
SINGAPORE – GAC PM Sessions

Sunday, February 8, 2015 – 14:00 to 18:30

ICANN – Singapore, Singapore

CHAIR SCHNEIDER:

All right. Welcome back. Thanks for being here.

We have roughly half an hour left to try and agree on a way forward in terms of what the GAC is expected or is expecting to do and how to deal with the two processes that are part of one. Also looking at this timeline where there's an overall timeline where all the groups are listed.

And the way I see it, there are two things. One is the question that was raised this morning, whether we would be able to make a substantive contribution as GAC in addition to the contribution of the individual members and participants in the CCWG accountability, whether we could in addition to that make -- try and make a contribution on a basis of principles. And since it has worked very well with Peter with regard to preparing input for the CWG, and he has offered to do the same for the accountability, I would suggest that we would -- we should try and start this and get a little bit of a sense, maybe, until when, what the ideal tentative time frame for this work would need to be. And this is one thing. And the other thing is, then, which is more a procedural discussion that has been triggered in particular by Norway who is just coming in about what does it mean for the GAC to -- as a chartering organization, to endorse also both the work of the proposal coming out of the CWG as well as of the CCWG. So the IANA stewardship transition,

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names related part, and the accountability work, because we are a charter organization, chartering organization of both of these working groups.

And the situation is this. If we don't endorse this, then that will mean the process will need to be blocked by us because they can only move forward, if I understand this right, if all of the chartering organizations have endorsed this.

So the question is what would that mean to endorse it? How can we understand or develop an approach to endorsing it?

Let me start with the first one.

So the proposal to get a group of volunteers, which is, of course, open to everybody led by Peter from Australia, starting from now, I suppose in the next few weeks. It shouldn't take too long. So either we get something done by mid-March, or something, like, not later, to try to work on the GAC contribution on principles with regard to accountability.

Is there anybody opposing that we should at least try and see where we are in -- let's say three, four weeks time.

Any comments or views on that proposal.

I don't see an opposition, so we take it as a green light to -- ah, Sweden.



SWEDEN: Thank you, Chair. Sorry, I'm a little bit slow. I'm just thinking what it means, if we are working in a couple of weeks on the principles. What happens, then, with the principles?

Thank you.

CHAIR SCHNEIDER: We'll send them to the CCWG, would be my proposal, as a contribution of the GAC.

SWEDEN: So we would endorse it with the principles as an attachment or with the principles as terms, or what is the significance of the principles?

CHAIR SCHNEIDER: Thank you. I mean, this is -- this is, as we said before, this is not a GAC advice. This is something -- this is a way of communicating messages to a working group.

But Peter has raised his hand and also the commission.

So, Peter, if you want to respond directly to this.

PETER NETTLEFOLD: Thank you, Chair. And thank you, Sweden, for the question which I think is very useful.

The way, I guess, we started thinking about it when we gave -- talked about principles for the CWG is that there would be high-level policy input into their process, so it would guide their thinking. The GAC thinks

that any transition proposal should be independent; you know, something at a high level that potentially would be useful.

What happened in practice was that the CWG decided to develop principles themselves to guide their activities, and what we did was provide GAC input through the GAC representatives into that process, which I think worked well, from my understanding. It wasn't a GAC input as such on a piece of paper, "Here it is." It was the community as a whole developing something that everyone wanted to do, and the GAC inputted into that process.

So potentially we can start developing some ideas and principles ourselves. If others agree, one of the first things I would do is circulate the document we worked on last time and ask for additional inputs and comments and edits, and so on.

What we could do is the GAC has five representatives, I believe, in the CCWG, and we could coordinate with them and see whether it's possible that one of the things the CCWG is going to do is look at doing some principles. And if so, again, we could run through a similar process, which I think might be useful.

So there's a few ways it could go, but I think coordinating and getting some sort of -- getting the GAC's work started and working with our representatives to figure out best how to input them and what would be useful, what sort of form and so on, we could have that discussion as we go.



CHAIR SCHNEIDER: Thank you. And before giving the floor to the Commission, we've heard that there's a plan to have a physical meeting, a face-to-face meeting of that group somewhere towards end March. So we could use that as a date that should be delivered to the group before that meeting so they can take it into account, and the five members and also participants can also explain if necessary and talk about this at the physical meeting, if that makes sense to you.

European Commission, please, and then I saw Germany, yeah.

EUROPEAN COMMISSION: Thank you very much.

I have more questions in relation to these principles and the possibility that just simply saying if we have these principles, are they mandating the five members on the CCWG or is it more of giving principles directly?

And if -- if we feel afterwards that these principles have not been followed completely by the Cross-Community Working Group, what will then happen? Will we as the chartering organization not agree to the outcome? Or what will happen? I mean, it's more of a question. It's more, I think, issues that we might have while drafting these principles.

Thank you.

