OLIVIER CRÉPIN-LEBLOND: Thank you, Desiree. Good morning, good afternoon, and good evening, everyone. This is the Cross Community Working Group on Internet Governance conference call of the 19th of January, 2018. We're a little late today because people are just coming in. It's the first call for this year, first call of this year for this working group.

We've got three things that we're going to be doing today. First, we'll be looking at the charter and look at the charter of the new vehicle draft. We'll see what changes there needs to be made there. Rafik will take us through this.

Then we'll have the Internet governance update from Nigel Hickson, who is currently in Geneva. Then we will be discussing the possibility of putting together a session for the forthcoming WSIS Forum this year.

So, that's the agenda for today. Let's have the role call please at the same time as well, Desiree.

DESIREE CABRERA: Okay. In the room, we have Avri Doria, Bill Drake, Greg Shatan, Judith Hellerstein. For chairs we have Olivier Crepin-LeBlond, Rafik Dammak. For staff we have Adam Peake, Laurent Ferrali, Nigel Hickson; and myself, Desiree Cabrera.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Desiree. Greg Shatan puts in the chat, "Happy New Year, according to the Gregorian Calendar." So, indeed, for anyone

who is celebrating this, and of course we just had the other New Year about 19 days ago. It feels like it's gone so fast.

Are there any changes to the agenda that we have so far in front of us? I don't see anyone putting their hand up, so let's then move swiftly to the review of the latest version of the draft of the group, whatever it's going to be called that will replace – or is likely to replace – the cross-community working group on Internet governance, if adopted of course by chartering organizations.

Rafik Dammak, you have the floor.

RAFIK DAMMAK: Can you hear me?

OLIVIER CRÉPIN-LEBLOND: We can hear you. Go ahead.

RAFIK DAMMAK: Yes, maybe just a reminder we had our last call in December and we went through the Google doc paragraph by paragraph, and we made several amendments at the time. We [inaudible] the section regarding the work plan. So, the purpose for today's call is to continue the same approach. I know that several people [inaudible] that call, but the idea is trying to go through the whole document maybe as first round and then to do maybe the [inaudible] once or twice to make some tweaking and also to check the changes that we made against the specification that we [inaudible] first place.

So, I will share if it's possible. Can I get the presenter so I can share the Google doc from my screen?

OLIVIER CRÉPIN-LEBLOND: I think that you can share anyway, Rafik. You don't need to be put as presenter. As a host, you can share as well. Somebody needs to press "stop sharing". There you go.

RAFIK DAMMAK: Can you see the Google doc?

OLIVIER CRÉPIN-LEBLOND: Yes, we can see your screen now, Rafik. We can see your screen.

RAFIK DAMMAK: We [inaudible] and this is [inaudible]. Okay. So, we [inaudible] the section regarding the work plan. It's about saying [CCG] should establish and adopt [inaudible] work plan [inaudible] should include the [inaudible] schedule of activities of the working group related to the relevant Internet governance events [inaudible] participating SOs and ACs in [inaudible] progress made by the working group. Initial work plan and schedule should be published on the webpage. The co-chair will be responsible for maintaining and updating the work plan schedule and offering the chairs of the participating SOs and ACs of changes made to the work plan and schedules.

This is one of the parts that we discussed previously is how we can have work plan [inaudible] the Internet governance issues on an ongoing basis.

The first question here. Are we fine with this current text? If not, what kind of amendments do we need to maybe add more clarification? Based on what we got from the GNSO, adding more accountability here and maybe more clarity about deliverables and what we are doing exactly. [inaudible] raising hands.

OLIVIER CRÉPIN-LEBLOND: As you're sharing your screen, if you want I can be your eyes to see if anybody has put their hand up on various points, so you can focus on sharing the document and update the document as we speak.

Whilst I have the floor, I'm quite okay with this paragraph. I'm not seeing anybody putting their hand up on this. For anybody who's just arrived, we're looking at the charter. At the moment, the paragraph [inaudible] associated schedule. Are we all okay with that?

RAFIK DAMMAK: Okay. Thanks, Olivier. So, comments here, no concern. We can move into the next paragraph. This is [inaudible] in progress. This [inaudible] I guess we need to check if it's consistent with what we said before about updates report and how we are informing or reporting to our chartering organization. So, if you say here the co-chair of the [CCWIG] [inaudible] update the participating SOs and ACs [inaudible] meetings [inaudible]

activities of the working group. In addition to an annual report and additional reporting is needed, requested.

So, basically we said that we have the annual report [inaudible] can have several. We should have the report [inaudible] before every ICANN meeting. So, I think that's consistent with what we stated before. The question is maybe it's kind of redundant. Any comments or questions here?

OLIVIER CRÉPIN-LEBLOND: No hands up.

LORI SCHULMAN: No, I have my hand up.

OLIVIER CRÉPIN-LEBLOND: Oh, Lori, it just ticked up now. Lori Schulman?

LORI SCHULMAN: Yeah, I apologize, Rafik. Hi. I know you sent this yesterday, but I'm going to own the fact that I'm not reading it until right now, so if this is occurring later, just tell me later. When it says a minimum update, should we put actually a minimum in, like twice a year or something like that to make very clear on accountability since that's been a question?

RAFIK DAMMAK: Okay. Thanks, Lori. I think above we said that we will report [inaudible] before every ICANN meeting, so maybe if we can reward in the way that [inaudible] gave that it should be done for every ICANN meeting [inaudible] some wording here.

LORI SCHULMAN: Yeah. Well, if it is referenced above – and I can't see that on the screen now – what I would say is … Wait, let me look at the wording. The co-chairs of the [CCGLD] according to the charter or according to whatever, it says up there, Rafik, say report a minimum three times a year.

