel. I'll add this after this call. Thanks for pointing this out.

That was the first one. The second document is the EURALO Strategy document, and we've also received quite some input on this. Let me see if we can – am I still sharing, by the way? No, here we go, so now I'm

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going to share my screen again. And here we are. The EURALO strategy for 2017.

Again, we've had quite some input. There have been a few things that were changed. Unfortunately, I haven't got a redline copy because I've accepted all the changes. The only thing that is still a question mark is to do with this list that we have here. There was a comment from Sébastien where he says, "We will achieve our objectives by using EURALO's At-Large structures to foster the governance of Internet in a multi-stakeholder framework."

Sébastien mentioned that this shouldn't be the first strategic goal. The answer from Wale was, "What sort of order do you suggest?" And Wale mentions that the Internet technical community which ICANN belongs to makes an important point. I suggested adding, "To foster the governance of Internet identifiers in a multi-stakeholder framework." Admittedly, that frames it directly for just the Internet identifiers, which is what ICANN deals with. So that's the first point to look at. If there are any comments on this, please let us know right away in the next couple of minutes.

And the second comment is to do with the order, which order should we put this in. Does anyone have a –

EVIN ERDOĞDU:

Hi, Olivier. Oksana has raised her hand.

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OLIVIER CRÉPIN-LEBLOND: Yes, I can see Oksana. I've noticed now I click on this point and I can see people here. Oksana Prykhodko, you have the floor.

OKSANA PRYKHODKO: Thank you, Olivier. Do you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes, very well. go ahead.

OKSANA PRYKHODKO: I have one question regarding vice president on European region. We had two vice presidents before, Michael Yakushev and Jean-Jacques Sahel, and now only one. What is the influence of this change to this strategy of European community? Thank you.

OLIVIER CRÉPIN-LEBLOND: Yes. Thanks for this, Oksana. I was not aware that we only have one vice president. I thought that Alexandra Kulikova is the new vice president for Russia and CIS – I don't remember the exact name, I think it's called Russia and CIS countries. Oksana, let's have a follow-up on this, because time is ticking. I do not know the answer. Let's please bank this and put it as an action item to find out what's going on with that. Yes?

Next, I see Andrei Kolesnikov. Andrei, you have the floor. And we cannot hear Andrei at present. It looks as though your mic isn't working. There we go. We hear you. I can't hear anything, so Andre, I'm really sorry – oh, now we can hear you. Go ahead.

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ANDREI KOLESNIKOV: Yes. Michael Yakushev has resigned and Alexandra Kulikova has taken his role, but I hope that I can do much better to define the status.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks.

ANDREI KOLESNIKOV: [inaudible] is currently –

OLIVIER CRÉPIN-LEBLOND: We're getting small bits of voice from Andrei, and unfortunately, it looks as though he's dropped off. So from what I understood – you probably heard the same thing as me, it sounds like we know that Michael Yakushev has resigned and he's been replaced by Alexandra Kulikova, but we don't have an exact status of what Alexandra's position is, whether she is vice president for that part of the world or whether it's a different name for it. Let's do a follow-up on that after this call.

Going back to this document, if I could ask Sébastien as a follow-up also to please see how we can rearrange those goals, the objectives in the right order. In fact, I could ask everyone to look at that and rearrange those in the right order. Make suggestions on which order this needs to be done.

Then let's just go to the last part, the plan for the outreach and the events. The original document had a number of things listed. It was a bit

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incomplete. My suggestion was to actually just point to the EURALO Outreach Strategic Plan, which is a totally separate document and is much more thorough, and I didn't see anyone going against it, and I've sort of performed this.

This is still in a working stage, but I could just say yes and that will change things. It will just point over to the strategic plan document that's on the wiki. And Tatiana mentioned of course RightsCon 2018 is in Montreal, etc. And that would all be taken care of by pointing to the strategic plan. And that's it, really.

The ICANN events, travel support, I did ask Wale to explain because Wale was the original drafter of this. "For application for travel support per ALS representatives to attend EURALO General Assembly at ICANN meeting. One application for travel support per ALS to attend EURALO GA at ICANN meeting." If Wale you could please explain briefly this point.

WALE BAKARE: Hello.

OLIVIER CRÉPIN-LEBLOND: Yes, go ahead. We can hear you.

WALE BAKARE: All right. What I meant by that part is that maybe [inaudible] if one participant from ALS they can participate in the General Assembly in terms of support or just kind of a selection to find out those that have

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been active in At-Large activities, maybe to provide a kind of support to participants who are directly from the ALS. That is the reason why I put one travel per ALS representative. Maybe this could be Chair or the Secretary of that ALS. That is what I mean by that. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Wale. Unbeknown to you, we actually have a schedule of funded general assemblies because we can't fund general assemblies for every At-Large structure at every time one meets in a specific region. So that's why some general assemblies are funded, some of them are not.

We have had some. I believe the one in Dublin was a funded general assembly. The next big meeting is going to be the third At-Large summit taking place in Kobe in 2019, because we've been through our cycle. There's one cycle of general assemblies for each region in a five-year lifetime, and then there's a big meeting. So that's the next big thing where we'll all meet and have all the ALSes travel, etc. But I'm not sure that it's a good idea to add this perhaps here when the matter has already been discussed and has already been settled.

WALE BAKARE: Alright. Hello, can you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes. Go ahead.

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WALE BAKARE: If that is the case, I think that part should be deleted from the draft. It would be just –

OLIVIER CRÉPIN-LEBLOND: Okay, Wale.

WALE BAKARE: Is that okay?

OLIVIER CRÉPIN-LEBLOND: I'll take note of that. Yes, thanks for this, Wale. We'll delete it then. And I'll take it as an action item to follow up with you by direct e-mail and sharing with you the whole work about the general assemblies and the At-Large summit. And that's by the way – I've mentioned the At-Large summit, that's a notice for all of you because the work on this is going to start in Abu Dhabi, the preparation for the At-Large summit.

So please, it would be really important for us to be involved. The last summit took place in London, in Europe. This one takes place on the other side of the planet, but we need to have a strong and dynamic involvement of EURALO both in the preparation and in the discussions that will take place there.

So thanks very much, and we are so late now I feel ashamed about this. Let me try and end the sharing. There we are, we're back to our thing. Oksana has put her hand down, and I notice that we are 25 minutes. Need to go. I'm really sorry of the time this has taken, but we've had a



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very good turnout tonight, and I'd really like to thank you all of being on this call.

We are in Any Other Business now. I don't see anyone putting their hand up. I'd like to thank all of you for having spent the last 90 minutes together. As a follow-up to the hot topics and the strategy, I'll make the necessary amendments, then we'll share it on our mailing list as a document, and those will then be the documents for the forthcoming year.

So that's pretty much it. This is now 21:24 in France. It's 19:24 UTC. Thanks, everybody, and this call is now adjourned. Have a very good evening, everyone, and thank you for being here. See you – or some of you – in Abu Dhabi.

UNIDENTIFIED FEMALE: Thanks, everyone. Bye.

EVIN ERDOĞDU: Thank you, all. This call is now adjourned. Please don't forget to disconnect from the bridge and AC room as you leave. Thank you all very much for your participation, and have a wonderful rest of your day. Bye.

**[END OF TRANSCRIPTION]**