CHAIR SCHNEIDER: Thank you. Well, if you ask me, I wouldn't see this as a black or white exercise. I would see this as a sort of -- as a contribution, as a view from the whole GAC. Ideally, if we get this -- I mean, we commented as the

whole GAC on the principles of the CWG. We're hearing from Elise that also there, most of it apparently has been taken into account, not yet everything. So we'll have to answer the same questions also there. But again, I think this is a process where nobody has a veto right and nobody will get 100% of what he wants, so we'll need to be, like, flexible, I guess, in terms of how to deal with it.

But it's a good question, and we will have to get a way of dealing with this anyway. But my suggestion would be we should -- we should be pragmatic and not dogmatic and take this as one ways of communicating some elements that the GAC as a whole considers important, and then see what happens, and then react -- discuss how to react in case of most of it or a little bit of it or whatever, or nothing or all has been taken into account.

But this is not a -- At least I wouldn't see it as a compulsory document. I would see it as a contribution to the discussion at first.

I'll stop here.

Germany was next and then The Netherlands.

GERMANY:

Thank you. (indiscernible) an observation than a formal proposal.

I think we need to be aware that we have some discussions in both of the working groups on certain issues where it is, from the outside, it is sometimes difficult to identify which working group is really discussing which issues. And insofar, it is of utmost importance that we send



coherent messages with principles we already send and the new ones. I think it's a rather simple fact that we should proceed.

CHAIR SCHNEIDER: Thank you. I think that is absolutely right.

The Netherlands, please.

NETHERLANDS: Thank you, Chair.

Just coming back to the intervention of the Commission, and also I think what you said, what we did earlier is have a kind of attachment to the communique, which now, intersessional, would be something else, at attachment in the sense of guiding principles. And then it means that it's for guidance. I think we could do the same in this -- in this topic.

Another point is I heard the Commission said about chartering organization, but I think for -- just to be sure, for the CCWG, we don't have a chartering -- we don't have a charter, I think. But that's a question for clarification.

Thank you.

CHAIR SCHNEIDER: Thank you. No, we signed the charter sometime in December together with the others, so there is no -- at least to my knowledge, there's no formal distinction in terms of -- of course the content of the charters is different, but procedurally, I think this is the same for both groups, at least if -- this is the way I understand it.



What was your first remark or question? I'm sorry. I missed that. Could you repeat it, at least.

NETHERLANDS:

The instrument, then, would be guiding principles.

Thank you.

CHAIR SCHNEIDER:

Well, first of all, this is not a piece of advice to the Board. Like whatever we attach to the communique is part of a piece of advice to the Board.

This is a communication to a working group. And I'm not aware of there being two strict rules in how we can communicate.

My suggestion would be, but this is not like a result of a long thinking, that we simply write a letter that I sign or the five members sign or whoever, somebody signs that says the GAC has been thinking about this. These are our conclusions, our views on this. Please take them into account. But that is not -- that's it. I really think we should be pragmatic and just try to contribute in whatever ways we can to the work of this working group. And that is one way that I would see that a chance that if we get there, if we make it until like mid-March, that people would be interested to see what we come up with.

Any further questions? Or do I take this that nobody is opposing to this? That everybody is fine that we try it but you can still disagree to the result and then it won't happen, but that we tried? Is that okay?

All right. I think that's --



Indonesia, did you want to take the floor? Thank you.

INDONESIA:

Just a short comment, Mr. Chairman. I think it was mentioned here that the GAC can also do something like endorse proposals and so on. I think this is important. Because somehow all those multistakeholders sitting in the CWG, CCWG, ICG, whatever, whatever, the ccNSO -- in the GAC we should make the list of all these acronyms -- they are all members of the in-country -- our in-country multistakeholders.

So if the GAC somehow can do some sort of intensive meetings with the multistakeholders, in-country multistakeholders, then I'm sure we can have somehow have first proposals that come from those ICG, CCWG, and so on. Because I'm -- if all these countries here wants to have that happen, then it will happen.

Because being the government we have the -- what call it? -- the role to fill the multistakeholders in country, then perhaps this is the thing we have to realize and do our value added to confirm our multistakeholders to make sure that our multistakeholders can produce the final result for the IANA transfer. Thank you.

CHAIR SCHNEIDER:

Thank you. If I understand you right then, you refer to national coordination and communication with all stakeholders on a national level, which is a good point. And I think it's something that more and more countries are engaging in. Of course, that, again, needs resources and needs time. But, yeah, I think that's very valid.

Can we move to the other part of the procedural debate on how we plan to plan our work until Buenos Aires, preliminary basing -- having this timeline that we have in front of us in mind. That may change, but maybe it may hold.