GREG SHATAN: Lori, it said ICANN meetings after SOs and ACs, so I think you can just change that to at each I have meeting or at every ICANN meeting. You don't need to say [inaudible] times a year.

LORI SCHULMAN: Yeah. Okay, that's fine, Greg. I just wanted to make sure that it's synched up with what the top said and I don't see the top at the moment on the screen.

RAFIK DAMMAK: Okay. So, maybe just highlight. This is the one I was talking about.

LORI SCHULMAN: My general comment would be wherever it says at a minimum to always say what the minimum is again, so there aren't questions about accountability.

RAFIK DAMMAK: Okay.

OLIVIER CRÉPIN-LEBLOND: Thanks, Lori.

RAFIK DAMMAK: Yeah. Just edit each or every maybe ICANN meeting.   Yes, Olivier?

OLIVIER CRÉPIN-LEBLOND: I see Greg's hand is up.

GREG SHATAN: Thanks.

RAFIK DAMMAK: Yes. Please go ahead.

GREG SHATAN: Yes, I just wanted to suggest a couple of things with regard to this sentence. One, in terms of the report, should we say, specify, that it's a written report? Otherwise, it could be interpreted as being only an oral

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report and I think we need to be specific that there will be something in writing.

Further, to Lori's concern, we could put the "at a minimum" closer to the "at each ICANN meeting" so it's a little more clear what the minimum is. Thanks.

RAFIK DAMMAK: Okay. Thanks, Greg. So, I guess the expectation here, I think we said about what we call Internet governance update report. That should be [inaudible] report. This is maybe, let's say, a presentation. Olivier, what do you think?

OLIVIER CRÉPIN-LEBLOND: Thanks, Rafik. I'm looking at this. My feeling is that the request was made that there would be more than just an update, a progress paper, every now and then. If you look at cross-community working groups and cross-community work, written reports do come in quite regularly. I could imagine that at a minimum before each ICANN meeting, we would need to not only have a presentation, but also some kind of a written update that would be sent to each one of the SOs and ACs in advance before the ICANN meeting is due to take place. So, that could be shared and then these people would be – then, at that point, that opens the door to being asked questions that would be prepared in advance by people attending the ICANN meeting. I don't think that producing one annual report per year for something that is as important as Internet governance would certainly a certain part of reporting as to what's going on out there. I don't think the annual report is that piece of

reporting that we need to produce. I think we need to produce more regular updates if this group is to be seen as having any worth towards its chartering organizations. Thanks.

RAFIK DAMMAK: Okay. Thanks, Olivier. So, [inaudible]. In deliverable, we talked about the Internet governance update [inaudible] and annual report. So, [inaudible] the co-chair of CCIG should present updates to the reporting – how to say? Updates to the participating SOs and ACs at minimum at each ICANN meeting for the activities of the working group in addition to the annual report and the [inaudible] reports. So, maybe to add that. [inaudible] ask the co-chair to [inaudible].

OLIVIER CRÉPIN-LEBLOND: If we are to say this, then yes. We can specify what reports are given when, and then that will give us more of a chance. I think there's a huge delay by the way when I speak and you hear me because it takes about four or five seconds until you hear what I'm saying.

Lori Schulman has raised her hand.

RAFIK DAMMAK: Anyone in the queue?

LORI SCHULMAN: Yes. I just put a suggestion into the chat that maybe the group should obligate itself to provide reports two weeks before each face-to-face

ICANN. Maybe put a timeframe around that as well, either two weeks or one week.

I know IGF is a big meeting, but that comes after. I'm trying to think. Are there any big meetings that come right before ICANN meetings where this would hurt the group to have that obligation. I don't think so. IGF comes after … Well, WSIS has been changed, so I don't know anymore about WSIS. [inaudible] is after. The regional IGFs are all year long. I'm thinking if we said two weeks, it would be a good timeframe.

RAFIK DAMMAK: Okay.

OLIVIER CRÉPIN-LEBLOND: For the record, Nigel has put in the chat two weeks is good.

RAFIK DAMMAK: Okay. I added that. Are we fine with this now, the kind of [context].

OLIVIER CRÉPIN-LEBLOND: There's a question from Bill. Is this group going to organize a WSIS Forum workshop again? We'll find out in a few minutes when we discuss this later on during today's call. I'm not seeing any other comments on this.

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RAFIK DAMMAK: Okay, I guess there is no further comment. I guess we can go to the next. At appropriate times, as identified in the work plan, the working group shall produce a progress report [inaudible] community on its activities [inaudible] end reports to their respective appointing SOs and ACs … Okay.

We are getting more and more updates here. Maybe [inaudible] because we are talking about we have annual reports, the update reports [inaudible] for each ICANN meeting, the presentations that the co-chairs made in the SOs and ACs. And here we are also talking about progress paper, so it's something else. I'm not sure we are describing it in the deliverable. Any thoughts on this? It looks like maybe it's overlapping. Maybe we need to elaborate more here what we mean by progress paper, compared to the other reports or updates.

Olivier? Olivier, we cannot hear you.

LORI SCHULMAN: He keeps dropping off on my side. Olivier, are you back?

OLIVIER CRÉPIN-LEBLOND: Sorry about this. I dropped out for the second time. I keep on being reminded that this is the wrong time to be on the phone in the UK.

Rafik, I wanted to answer the question that you [inaudible]. Can you hear me?

