

## **Jurisdiction Meeting #33 (30 May 2017 @ 19:00 UTC)**

# Attendees:

**Sub-group Members:** Alan Greggberg, Andreea Brambilla, Avri Doria, Bartlett Morgan, Cheryl Langdon-Orr, Christopher Wilkinson, David McAuley, Erich Schweighofer, Farzaneh Badii, Finn Petersen, Herb Waye, Irene Borissova, Kavouss Arasteh, Milton Mueller, Philip Corwin, Raphael Beauregard-Lacroix, Steve DelBianco, Tatiana Tropina Thiago Jardim, Wale Bakare

**Observers/Guests:**

**Staff:** Bernard Turcotte, Brenda Brewer

**Apologies:**

*\*\* If your name is missing from attendance or apology, please send note to [acct-staff@icann.org](mailto:acct-staff@icann.org) \*\**

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## Transcript

- [Word Doc](#)
- [PDF](#)

## Recording

- [Adobe Connect Replay](#)
- [mp3 Replay](#)

## Agenda

1. **Welcome**
2. **Review of Agenda (2 minutes)**
3. **Administration (1 minute)**
  - 3.1. Changes to SOIs
  - 3.2. Identify Audio Only and Phone Number Participants
4. **Review of decisions and action items from last call (5 minutes)**
  - 4.1. Decisions:
    - 4.1.1. Invite respondents to the questionnaire to the Jurisdiction sub-group meeting where the analysis of their response is being presented for comments on the analysis (See 5.1 below)
  - 4.2. Action Items:
    - 4.2.1. Staff to reach out to respondents as per decision to invite respondents to the jurisdiction questionnaire (See 5.1 below)
5. **Questionnaire (30 minutes)**
  - 5.1. Discuss whether respondents should be offered an opportunity to respond to analysis of their comments, either by email or as a guest on a Subgroup call.
  - 5.2. Review of Sign-Up Sheet at [https://docs.google.com/spreadsheets/d/1Q948lb31-Hu9Ro3\\_k9uVYBTwm72UDmkMvUWwU\\_XyHAI/edit?usp=sharing](https://docs.google.com/spreadsheets/d/1Q948lb31-Hu9Ro3_k9uVYBTwm72UDmkMvUWwU_XyHAI/edit?usp=sharing).
  - 5.3. To be discussed on May 30 call:
    - 5.3.1. Response of Just Net Coalition
    - 5.3.2. Analysis of very short responses (Greg Shatan)
    - 5.3.3. Response of Ministry of Telecom and Mass Communications of the Russian Federation (Tatiana Tropina).
    - 5.3.4. Response of Farzaneh Badii - Internet Governance Project (USA) (Tatiana Tropina)
6. **Review of ICANN Litigation (15 Minutes)**
  - 6.1. Review sign-up sheet: <https://docs.google.com/document/d/1oo9oDJuuxFz1UUNaBfHeor7HPhJ5XcRHFTq3hjRItOM/edit?usp=sharing>
  - 6.2. [Schreiber v. Dunabin](#) (Raphael Beauregard-Lacroix)
  - 6.3. [Bord v. Banco de Chile](#) (Raphael Beauregard-Lacroix)
  - 6.4. [Commercial Connect v. ICANN](#) (Greg Shatan)

7. **AOB**

8. **Meetings Remaining Before ICANN59**

- Thursday 8 June 1300 UTC
- Thursday 15 June 0500 UTC
- Tuesday 20 June 1900 UTC

9. **Adjourned**

## Raw Captioning Notes

*Please note that these are the unofficial transcript. Official transcript will be posted 2-3 days after the call*

- [Word Doc](#)
- [PDF](#)

## Decisions:

- Review decision to invite respondents to call. Advise respondents once their response has been presented and point them to reference material. If after reviewing this material the respondents wish to clarify or correct any elements with the sub-group they will be invited to contact the sub-group to schedule their participation in a call.