How do we understand an endorsement of the GAC of the output of these two working groups? And I would just like to refer to the proposal that has been made by Norway this morning that we should not understand an endorsement that we need to agree on any single line of that outcome. But we need to endorse, first of all, the process that we make clear that we are still part of the process. This is one step. And that we agree with -- ideally, with the direction that the work is taking because this is not the end. Because once the -- all the charting organizations have endorsed it, there will become a period. Then the ICG will take everything together. And there will be another round after that, if I get this right, where all the proposals come together. And they will have another possibility to comment. But to take the tasks of endorsement rather on a procedural level that we are fine with the process, we may also be critically fine with the process. So there are levels of -- but to generate process and the direction of the work and the idea behind it or whatever, without having the expectation that we need to, as a GAC, agree on any line in a text, is that a view -- if this is what you propose, Norway, if I'm repeating this correctly, is that something that you would agree to as members of the GAC?

Yes, Egypt, please.

EGYPT:

Thank you, Chair. And thank you, Norway, for the proposal.



Just to make sure I'm on the same page, because I'm a bit confused. If we endorse the process, doesn't this implicitly mean we endorse the content or not necessarily? And, on the other hand, does this mean GAC colleagues still have the opportunity to submit comments directly to the ICG, which, although there are public comment periods for -- within the ICG review or assembly. But I don't think it would really be beneficial, if someone has some radical or opposing view, that this be delayed very late in the process when things are within the ICG. Because the ICG won't be in a position to inject new ideas or new content to the proposals. So I'm just flagging this out so that, if anyone has some really substantial views or input to the process, this should be made as early as possible, I guess. Thank you.

CHAIR SCHNEIDER:

Thank you. That's a very good point that you raised. That helps us see things more clearly. What I would say is that, if -- it would make sense to endorse a process if you already then would see that the outcome would be -- on substance be completely unacceptable, then that wouldn't make sense. Because then that would also mean that our input would not have somehow made it into the document.

So, if this would completely go against the GAC's views, then probably we wouldn't endorse it. But that may then also go against other parts of the community's views.

But, if we have a feeling that this is roughly going in the right direction and that this should move on, that we don't want to block it from moving on, then we should endorse it. And we can, basically, claim a little bit of right to say, okay, we interpret the act of endorsement in this



and this way. Others may interpret it slightly different. But they may work under slightly different circumstances.

So I think then it's up to the groups whether they consider that endorsement is valid or not. But I think we have a little bit of much demand in deciding ourselves when deciding to endorse it that we endorse it in the understanding that this means this and this and this but maybe not this.

So it's just -- but your views, of course. I should not speak that much. U.K.?

UNITED KINGDOM:

Yes. Thank you, Chair. And you are right to refer to the best case timeline as guiding us here on how we act as a chartering organization.

For both the CWG and the CCWG, there's the 21-day period when both proposals are submitted to the GAC as a chartering organization along with the other chartering organizations. Prior to that you've got public comment periods for both.

For CWG it's 21 days. For the CCWG, it's 40 days.

And, of course, we have GAC representation on both working groups. So my sense of how this is going to play out is that, if, at the national level of consultations, it appears that there's a substantial problem with either of these emerging proposals, that would, hopefully, manifest itself in communications with our GAC representatives or directly from that administration if it has a major problem through the public comment period.

So you've got that kind of thing happening, that dynamic of interaction by individual administrations through their GAC representatives, through the two processes. Through our linkages with representation on these working groups and also directed public comment periods. So, by the time we get to the 21-day period for endorsing proposals, we may have a sense of general agreement, as you say, that the direction is right and that what the GAC can do within that 21-day period is to come up with some position for both proposals that the process is working effectively and that we can endorse the process and these proposals can then go forward.

So my expectation is that, as a chartering organization, it's pretty much in line with the Norwegian proposal that we consider this as an opportunity to say the process has worked effectively. We've had opportunities to contribute individual views from administrations. There may be individual specific issues that need to be resolved. But the direction of travel is broadly right for both proposals. I think that's the most that we can do. And I think it's -- and elsewhere in the community, that's probably their expectation, too, that we will not, as a committee of 150 governments, be able to a view on two highly detailed complex proposals. At the national level the process that we, U.K., and probably many others will be taking is consulting multistakeholder advisory groups at the national level and maybe going to ministers for approving a position. That will take a long time. It's not feasible for us to do that within 21 days and then to have a virtual meeting as the GAC within that period, too.

So I think the community will understand our position, that it's not possible to endorse proposals in their entirety. But, if we give a signal,



all being well in the preceding public comment period and the final stages of both working group's activities, that the direction of travel is right, then that will be a very welcome signal to the community that we would give on both. Thank you.

CHAIR SCHNEIDER:

Thank you very much. We're now getting into the next session, but I think it's worth to spend for a few more minutes to discuss this because this is of fundamental importance.

Before giving the floor to what I have is Brazil, Thailand, and Argentina, just one point. It's actually -- and you're right. It's worth looking at the timeline, at the proposed timeline, for all a little bit more in detail. And then it gets clear that what you say is right. There is a public comment period before the endorsement or the submission to the chartering organization. So what you said is actually right. And that should allow us to see more clearly after the public comment period what -- if there's strong feelings and in what direction they go.