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JUDITH HELLERSTEIN:	Olivier, you're coming in clear.
RAFIK DAMMAK:	Olivier, please go ahead.
OLIVIER CRÉPIN-LEBLOND:	Thanks. I just get a little confused with Rafik answering in the middle of when I speak. I'm not sure if I'm the only one who's in a different timescale.

Anyway, I was just going to say, Rafik, in response to your question regarding all the reporting and additional reporting and so on, I think that altogether we should perhaps – and maybe we don't need to do that now whilst we're all on the phone, but someone needs to go through it and find out if there's any part of it that adds to the overall schedule of reporting that we're looking at.

As far as I understand it, there would be the regular Internet governance update reports that would be presented at least before the ICANN meetings because it says at a minimum, at each ICANN meetings with an annual report being provided once a year. Hence, the name annual reports. But, the group should be getting the regular update reports at least two weeks before each ICANN meeting.

But, in addition to this – and I think that this is quite important – I'm sure there would be other things that would be shared by staff and others on the mailing list, and it is a duty of the CCG members to liaise with and report on anything of importance that's been happening in the group back to their respective SOs and ACs. I'm not saying that this adds

to any reporting, but it certainly adds to the communication, the feedback that the chartering SOs and ACs would have regarding the work of this working group. Is that how everyone else sees it?

NIGEL HICKSON: Olivier?

OLIVIER CRÉPIN-LEBLOND: Yes. Go ahead, Nigel.

NIGEL HICKSON: Yes, good afternoon. Sorry, there's a bit of noise here, so I'll be brief. Yes, I think we should allow at least space for the provision of ad hoc reports on issues that have been discussed within the group or discussed at face-to-face meetings – that's probably the same thing – etc. And also on any deliberations or something like that from the board working group or something to that [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Nigel. I believe this is covered by five and six on the screen that Rafik is currently sharing. Ad hoc communications based on need and urgency on a given IG matter and list of Internet governance and policies [inaudible] relevant to ICANN and its mission. Perhaps that would be relevant to ICANN, the ICANN board. ICANN and its mission and the ICANN board, or do we see as relevant to ICANN and its mission including the ICANN board?

RAFIK DAMMAK:	Sorry, Olivier. Are you proposing some changes here?
OLIVIER CRÉPIN-LEBLOND:	I'm just asking a question.
RAFIK DAMMAK:	Sorry, I'm asking if you are proposing some changes.

OLIVIER CRÉPIN-LEBLOND:　No. I'm not proposing changes. I'm saying that what Nigel was suggesting is an ad hoc commission based on need and urgency of a given IG matter. And on six, a list of Internet governance and policy issues, events, and foras relevant to ICANN and its mission. My understanding that includes anything that the ICANN Board Working Group on Internet Governance raises. I was not proposing that we make any changes there. I was asking if anybody else thinks that there should be a change or if Nigel thinks that there needs to be an amendment to any of the parts which are currently on the screen which you're sharing.

Nigel mentions here, "No change required. It seems okay regarding six." [inaudible] move on.

RAFIK DAMMAK:　Reading here, it seems [inaudible]. I think this section seems like it's about more informing the broader community, in particular the

representatives to their respective groups. That's why maybe the progress paper. But, calling it a progress paper [inaudible] add more confusion. Maybe a different [inaudible] would be helpful here.

I don't see anyone in the queue. Any comments? I guess we'll leave it as it is for now.

OLIVIER CRÉPIN-LEBLOND: I think you can leave it as it is for now.

RAFIK DAMMAK: [inaudible]. Okay.

OLIVIER CRÉPIN-LEBLOND: There's a five second lag when I speak.

RAFIK DAMMAK: Okay. So, section number four, [inaudible] public consultation, development of position paper or statement. The CCIG in discussion with the SOs and ACs may publish for public consultation within the ICANN community, and papers and other relevant documents for consideration for the community. [inaudible] consultations could include [inaudible] interim paper which will contain a review and analysis of the topics [inaudible] relevant and/or draft statement. This document will be published for public consultation of the [inaudible] designated in the working group work plan.

Any comments on this? Are we find that we can have public consultation? We [inaudible] to make it clear that we need to have SOs and ACs before we proceed with public comment.

Anyone in the queue?

OLIVIER CRÉPIN-LEBLOND: Rafik, at the moment, I'm not seeing anybody in the queue. Lori has problems following your screen for some reason. But, I've just put a link over to the Google doc. In the Google doc, we're now on page number six, at the beginning of page number six.

The beginning of page six asks – mentions – that the CCIG in discussion with the SOs and ACs may publish for public consultations within the ICANN community position papers and other relevant documents for consideration by the community.

Now, there was quite some discussion in our recent meetings regarding the fact if the CCG could publish consultant – well, position papers and so on or not. But, this here I think has taken away the "at its own discretion". I think the CCG in discussion with the SOs and ACs may publish for public consultation within the ICANN community position papers and other relevant fora for consideration by the community seems to be, as far as I'm concerned, quite fine. I don't know how anybody else takes to that.

LORI SCHULMAN: I sort of do. Do people here me?

OLIVIER CRÉPIN-LEBLOND: Yes, very well. Absolutely.

LORI SCHULMAN: Yeah, I'm sorry. For some reason, I can't see the hands. I apologize for not raising my hand, but we're a small group. What concerns me about that wording is does that then trigger an SO/AC process and do all the SOs and ACs have to agree in order for something to be published?

I understand how in its own discretion would raise some concerns, but then I think in discussion with the SOs and ACs also raises or opens the door for more procedure. I'm not sure how to reconcile that, unless we lay out an SO/AC procedure. You're talking about a lot of input.