## Action Items:

- [Staff to prepare form letter/email for rapporteur wrt to decision.](#)

## Documents Presented

- [Response of Just Net Coalition](#)
- [Response of Ministry of Telecom and Mass Communications of the Russian Federation \(Tatiana Tropina\)](#)
- [IGP Jurisdiction Q response analysis](#)

## Chat Transcript

Brenda Brewer: Good day all and welcome to Jurisdiction Subgroup Meeting #33 on 30 May 2017 @ 19:00 UTC!

Brenda Brewer: If you are not speaking, please mute your phone by pressing \*6 (star 6). To unmute press \*6. This call is recorded.

Brenda Brewer: Reminder to all, please state your name before speaking for the Captioner. Thank you!

Bernard Turcotte Staff Support: hello all

David McAuley: i am 3200

Brenda Brewer: Thank you, David.

Philip Corwin: I am 5316

Brenda Brewer: Thank you, Philip

Tatiana Tropina: Hi all - the dial out doesn't work, it says all the time "please press 1 and I'll connect you"

Tatiana Tropina: rebooting my phone didn't help

Brenda Brewer: I am happy to call you Tatiana...please private message me your phone number

Tatiana Tropina: Brenda, thanks a lot! Will do now

Cheryl Langdon-Orr (CLO) 2: welcome!!!

Wale Bakare: Hi all

Farzaneh Badii: welcome policy people!

Tatiana Tropina: ME!

Tatiana Tropina: It was me :)

Philip Corwin: Correction: I stated I was 5316 and I have always been Corwin, not Cohen.

Tatiana Tropina: I am 3791

Milton Mueller: -D I am not a number. I am a human being

Tatiana Tropina: Milton. Wait till the adobe dial out doesn't work for you, it's a question of time :)

Milton Mueller:can you be specific about which responses you are talking about, Kavouss?

Thiago Jardim:I support inviting people to meetings, but some may not be able to attend, so they should be given an opportunity to comment via email

Herb Wayne Ombuds:Sorry for being late, greetings everyone

Tatiana Tropina:yes, we don't have so many responses

Tatiana Tropina:we can really just fine tune it for any case

Tatiana Tropina:David, I actually agree that we don't need to kind of inform them about everything

Tatiana Tropina:I am also dislike email

Tatiana Tropina:either they attend the call or not.

Tatiana Tropina:I won't forward them the evaluation.

Christopher Wilkinson (CW):I would favour inviting the respondents to participate in a conference call should they wish to do so. (Not more than 3 or 4 respondents in any one call.)

Tatiana Tropina:Some of the respondents are the participants of this group anyway :)

Tatiana Tropina:I would suggest inviting them if they want only when particular topic that they brought is discussed

Kavouss.Arasteh:Yes Ttiana, but even those who are here we need to seek their views

Milton Mueller:Greg, would we need to pre-allocate time in future meeting agendas for these responses?

Kavouss.Arasteh:Sorry Tatiana

David McAuley:we would need time limits and not invite a re-statement but a response to the review

Tatiana Tropina:but am against sending the evaluations, etc

Kavouss.Arasteh:YOU HAVE ONE VIEW ONLY

Milton Mueller:5 ticks

Tatiana Tropina:I had red :)

Kavouss.Arasteh:We need to reach an understanding that we should allow the respondent to react

Tatiana Tropina:I will keep my cross as a peaceful protest.

Bartlett Morgan::-)

Raphael Beauregard-Lacroix:)

Milton Mueller:we all have our crosses to carry

Tatiana Tropina:I certainly still carry mine :)

Kavouss.Arasteh:We should be open and transparent

Tatiana Tropina:sorry for typos.

Milton Mueller:Easter is over, though

Tatiana Tropina:sigh.

Bernard Turcotte Staff Support:Time Check - 30 minutes left in call

Milton Mueller:The JNC response fundamentally confuses jurisdiction over gTLDs with jurisdiction over ICANN

Milton Mueller:next....

David McAuley:agree with Greg about immunity - we especially need the empowered community to be able to enforce remedies

Milton Mueller:can we move on to the other cases?