Brazil. And please try to be as short as possible, everybody who speaks. Thank you very much.

BRAZIL:

Thank you, Chair. Very brief. I just tend to agree with what our U.K. colleague mentioned is that, given the complexities already contained in both exercises in CWG and CCWG, I think that we should not add here in the GAC extra layers of complexity to this. Let's try to make it as simple as possible.

And then, in our view, anything we agree on here should not prevent individual countries from commenting, from presenting comments during the public comment period. Both exercises. This should be clear in any message that comes out of the GAC.

And then -- in this context, therefore, we are a little bit skeptical of walking the path of trying to draft guiding principles of some sort to our exercises as GAC as a whole. I think any communication that should come out of the GAC should be very simple. And that should contain elements that, one, we endorse the process, as our U.K. colleague said, that in a sense it's in the right directions. And, two, we -- we as a GAC understand that any individual countries will be able to present comments that -- to the public comment period of both exercises. And then, as a whole, the GAC -- and this is the key point of this exercise -- we should have a common understanding of how the endorsement step of this equation will happen and when, given that we don't know exactly especially in the timeline we have if this will happen before or during or after our Buenos Aires meeting. So, as I said, the idea is to make our communication very simple and not trying to draft any guiding principles of some sort. Thank you.

CHAIR SCHNEIDER:

Before -- I think if we come up with some guiding principles, they need to be simple. Otherwise, we will not get there. So I don't take this as a no. I take it, as you said, a little bit skeptical but still we're trying. Is that okay for you, so we don't come back on the decision to start drafting principles and see where we got. Okay. Thailand, Wanawit. Please.



THAILAND: (indiscernible) first ask you the participants in CWG or CCWG so you're dealing with 50 or 60 emails a day. And even the last public comments, thanks to the EC, that's sent directly to us as well, so during the next public comment period I urge that the GAC need to inform the GAC representative in every individual working groups and I think we might need to coordinate with the secretariat to combine from the GAC member before we go to the stage that we need to working on the endorsement because otherwise we don't know which GAC answer directly into the public comments because normally you don't put the charter organization in your names and how could we know that it is coming from which government, or I think if you can coordinate with the teams, that would be easier to consolidate and share. I'm not sure whether -- I do not see the comment, the public comment from European Commission is shared with the other GAC member on the last public comment in December. We did not post it, right? So I think the Secretariat did not share and post it. That's my point. We need to exchange information among GACs, what are the public comments.

CHAIR SCHNEIDER: Thank you. So if I understand you right, we should basically, whoever -- ask whoever sends an individual comment to send a copy to our secretariat that would then collect this to make it easier for us to understand who wrote what and that would help us to -- yeah, I think that is a good -- a very good suggestion. Argentina. Then the African Union Commission.



ARGENTINA:

Thank you, Chair. We may need our own timeline maybe. I think all the times that we have to comply with and the commenting periods and what we expect realistically in every step, we could work with the secretariat and prepare that. Do you think that would be a useful idea? Just as a reference for all the colleagues? Just an idea.

CHAIR SCHNEIDER:

Yes, I think so. If we build on this timeline here, we must -- if that best case timeline will hold, that will mean that we would have to endorse it before the Buenos Aires meeting. That means we will not have -- unless we decide to have an intercessional meeting like two weeks before the Buenos Aires meeting. But we will have to endorse this between 20 May and 10 June. This is more or less what I see in this timeline. I don't know what it would be feasible in case you were not able to ask the groups that they would wait for ten more days and let us discuss and endorse it in Buenos Aires. I guess the world will not go down if you would ask for ten days more. But this isn't -- for the time being, it's not in the timeline. But this is ten days. So that might even develop in that direction. But I think it's a good idea that we start to, based on this tentative timeline, draft our own timeline with our deadlines. And that brings me to the final question. In case we need -- would need to endorse this before the Buenos Aires meeting, would we need to have a physical meeting whenever that would be or a teleconference meeting or something like that? My preference, and this is the signals that I got, if it's not absolutely necessary, we shouldn't do it, given that it's so short to Buenos Aires. But your views, of course, are the ones that count. So those who speak maybe give a sign of whether you think we need an intercessional meeting, either physically or on the phone. Argentina --



no, you just spoke. African Union Commission and then Norway and Sweden.