OLIVIER CRÉPIN-LEBLOND: Have we lost Rafik? Is he still here? I can't hear Rafik at the moment.

RAFIK DAMMAK: Thanks, Lori. Okay. I think I understand the comment here, but I think we added this because there was a concern that [inaudible] we may draft position paper on behalf of the community. This is why I think we added here this process to be sure that we get the green light from the SOs and ACs [our] chartering organization to [inaudible] public consultation. I'm not sure that it may happen in the future, but yes, just a safeguard. I understand that maybe [inaudible] procedures can add more burden here, maybe more delay.

Anyone in the queue? Any comments on this? Olivier?

OLIVIER CRÉPIN-LEBLOND: Thanks, Rafik. I haven't gotten any further comments. I understand the dilemma that we've got here. On the one side, there have been voices to say, look, we do not want this group to write a position paper and be our voice, if you want, without actually having any proper procedure or something to be our voice on anything. So, when we do a public consultation, usually public consultations are carried out using a specific process by which the group that is carrying out the public consultation has been chartered on one side and is given the ability to launch a public consultation. On this occasion, I'm not sure how this is actually worded.

What I understand from Lori, and I agree with her actually, there is a concern that if one says, well, the CCG in discussion with the SO and AC may publish for public consultation, then at that point does it mean that it requires the green light from each one of the SOs and ACs? What if one of all the chartering organizations does not respond or doesn't want a consultation to take place? Do you need full agreement, etc.?

We have to think of a way out on this one. I don't know if Greg or anybody has some wording for this, someone who has a bit more knowledge about these things.

No one has put their hand up so far. We might have lost Rafik altogether because I note that he is not online anymore.

Greg Shatan, you have the floor.

GREG SHATAN: Thanks. I would interpret "in discussion with" as not creating any sort of veto power automatically by any SO or AC. I think we should be specific that it's the chartering SOs and ACs unless that's defined this way earlier in the document, since some SOs and ACs may not charter this group conceivably. But, I would say that in discussion with this kind of agreement, we often use the term "in consultation". It basically means we're going to talk to you and we're going to listen to you, but we might not do anything you say. As opposed to an approval right, which is stronger stuff.

I don't know if we want to rely on the idea that "in discussion with" means that we will keep them informed. Well, maybe we should actually say keep them informed. Maybe that's a more direct way to say it is that we'll keep the SOs and ACs informed during the development, as appropriate, of any position paper. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Greg. Does that go far enough, though, to inform the chartering SOs and ACs? I thought that there was some element of [inaudible] we explicitly want to be able to say yes or no each time.

GREG SHATAN: I think if we want to actually give them an approval right, then we should say so. Keeping them informed gives them the ability to say no, and doesn't expressly say that we will ignore them. Indeed, the general idea of a chartered group, it can't ignore the chartering organization. So,

I think we're covered more generally by that. I think it needs to [direct] a concern that we're going to go off and do stuff that nobody knows about, and all of a sudden it just appears.

I would suggest that keeping them informed or duly informed should be sufficient, although I agree it does not create an absolute veto or approval right for the SOs and ACs but I don't want to go too far because then it becomes overly formal and structured. I think giving them the opportunity to weigh in by keeping them informed and to tell us that we're off track should be sufficient. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Greg. Looking at the text that is in front of us, where would you insert that text? And if you have the ability, would you just please add it?

And Rafik, are you back with us?

LORI SCHULMAN: Olivier?

OLIVIER CRÉPIN-LEBLOND: Lori, I'll come to you in a second.

RAFIK DAMMAK: Olivier, I'm back on the call.

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OLIVIER CRÉPIN-LEBLOND:	You're back, okay. I don't know whether you've heard what we have here. I'll hand the floor over to Lori. I'm sharing my screen now. Do you want to go back to sharing your screen?

RAFIK DAMMAK:	Okay. I listened to the comment from Greg. I do agree with it. [inaudible] after informing SOs and ACs. Yeah. I also see that Lori is suggesting another wording. Maybe you can give her the floor first and come back to the discussion. Yes, Lori. Please go ahead.

OLIVIER CRÉPIN-LEBLOND:	Lori, you have the floor.

LORI SCHULMAN:	Yes. I typed in a wording option that's a little more formal than what Greg had discussed in terms of informing, but my suggested wording is maybe we allow for a process, but not require a process. Maybe something should be said that in the even that the CCIG wishes to draft and adopt an ICANN policy on [IEG] – that's just my shorthand for now – the CCEG shall contact the chartering organizations and agree upon timeframes for input and inclusion as appropriate to the proposed task. That, to me, opens the door for more or less process, but also recognizes that it's important that we reach out, and to Greg's point, that we're not drafting documents overnight, so to speak. I thought that might be a good middle approach.

RAFIK DAMMAK: Thanks, Lori.

OLIVIER CRÉPIN-LEBLOND: I cut and pasted it.

RAFIK DAMMAK: Thanks, Olivier. I think here that we are not talking about public consultation. We keep it our options open. So, we may need also to change the text after that.

LORI SCHULMAN: Yeah. Rafik, that's exactly right. That was my point. It allows us and the SO/AC leaders some flexibility because I would imagine there are some tasks that would require very thoughtful and extended periods of comments that the other tasks, let's say in preparation for a specific meeting on workshops, where we may be talking about a policy but it's not a new policy or not something that requires extensive development. I think there should be some sort of gauge in terms of what the task is before committing to how a public consultation may or may not work or even be appropriate.