Bernard Turcotte Staff Support:Time Check - 20 minutes left in call

Milton Mueller:right, we are using up all our time on one case

Kavouss.Arasteh:Greg, pls kindly apply certain rules to the intervention such as,

avri doria:immunity is not necessarily blanket immunity.

Tatiana Tropina:I hope am able to present two - am in an airplane next week dying the call (landing in the middle of the call, may be still able to join but unlikely)

Kavouss.Arasteh:No one could intervene more than 3 times on a given subject

Kavouss.Arasteh:No intervention should exceed three mints

Tatiana Tropina:except the response analysis :) might take a little bit longer

Kavouss.Arasteh:If rapporteur wish to speal as participant he or she needs to ask to be in thequeue

Greg Shatan:Tatiana will go next. I will hold my other cases for next week.

Kavouss.Arasteh:Tatiana , certainly it may take several mints

Bernard Turcotte Staff Support:Tatiana - speak a little slower for captioning

Bernard Turcotte Staff Support:Thanks

Tatiana Tropina:I am so sorry for speaking quickly :(

Wale Bakare:thank you, Tatiana for the presentation

Tatiana Tropina:it's because I am missing next call :(

Tatiana Tropina:OFAC \*shall\* be considered by this subgroup

Bernard Turcotte Staff Support:Time check - 8 minutes left in call

Tatiana Tropina:I don't reject - I recommend to consider them all

Milton Mueller:3 minutes are up, Kavouss

Tatiana Tropina:I just expressed my personal opinion that it might be hard - but in my evaluation I recommend to consider and discuss all of them

Thiago Jardim:I suppose we will have to leave the debate on the different issues raised by the two responses for our next meeting

Wale Bakare:that is true

Greg Shatan:Since Tatiana will not be on the call, that would not be ideal. I suggest we take them up on the list.

David McAuley:I will have to miss next call as well, send apologies now

Wale Bakare:I think we can continue this discussion on the mailing list

Kavouss.Arasteh:Greg, I think the issue of OFAC warrant a serious discussion

Milton Mueller:Yes, agree

Raphael Beauregard-Lacroix:We can take the two cases I submitted during a later call; they don't raise any actual issues. However I cant make it to next call, apologies in advance.

Cheryl Langdon-Orr (CLO) 2:thanks Tatiana agree there is a lot to discuss

Raphael Beauregard-Lacroix:And I do agree on sanctions as well!

Tatiana Tropina:I will try to join in the middle of the next call - if I land in time - I will be changing flight while on the call

Milton Mueller:Good suggestion, Thiago

Tatiana Tropina:no you can discuss them defilitley

Tatiana Tropina:and you have IGP who brought them

Tatiana Tropina:and you can invite the Russian ministry :)

Thiago Jardim:Many thanks Tatiana

avri doria:have another call starting now. bye

Cheryl Langdon-Orr (CLO) 2:thanks everyone bye for now...

Tatiana Tropina:OFAC requires a very serious discussion

Cheryl Langdon-Orr (CLO) 2:also off to another ICANN call

Tatiana Tropina:we can invite them to attend the call

Thiago Jardim:Perhaps we should consecrate a whole call for just the problem of sanctions,

Erich Schweighofer:FATF is everywhere, not only in the U.S.

Thiago Jardim:and another for the other problem

Tatiana Tropina:that would be cool (two weeks time)

Tatiana Tropina:yes, GoDaddy and others

Raphael Beauregard-Lacroix:I can't make it to next weeks call Greg unfortunately. You can push my cases to later though, no issue.

Tatiana Tropina:thanks you all :) sorry again for speaking quickly :)

Herb Waye Ombuds:All the best everyone...

Erich Schweighofer:Servus from Vienna

Wale Bakare:Thanks, bye all

Bernard Turcotte Staff Support:bye all

Raphael Beauregard-Lacroix:bye bye all

Tatiana Tropina:bye all!

Farzaneh Badii:bye

Thiago Jardim:Bye

David McAuley:thanks all, bye

Bartlett Morgan:by all

Greg Shatan:Bye all.

Andreea Brambilla:thanks!