AFRICAN UNION COMMISSION: Thank you, Chair. For us, you know, speaking on behalf of some of our member states and especially given the complexities of the two processes which we feel are extremely complex and sometimes really difficult to follow, we would like to fully endorse the proposal by colleagues to develop very broad guiding principles that are then presented as GAC's contribution to, for example, the CCWG on accountability. That would be very, very helpful. Because then that will help us discuss this very complex issues at that very high level, principle level, and much easier for us to -- at the national level to then be able to endorse that rather than going into the specific and looking at every single detail of every single document. And, you know, the five members of the CCWG could -- you know, could work on developing these guiding principles together with other members that are interested. However, that doesn't stop any country from, you know, putting through or developing their own positions on some of these but, I think, if I recall correctly, the CCWG was of the opinion that these issues -- and as my colleague from Egypt said, that they need to come up pretty early so that they don't delay the process. If some of the -- the proposals or ideas are rather controversial and are definitely not going to be accepted at that level. Yeah, I think that's all. And also very important to develop a common understanding as the GAC of how we intend to endorse or not endorse the work that's going to be coming from the two groups. So it's important to come out of this meeting with



that and the common understanding of how we intend to do that.
Thank you.

CHAIR SCHNEIDER: Thank you. Actually, it is the time now to develop a -- or to agree on whether we have a common understanding or not. There will be no other meetings. So we need to leave Singapore with something like a common -- common understanding. But I think you are fully right. Norway and then Sweden.

NORWAY: Thank you. Just a detail. It might be an important one but Sweden was the one that pointed out to me that the charter for the CWG uses the term "support" not "endorse." Still it is expected that they say that chartering organizations support the draft -- or the proposal that is put forward or indicate which part of the -- the proposal they don't like or like. But I guess we can use then "support," the GAC support the process as such instead of -- instead of endorse, if that is preferable. I don't know if it's -- makes much difference, but I just wanted to point it out. And thank you to Sweden who saw it. Thank you.

CHAIR SCHNEIDER: Thank you for this clarification. I think we should use whatever is in the charter, so thank. We will just do as it is there. Sweden, do you still want to take the floor? Then I've got U.K., Switzerland and Morocco. Please try to be short. Thank you.

UNITED KINGDOM: Yes, thank you, Chair. Just on modalities, I think you're asking for the process of endorsing or supporting. And I suggest the GAC secretariat sends out a briefing paper at the start of the 21-day period and that we schedule a virtual meeting, two hemispherical meeting maybe we need to do in the middle of the 21-day period and then we have some kind of final at the end of the 21-day period, notice to the full GAC membership that the period has ended. Any further issues that need to be resolved have to be -- should be resolved at that time. Does that help? Thank you.

CHAIR SCHNEIDER: Thank you. I mean, the option of telephone conference is -- if that is what is meant, we can keep that in mind. I think it's early to decide whether we need one, but if we need one, I think we will decide that we have one. Sweden. Yeah, sorry.

SWEDEN: For the record and the minutes also, Sweden wasn't speaking previously, which the minutes says, but now Sweden is speaking. And then I have a proposal as well. There is actually a little bit more in the charter that is of interest. It says, "In the event that one or more of the chartering organizations does not support parts of the final proposal, the final proposal should clearly indicate which parts are fully supported and which are not. And which chartering organization dissents from the CWG use." So what we could do, we could -- well, to begin with, the GAC asked for this. We wanted to be consulted and to have an opportunity to comment. If it -- if you would have been possible to keep deadline in January, it would have been more time to do it. Now

there's less time and we actually would have an option of deferring this possibility as well. So I would say this is also an option, to differ this right.

But I would suggest that we use this 21 days for each GAC member to bring out which parts of the CWG proposal, if any, where we expect we will not be able to support. So it wouldn't be a matter of having a longish debate but rather of lifting out which parts where there will not be GAC consensus on supporting the parts in the -- in the proposal. This would make it more easy to agree. Because then we could just agree now on a -- on a placeholder text with empty spaces, so to speak, that we would fill up with the parts that members, if any, wouldn't be able to support. Thank you.

CHAIR SCHNEIDER: Thank you, Sweden. I think that's a very good proposal. Switzerland.

SWITZERLAND: Hello. Thank you. Just as a matter of clarification, forgive my ignorance if I should know it, but in this difficult endeavor of setting the new timeline, is there a stringent or very important reason for having this period of 21 days separated from the -- from the ICANN meeting in Buenos Aires? Thank you.

CHAIR SCHNEIDER: I must say, I'm not really sure whether I understand your question right. It's not separated. It's just prior. But as I said, this is a tentative timeline. Maybe they decide that -- maybe the plan or they scheduled it



because they wanted to give the ICG a chance to work on it and the Board. If you look at submit to ICG, submit to Board. This is probably where they will have physical meetings to look at this and then they calculated it backwards and this is what you get. This is how I would read it, if -- but I would just advise that we take it as it is for the time being and build our own schedules on this. And whenever that changes, we will adapt our timelines accordingly, if that's okay for you. I have Morocco.

MOROCCO:

I will speak in French.