RAFIK DAMMAK: Thanks, Lori. Seems okay. I'm fine with this. Any comment or reaction to this one, to this [inaudible]? I don't see any, so we can make this change for now. Since I think we reached the half of the call and there are other agenda items, I was going to propose we can stop here and to continue

in other calls, and to continue with the rest of the agenda. Olivier, what do you think?

OLIVIER CRÉPIN-LEBLOND: Rafik, if there was anything else that you … Because you have several things to rewrite here. Is there anything else in the paper, in this document, that burns to be rewritten that you'd just like to ask us a question about it?

RAFIK DAMMAK: Not really. [inaudible] just to make the changes where we are going through the document. There is no comment on the next section.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks for this then, Rafik. That's good point then to stop reviewing the charter. If I could just ask everyone, because this is a Google doc, if you have started reading this document, if you can spend a few minutes after the call maybe to give it a quick read-through and add your points over to – as a comment on the side of the paper, that really helps between so that we can have some movement forward on this and have it ready very soon.

When is the deadline for us to have a finalized proposed charter to send out to the SOs and ACs, Rafik? Have we lost Rafik, again?

RAFIK DAMMAK: I'm here.

OLIVIER CRÉPIN-LEBLOND: I asked you what is the timeline by which this draft needs to be shared with SOs and ACs?

RAFIK DAMMAK: Our deadline is to submit by the GNSO conference call in February and to check – the deadline should be ten days before. So, we have to do that by the 12th of February. We have less than one month to finish and to submit the proposal.

OLIVIER CRÉPIN-LEBLOND: Let's then start. I note that there is something going on in the chat as well. Please, Rafik, you can read the chat regarding that point that we were looking at regarding drafting policy.

In the meantime, have everyone else write in the chat and commenting on the paper. At the same time, we would probably need to have another call very soon on this, within the next couple of weeks then to move this thing along. Perhaps not the full group, but anybody who is interested of the drafting of the charter should join. Are we okay with this?

RAFIK DAMMAK: I'm fine with that, yeah.

OLIVIER CRÉPIN-LEBLOND: Okay, perfect, then let's do that. I'll stop sharing my screen now, if I can find a way to do so. Okay. So, thanks very much for this, Rafik. We have to move on with the rest of our agenda. This, as we said, was going to be a 90-minute call. We'll try and be a bit faster so as to not use up the full 90 minutes.

The next part of the agenda is the Internet governance update, the IG update, with Nigel Hickson providing us with some updates on the latest, including perhaps even what's going on today at the ITU. Nigel, if you have the ability to speak, you have the floor.

NIGEL HICKSON: Yeah. Thank you very much, indeed. Yes, we're at the ITU. So, beginning of this year there's a number of things happening at the ITU including working groups and council working groups. This week and the last three days we've been having the expert working group on ITRs. The ITRs, the International Telecommunication Regulations, as some of you will recall – well, I think everyone probably recalls – these were amended at the WCIT in 2012 in Dubai. They were adopted by about half or slightly less than half of the ITU membership.

The aim of this expert working group isn't to draft new ITRs or to comment on the need for new ITRs, but to look as to whether there's a fundamental problem in having some countries having adopted the 2012 ITRs while others are abiding by the 1988 ITRs. That's what the working group has been looking at. This is the third meeting and this meeting has fundamentally been looking at the report from the working

group that will go to a council in April. There will be one-third [inaudible] of this working group in early April.

Essentially, it seems that the report will say that there isn't significant evidence that there is a problem. Clearly, it's not ideal to have two sets of international telecommunication regulations, but because the regulation themselves [inaudible] on so little Internet traffic or so little communications traffic – perhaps 1% of traffic covered by the regulations, the rest of the traffic is organized in a competitive market environment. So, the report will probably not say that there's a fundamental problem. But, this is just a report on that.

Separately, the plenipotentiary will be faced with a decision on whether a new WCIT should be called to discuss updates to the ITRs to cover all sorts of things like Internet and cybersecurity and a number of other issues. So, lots to discuss on this. When we've concluded these discussions, I'll put a note to the working group.

Next week at the ITU, we have an open consultation on Monday. The open consultation is on the gender divide and ICANN has submitted a paper on the gender divide. Something you might recall, that ICANN did some work in the community on the gender divide in the ICANN community and we submitted that work, which ICANN did on that.

Then, later in the week, there's the WCIT Council Working Group that will primarily focus on what's going to happen in the WSIS Forum, which we'll discuss later.

Then, at the end of the week, there's the Council Working Group on Internet Public Policy. Again, with a fairly light agenda, but we'll discuss

what should take place in the next open consultation session, what the topic of the open consultation session should be. One of the proposals is that there should be a further consultation. There was one before on over the top services, perhaps in a bit more detail. So, we'll see what happens there.

Please jump in if there are any questions, but I've only just got a couple of more things to say I think, really.

The following week, so right at the end of January, we have two days – or is it three days? I think it's three days, the 29th to the 31st of January. On the final meeting of the working group of the CSTD. So, the CSTD set up a working group on enhanced coordination. This was the issue that was opened up at the WSIS back in 2005 and has still not been really resolved in some people's minds. So, the working group on enhanced coordination has its final meeting at the end of January, and that again is [inaudible] a report that goes to the CSTD and then will go to [inaudible] general assembly later in the year. It's uncertain what that report is going to say. There's no consensus in the group at all. Some people in the working group want a [inaudible] mechanism to discuss Internet governance issues, while obviously a lot of people don't want a new mechanism. So, again, we'll be providing updates on that. I did circulate the group the latest chairman's text that will be considered at that meeting.

I think I'll stop there, unless there's any questions.