Thank you, Mr. Chair. I have attentively followed the debate on this issue. I believe that endorsement and endorse as a word causes a lot of complications. I believe that GAC is part of this process. This is an ongoing process. So I wonder if the GAC has to position itself or to take a position regarding an ongoing process whose outcome we still don't know. We have a report that was submitted by the three working parties and -- and I have not heard about any firm objections to this. What GAC can do, as my Brazilian colleague said, is to communicate with very simple terms that it supports the work, that it welcomes the content, and to give time for documents to be digested during this 21-day period. And then we can resume the discussion about the approvals or the endorsements or whatever we call it. So it is an ongoing process, I repeat. So we cannot anticipate that the GAC is going to support or endorse a certain work. So we can say that we welcome this work and our position will be submitted in the final communique. Thank you.



And the discussion that we are holding now does not aim at anticipating the discussion but rather prepare ourselves for a process in order to have a common understanding and in order to be on the same page in order to know whether we have to say yes or no and work on the principles and look at the details as the colleague from Sweden has said. But we need to be clear to understand how we are going to proceed.

This doesn't mean that today we can make a prejudgment about our response, but we need to know how we can get to a response.

CHAIR SCHNEIDER:

One thing is we may need to, at this stage, communicate something in the communique about the discussion that we had. We don't have time now to go too much into detail. The question is how do we get there. Who will start the first draft of summarizing -- this is not substantive advice. It's, rather, a piece of information on how we discuss the two working groups and how we see our way forward, and so on and so forth, the tone, the general feelings. Someone will need to start drafting this.

Could we ask maybe the members of the group; i.e., for the first part? Norway and Thailand, and for the other part, the five members of the group. But of course this is not an exclusive, so you are the ones where we expect something from if something -- if other people want to join, of course they're free to join. But this is, again, just a first version, so everybody can comment. And of course Tom will collect it and will help you and is at your disposal.

Is that okay? All right. I see people nodding. Thank you very much.



We have eight minutes left the GNSO who is already gathering on the white chairs in the round will come up. Unfortunately, this is not enough to discuss the IGO and Red Cross and Red Crescent issues. Just so there is no misunderstanding, these are two separate issues where we allocated initially 30 minutes each. Then we -- Because there are no 50-min sessions, we put it in one session. But that doesn't mean that this is the same issues. These are two separate issues. We'll figure out where we put them. We might put one somewhere and the other one somewhere else. We'll see what we can do.

We have a little bit of space, or we think we'll identify a little bit of space in the agenda before Wednesday where we can deal with this.

If that's okay for everybody, then we can actually invite people from the GNSO to come to this table, particularly the chair, I guess.

CHAIR SCHNEIDER: Everybody is here so you can consider this as a six-minute break, if you want. Get some coffee, something.

[BREAK]

CHAIR SCHNEIDER:

The six minutes will be over in a few seconds. I like that. I like it. Normally it's me who is always late. Now I am driving the others.

Please take your seats. Hello, Nigel. You don't need to be afraid of me. Please take your seats, grab your coffees, and we'll start in a few seconds.

Dear colleagues, we should all sit down and start. Not talking to each other bilaterally but through microphones so everybody can hear it.

Please come and sit down. Take your seats, please.

This is now the session with the meeting with the GNSO, so welcome to all the members of the GNSO to our room. This is time it's not a tent, so this is great progress that we already achieved.

So I would immediately like to give the floor to those who have been working on the GAC-GNSO Consultation Group and those -- and I'm looking forward to their proposal that they will present to us, which looks quite promising, at least to me.

Thank you very much.

MANAL ISMAIL:

Thank you, Thomas, and thank you everyone. As you may already know, this has been an ATRT1 and 2 recommendation. We are excited about the progress we've been doing so far. I mean, the last meeting, we had a GNSO liaison to the GAC, Mason Cole to my right. And the consultation group is co-chaired by Jonathan from the GNSO side and myself from the GAC.



We're coming today with some proposal that we would like to go through more of a working session and interactive discussion to get some feedback on this proposal so that we maybe can start trying it as a pilot in the coming period.

So having said that, I will hand over to Jonathan to walk us through the slides.

Jonathan.

JONATHAN ROBINSON:

Thank you, Manal. So recognizing that the genesis of this work is both -- twofold. One, some kind of external stimulus, that input that you referred to from the ATRT recommendations, but also our own recognition that for an effective multistakeholder model, we need to be able to work effectively internally.

This group was set up in order to enhance the way in which the GNSO is able to work with the GAC, and very specifically, to respond to those points from the ATRT outputs saying that the process, the ICANN multistakeholder model would be more effective and serve us all better if there were mechanisms for early engagement of the GAC into the GNSO policy development process.

One of our early -- Mason doesn't like me referring to him as a product. His role. The GNSO liaison to the GAC as a role was a product of the working group. Mason very capably was one of the -- the candidates put forward to occupy that role and was selected for that role for his experience and capabilities to fulfill that. So it's great, and we are in the



relatively early stages of utilizing the role and Mason's able capabilities in filling that role.

The group has continued to work on the mechanics of engagement. And here we are reporting to you, and as Manal said, we would like discussion with you and input from you, should you see fit, as to where these recommendations have taken us.

If you are supportive and if, indeed, the GNSO Council, when we review this with the GNSO Council, is supportive, we propose that these, or something very similar to these, become the pilot mechanics for early GAC engagement in GNSO policy development process.

Can we go to the next -- Sorry, Manal. Go ahead.

MANAL ISMAIL:

Just very quickly to also recognize other colleagues who has contributed to the efforts. We have U.S., Portugal, U.K., and also Spain from the GAC side, and I think we also have Carlos, Avri -- and I don't know everyone, and apologies if I miss anyone, but again, anyone who can contribute also to the discussion while we go through the slides.

So back to you, Jonathan.

JONATHAN ROBINSON:

Thank you. That's a very timely intervention acknowledging the work of the group, and particularly timely in that as you know, we met earlier this morning in my role and capacity as co-chair of the CWG work on the transition. And in picking up and working on that work, it's pulled me away from the work that I was very interested to do on this GAC early



involvement in the GNSO policy development process, and so that work has been undertaken by people other than myself.

So the fact that I've drawn the straw to present the work shouldn't make you see me as having done the work. And it's great that Manal acknowledges those in the group that have actually been doing that.

So if you look at, generally, the PDP phases and you break them down into five broad steps, there is an issue definition phase, which involves the creation of a so-called issue report, scopes out the issue. Having had that scoped, the policy work is initiated. The working group, open to anyone including GAC members, does its work, and ultimately refers its work to the council in some iterative steps, but ultimately for voting on by the council. And once it's voted on and passed by the council, it's sent to the Board for a Board vote, at which point it becomes policy, and in fact, consensus policy which is ultimately binding on the contracted parties who are subject to that consensus policy by virtue of their contract with ICANN.

By definition, early involvement should be with those early parts of those five phases.

Next slide, please.

So a first mechanism by which the GAC can and we propose should become involved would be to have an early so-called heads up. Some form of warning or knowledge of the work that's going on, and the opportunity to have -- provide an early indication of interest. What this requires is the necessary arrangements by the GNSO to provide the regular updates, and probably almost more importantly, to provide



those regular updates in an agreed format, because one of the things we sometimes get in the ICANN process is lots of information sort of being thrown over. So we could probably say in the GNSO we already do that. But it may not be in a form or may not take advantage of your current new secretariat arrangements such that it's digestible, usable, and has the desired effect.

But the handshake from the GAC, of course, is that you will need the processes in place to receive that input and to potentially provide substantive input.

So certainly that's the first point, is a thought around the quick look.

If we could go to the next slide, please.

So our recommendation one is as part of a standard request for an issue report, whoever requests that, and those requests can come from multiple parties, could come from multiple parties, is encouraged to identify whether there is any existing GAC advice on the topic on which the issue report's been requested. Assuming, of course, that's known to the requester.

And, as such, we propose, as part of this preliminary recommendation, that the issue report template, a document that exists already for the creation -- for the first step in the GNSO policy process, should be modified to include a field indicating whether or not it is subject to standing GAC advice.

Next slide, please. Can we move the slide on, please.



So here we will walk you through this set of preliminary recommendations. Number 2 recommends a GAC quick look mechanism be created. And we propose -- and this may not be the right approach. But we propose here that the GAC leadership group that probably comprises the chair and vice chairs takes this responsibility as a start. And there may be variations to this. And we don't presume to tell you how this should take place. We just make a suggestion as to one way in which this should be done. But, essentially, you have a dedicated committee which undertakes the so-called quick look. And, of course, one of the very first places you will have a quick look at is if that preliminary recommendation one is made, you will look to see if there is standing GAC advice on the topic. Manal.

MANAL ISMAIL:

Just to note that, after we go through the recommendations from a higher level, we're going to go through the steps again step-by-step where we can see how those recommendations would get into the process itself. And we can then seek your feedback on each and every thing that's been recommended. So just to note that we still have more on this later in the slides. Thank you, Jonathan.

JONATHAN ROBINSON:

Great. Thank you. So we'll walk through the preliminary recommendations and then look at those in the form of a flow, the policy development process flow, at which point we can stop to discuss them and take feedback. But, if there was some specific feedback or question or something isn't clear, please raise your hand. This is



intended to be interactive and most welcome to have any input or comment.

Let's move on to the next slide, please.

Third recommendation. So here the GNSO would provide notification of the request for an issue report via the GNSO liaison to the GAC and/or the secretariat. And it would then be the responsibility of the GAC quick look mechanism to develop a recommendation. And, in particular, the desired outcome of that recommendation is to define whether or not it -- at the quick-look level, that the issue has public policy implications and that the GAC will then commence preparations to provide input or may have public policy implications in which case the GAC will then need to consider further or is unlikely to have public policy implications. Of course, the GAC is likely to reserve the right to provide input on the issue at any stage and will be welcome to do so. But it's that initial look that indicates -- and whilst it's not binding will be very helpful to know whether or not it has, may have, or is unlikely to have public policy implications.