EN

OLIVIER CRÉPIN-LEBLOND: Okay, thanks very much for this, Nigel. Are there any questions for this? I don't see anybody putting their hand up yet. I had a question on whether here was anything specific that we needed to be alert of or alerted by, focusing on that we might be asked to comment on or take action on in the next three months, and indeed before the next ICANN meeting.

NIGEL HICKSON: Yeah. Thank you very much, Olivier. I think it's a very good question. I don't possess an expert view on this. Clearly, if the CSTD Working Group [inaudible] a report, which you like have recommendations in them that were treading on the mission of ICANN – I don't think it will – then we would need to engage in the sense that that report then would have to be agreed at the CSTD in April where governments also sit around the table and therefore there will be enough [inaudible] to ensure that something is done about it. There could be something there, but I don't think that's going to be the question.

On the ITU working groups this week and next week, I don't think there's that sort of problem.

There are other activities taking place in the OECD, and [UNESCO] in the next couple of months. But again, these are fairly high-level activities. I' not saying they're not important. All I'm saying is I don't think they have operational implications for ICANN, so to speak. But, please, [inaudible] on the call [inaudible] should be able to jump in of course.

EN

OLIVIER CRÉPIN-LEBLOND: Speaking specifically about the ITRs, if more countries ratify them, does that not put ICANN in a sensitive situation on some of the contents of these ITRs?

NIGEL HICKSON: Well, you ask, Olivier. You should be here. I'm suggesting you should be here. I wouldn't inflect that on a friend. This has been part of the crux of the question here. Essentially, the 1988 ITRs said things about accounting rates and things like that, but that was in the past, if you like. The 2012 ITRs said things about unsolicited e-mail and a few other issues. So, let's take unsolicited e-mails.

Those 80 or 90 countries or whatever that signed onto the 2012 ITRs should have adopted provisions that do something about unsolicited e-mails. In fact, those countries have provisions already in their national law, so it's not a great issue.

But, that demonstrates that you do get the dichotomy, if you like, between some countries following one set of regulations and another country following another set of regulations.

The question – the academic question, if you like – we've been looking at this week is does that really matter? It might matter to the people in the country, but is that in itself a problem for the operators? The fact that some countries follow one rule and another country follows another rule. Is that a fundamental problem? The evidence from the people here with it's KDDI and Japan Telecom or whether it's Telefonic or whoever, there doesn't seem to be a fundamental problem. I'll shut up.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Nigel. There was a question in the chat from Bill Drake on whether – and I'm not sure if I have the whole question. I'm just reading one of the lines there. But, the question from Bill was: is the China position and the expert group getting any traction with developing countries?

NIGEL HICKSON: This is the expert group on … Is it the ITRs? Sorry, or was this enhanced coordination?

OLIVIER CRÉPIN-LEBLOND: ITRs, correct.

NIGEL HICKSON: No, not significantly. One has to recognize that the 1%, if there is 1% of traffic – and that's the thing that might be disputed and is disputed by [inaudible]. But, say there's 1% of global traffic that is, if you like, somewhat regulated under [inaudible] still. And I'm not a telecoms expert, but I can vaguely understand what that means. Then, that 1% of traffic is probably in Africa and other developing countries. It's not in Europe or North America.

So, yes, there's more of a pressure from developing countries to keep the ITRs and have them updated. There's been a lot of discussion here, which is outside of the remit of this group. As I said, this group is looking at conflict. But, there's been a lot of – China [inaudible] some African

countries about the value of having the international telecommunication regulations updated from time to time to cover all the [inaudible] of the world.

We've heard this before, but to cover things like cybercrime, to cover things like child online issues, etc. So, yes, there is this discussion.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Nigel. I don't see anybody else putting their hand up. I have another question for you because you touched on these issues, and of course the ITRs, the last WCIT was in 2012. The world has moved on since then, so a lot of these topics which at the time in 2012 might have been tagged as orphan issues, whether it was warranted or not, but they were tasked as orphan issues – a lot of these are not so-called orphan issues anymore, even if they were not maybe in the past, but today there are many fora touching on many different aspects which did not exist back in 2012. So, when it comes down to cybersecurity, for example, is the word in ITU still that we are in a place where there's no location for cybersecurity to be discussed and so on? I'd be a bit surprised.

NIGEL HICKSON: Yes. So, cybersecurity isn't explicitly discussed in this context of the ITRs, but cybersecurity was, as you know, extensively discussed at the World Telecommunications Development Conference and it will be discussed again in the plenipotentiary later in the year. Already we're seeing new [inaudible] approaches on cybersecurity. There's bound to be proposals

to amend resolution [130] on cybersecurity and calls for having some sort of UN mechanism. There are countries that want a UN mechanism.

As you know, the UN has been discussing this. Veni Markovski updated this group some months ago about various resolutions in front of the UN last year, and we might see other resolutions in front of some of the UN committees later this year.

So, it's going to come up and the UN is going to come up at the ITU later in the year. So, yeah. Where else will it be discussed? There's no multi-stakeholder framework for discussing it at the moment as such. People are proposing such. We have the Geneva Digital Convention. We have various other proposals, but they are proposals.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this. I don't see any other comments or questions here. I note that Bill Drake mentions that he's always heard 3%, and yes it's mostly between developing countries and China wants them to cover cybersecurity and privacy, which is a bit of a mandate stretch.

I don't see any other hands for any other updates on Internet governance updates. I wonder if we have a calendar of this year's Internet governance events going on. Is ICANN going to produce one? I know that there was one a couple of years ago, then last year we resorted mostly on the one that had been put together by Marilyn Cade. Marilyn Cade produced a thing, a calendar. So, do we have a calendar this year that is going to be produced?

NIGEL HICKSON:
Well, I don't think we've updated governance in there. I think we did update one during the calls last year, but I think it's an excellent suggestion and we ought to sit down and do it. I'll go and recruit some staff. Yeah, we ought to do that and we'll try and do it. Yes, thank you.

OLIVIER CRÉPIN-LEBLOND:
Thank you very much and good luck with your hiring. Let's move on to agenda item number four, and that's the possibility of a session at the WSIS Forum. This year the WSIS Forum is going to be earlier rather than later. It'll take place in March from the 19th to the 23rd of March. That is the week immediately after the ICANN meeting that will take place in Puerto Rico. At the same time as that meeting, the IETF 101 is taking place in London. As far as going to Geneva is concerned, I'm very unlikely to be able to go there, because as the chair of ISOC England, I need to run a number of events alongside IETF 101 in London. I'm not sure who else will be going. I read earlier that Lori couldn't make it either due to a clash in her schedule as well.

There is, however, still a chance if we wish to submit a request or proposal for a workshop. There's still the chance of doing so within the next few days. Now is the time to really make a suggestion as to whether we wish to have something and set up a session over there. I open the floor for any suggestions or thoughts on this.

Just as a kind reminder, last year – for the past three years, we have been present at WISIS Forum. The first year we had something about IANA stewardship position. The second year we had something about ICANN accountability. This year we had something about Internet

governance – multi-stakeholder Internet governance processes at ICANN and elsewhere. Or was it capacity building? I don't have the paper in front of me. The question really is should we have something for next year, or this year now? Last year was capacity building – thanks, Bill.

NIGEL HICKSON: Just for the record, so to speak, the WSIS Forum is early this year. It's early because they built it forward. It was agreed by the ITU Council to bring it forward because not clashing with various other things in June. ICANN is partnering with the ITU on this, as we've done before. That means we take out a fairly low sponsorship agreement and we work with them on various issues. ICANN CEO will be invited to take part in the high-level session and will also – well, we'll probably have some sort of booth or something like that. It's nothing significant. I'm not trying to say it is. But, we will have some sort of presence there as an organization. I suspect one or two members of the ICANN board will want to take part in the forum. We, as an organization, might suggest a session perhaps on GDPR. I'm not saying we definitely will, but that's something that's been raised.

Also, potentially say something about the work that's taking place in the GAC on capacity building. This is a program that's taking place with the GAC in developing regions to update their capacity gap – member's capacity – on various ICANN and IG related issues. We might have a session on that. I just mention that for information.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Nigel. Are there any topics then that the community might wish to present? It's a question for everyone in the group here. With Bill, Avri, Greg, Rafik, Judith, Lori, Tanya, you usually are all very, very vocal. Today is a very quiet day.

JUDITH HELLERSTEIN: I don't know if it's so much IG, but the group that I'm working with in ICANN in the indigenous group has put in a proposal. [Lawrence Taylor] has put in something for the WSIS [inaudible]. We put in something, so hopefully someone is going to be there. I think Renata is going to be there. Otherwise, I think we've covered almost all the topics. I don't think there's anything much new to discuss except for GDPR.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Judith. I can see that GDPR – Lori is mentioning the GDPR is sucking the air out of the room. There are European members that we have indeed, and perhaps certainly one thing that might resound well by then is to have some kind of a presentation as to how ICANN is tackling the GDPR issue. And not just ICANN, but registries, registrars, the whole domain name industry around ICANN. That would probably require some more involvement from contracted parties to share what they're doing. So, registries and registrars. I'm not quite sure how you were thinking – yeah, well, there you go. I don't think it would be strategic to do a session on ICANN meets GDPR at ITU. There we go.

I'm not seeing any obvious topics, Nigel, at present.

NIGEL HICKSON:	No. Thank you, Olivier. Clearly, on the GDPR, as I said, it's just a suggestion. I'm being open with the group here. It's a suggestion maybe internally that we may want to do a session on GDPR because it's an audience perhaps at the WSIS Forum that includes quite a few developing countries. Doing a session on the GDPR, we can put GDPR in quotes. It's not just GDPR. It's to reflect how this whole area needs to reflect global developments on data protection. It's an issue. It would obviously have to involve community. It's not just for staff. It would be for the community. I mean, it could be for the CCWG. It doesn't matter who organizes it as such, but if there's a need or there's a purpose for doing such a session, it could be interesting.

Also, something that was proposed I saw in another group somewhere was whether a session on the whole issue of Internet shut-downs and maybe the implications of Internet shut-down. The DNS that's quite … I know that's something that Bill has been working on in other fora, but [inaudible] there.

OLIVIER CRÉPIN-LEBLOND:	Okay. Thanks for this, Nigel. I note that Lori mentions that she would suggest calling such a session data privacy, not GDPR. Judith mentions that she likes the data privacy one, related to the Internet of Things as well. Okay.

I'm seeing people have moved from speaking to chatting on the chat. So, rather than read through the chat, if I could either ask that we intervene using voice, or if that isn't the case, then I think we can probably go to any other business then and follow-up on the e-mails.

JUDITH HELLERSTEIN: The only thing I would say is if we're doing something on data privacy, we had an interesting talk in DC with the International Institute of Communications where we had some questions on data privacy with as we're doing Internet of Things and the devices that are not necessarily a quality device or that the company has gone out of business and the data issues and what happens to data or security implementations of [bad merchandise] that's out there. That's something that could be something, but it's not necessarily as related as much to Internet governance.

OLIVIER CRÉPIN-LEBLOND: Yeah. That's a bit of a question. Thank you for this, Judith. I always have the concern about having a session that is related directly to ICANN's mandate. Especially at WSIS Forum where if something is organized by our group, people will be coming and they will be then taking it that the topic that is being discussed is an ICANN topic. Of course, we don't want to look as though we're expanding ICANN's remit on a more general session.

The IOT, where are we in ICANN with regards to the IOT? There's been some discussion. I'm not sure, has it been decided whether this discussing IOT topics is within ICANN's remit? I note that Tanya says she is not sure it's within ICANN's remit. Okay.

So, at present, Nigel, I see not many people going to WSIS Forum. What I would suggest is next steps on this is to send an e-mail out to the mailing list, find out who is planning to be going to the WSIS Forum, and

in the same e-mail also ask by that if there is interest in our group organizing a session at WSIS Forum. And obviously with the people organizing it needing to already be funded and be able to travel to the WSIS Forum in March. Are we okay with that?

JUDITH HELLERSTEIN: Yeah.

OLIVIER CRÉPIN-LEBLOND: That was not Nigel. Okay, I gather that Nigel got this. So, then, let's move to any other business.

JUDITH HELLERSTEIN: I have something to say on that.

OLIVIER CRÉPIN-LEBLOND: Yes, Judith Hellerstein, you have the floor.

JUDITH HELLERSTEIN: Yes. So, in any other business, we are opening up again for next six months the captioning, which used to be called captioning which is now called real-time transcription. So, we are opening up a request for people if there's any sessions that you would like captioned or real-time transcribe, whatever they're calling it now, please let me know. There's also probably [inaudible] to CCWGs, although I'm not sure about this one because apparently it may not be considered under policy staff. I don't know why, but that's another story. But, if anyone wants any

sessions captioned, please send a note to At-Large staff staff@atlarge.icann.org and we can include it on our calendar. We can have six sessions every month, so we could have one of these sessions transcribed. That's my little talk.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks very much for this, Judith. We'll have to get back to you on this. If we were to request transcription, then it would have to be one of our calls. I'd say perhaps more of a structured call than one where we discuss a draft of a charter and so on, which does make it a little messy sometimes.

JUDITH HELLERSTEIN: I think a main call. We have until … The program runs, this one, until end of June, the end of the ICANN calendar year. So, we are opening it up starting February.

OLIVIER CRÉPIN-LEBLOND: Let me ask you a question, then, Judith. With regards to this captioning, would a session also incorporate any session at the ICANN meeting itself? If we were, for example, to have our public meeting that was not by default captioned, could we ask for that to be captioned?

JUDITH HELLERSTEIN: I will ask Heidi about that because I've always wanted that. I will ask her about that. Usually, the answer has been no, but we are starting late

and we need to get our calls in because language services took a long time to bring in new firms to do this. So, we lost half the year.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks.

JUDITH HELLERSTEIN: I'll ask her.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this. There is some chat here that is taking place regarding IOT implications for DNS is within ICANN's remit, but it's a narrow topic. Very narrow compared to the wider IOT issues. Then there's also challenges of digital identity management. Adam Peake has put a link there, which shows incomplete on my browser. Let's have a look.

Challenges of digital identity management in the era of Internet of Things. So, that could be another angle. I haven't looked at that yet. Adam, if you could send a copy of this to the mailing list, that would be helpful.

Okay, it's reaching the end of our 90 minutes, so are there any other businesses, anything else to discuss today? I don't hear anyone say anything. Rafik, go ahead. Rafik Dammak?

RAFIK DAMMAK: Sorry, Olivier. From here I didn't raise my hand.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks. [inaudible] heard your voice.

JUDITH HELLERSTEIN: I think that was my [inaudible].

NIGEL HICKSON: Sorry. The only issue I was going to raise was the sessions at ICANN 61. I know that, Olivier, a number of people have been doing their best to secure sessions for ICANN 61, but at some time we'll need to discuss what we're going to discuss in the ITU public forum. Well, I think we did [inaudible], but we'll need a discussion on that.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Nigel. What I'll do is to follow-up by e-mail. Let's just get everything out of the e-mail list, so get people to contribute in a wider sense than just on this call, seeing how few people are on the call today.

But, I'd like to thank you all who have joined us today. We've made some progress on the draft charter. Rafik, should we wait two weeks until the next call for another draft or less?

RAFIK DAMMAK: Thanks, Olivier. Yes, I think it can happen within the next two weeks, but I'll definitely continue working on the draft, making several changes. We'll share it again on the mailing list to review and add comments. So, by the next call we can go further.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks. So, the next call will be likely to be in the weeks starting the 29th of January. Is that correct? Rafik? The week starting the 29th. We might have lost Rafik now. Okay, let's put this and I'll follow-up with him afterwards. There is [inaudible] there. Yes, Lori?

LORI SCHULMAN: Yeah. I wanted to remind people the week of the 29th is a tough week because there's a GNSO workshop, a board workshop, and then the NCPH intersessional. So, I think we should maybe not have anything, no calls, no drafts due because people have a lot of prep work for that.

OLIVIER CRÉPIN-LEBLOND: Okay. Then, let's do the week starting the 5th of February. Is that better? The 5th of February is better I see from Tanya. Okay, let's do the week starting the 5th of February for the next call. Thanks, everybody. thank you for joining us, Nigel, from the ITU. Let's adjourn the call for today. Thanks and we'll follow-up on the mailing list. Have a very good day, everybody, good evening. Bye. And a great weekend.

JUDITH HELLERSTEIN: Bye all.

[END OF TRANSCRIPTION]