Can we go on to the next slide, please.

Recommendation 4, preliminary recommendation 4 takes that expectation of the quick look mechanism committee and requests that it would forward its recommended response to those previous points -- does have, may have, is unlikely to have -- and that that response is provided within a period of 15 days to the full GAC for consideration. Hence, the quick look and the speed of the 15 days.

Recommendation 5, please. Next slide.



So the GAC now looks at the quick look mechanism and the recommended response and decides whether to agree or disagree within a proposed time period. Here we suggest 20 days. And, indeed, this could take a couple of forms either referring issue back to the quick look mechanism committee or the GAC deciding as a whole on the response.

Next slide.

If the recommended response is agreed to, response is then communicated by GAC secretariat to the GNSO Council via the liaison or other agreed mechanism. And it is then known and understood through developing the issue report.

Next recommendation: Response from the GAC is incorporated into the issue report. So there will be a portion of the issue report that says, look, this issue has been preliminarily reviewed by the GAC through the quick look mechanism. And the indication is that it does have, may have, or is unlikely to have public policy implications.

Next slide, please.

Here we start to look at what happens if it does -- or if it has public policy implications, then the expectation is that the GAC will commence preparations to provide input on the issue. If it may have, the GAC will consider whether to provide input and consider creating a committee that will review this in more detail in order to provide such input.

Next recommendation. So here in this table we really summarize a series of steps and the time frames involved and who's responsible. So this would be available as -- this is, essentially, a draft proposal of the

quick look mechanism as it works its way through the different steps and an indication of time taken through the various steps.

Next slide.

And so on. Working through the different things.

Manal, did you want to try to have discussion at this point? Okay.

MANAL ISMAIL:

So, if we can go back to the table from the beginning through the steps. And let's start going through the steps one by one. Actually, the slides had some highlights on steps that are new to the process and introduced. But I can't see those here. So I'm going to try to highlight this as we go through.

So the first step is that request for issue report submitted to ICANN staff, which should indicate whether there is standing GAC advice on the mentioned topic. So this is a part that has been added that the submitted request should indicate whether there is a standing GAC advice on this topic.

This normally would happen on day zero. And, like Jonathan mentioned, the request could be from the ICANN board, any of the advisory committees, the GNSO council.

So those are with regards to who -- on this step.

So step 2 would be communicate to the GAC quick look mechanism, if this is agreed, that an issue report has been requested including



information on the topic and that a preliminary issue report is expected to be published within -- and then the expected date.

Normally, this takes 45 minutes -- 45 days, I'm sorry. It's prepared by the ICANN staff. But, again, this could be -- an extension could be requested.

Mason has very helpfully mentioned that he could give a heads up to the GAC within five days of this request just to indicate that this request has been received. So I think after step 2 there is nothing to -- and this is a new step introduced to the process, of course, which is step 2.

Step 3 is the publication of the preliminary issue report for public comments, which, again, would include -- and this is the new part -- information on whether there is a standing GAC advice on the topic. As mentioned, this would probably come on day 45 within the process. But, again, this could be extended, if needed. And this step is carried out by the ICANN staff.

Step 4, which is an old step within the process, is a submission of notification of publication of preliminary issue report for public comments to the GAC. And this is the notification we normally receive. And this, again, comes within day 45 of the process and could be carried out by the GNSO liaison to the GAC or the GNSO secretariat. I think this is a question that needs to be answered by the GNSO.

Step 5 which is again a new step introduced within the process is convening a quick look mechanism committee to review the preliminary issue report. So -- and this is where we need to discuss and seek feedback from GAC colleagues. This is -- this is suggested to be carried



out within 15 days from day 45 to day 60. So is this a reasonable period of time? And this suggested to take place, of course, either by email or by conference call. Because, again, we're talking early engagement. So we do not expect to do this in a face-to-face meeting.

So, again, if this is okay, we can move to the following step. If there are any comments, then -- okay. Seems to be okay.

Okay.

So, yeah, we, again, have a set of questions at the end. And we're going to pause and have more extensive discussion. But, if we can go to the next slide, please.

So the quick look mechanism committee makes its recommendation. And, again, like Jonathan explained, it's just flagging whether this topic has public policy implications. And the GAC will prepare to provide input or may have public policy implications and the GAC would consider the issue or is unlikely to have public policy implications. But, again, the GAC could reserve the right to provide input later should anything -- so it's a pretty flexible process. The main thing is it focuses on early, ongoing, and direct engagement between the GAC and the GNSO.

So on day 60 of the process, again, the quick look mechanism committee would convey this flagging thing to the GAC membership.

The GAC should -- or is proposed to review this response from the quick look mechanism. Again, we're proposing 20 days. But, again, this is subject to GAC approval here.



And, again, in principle this is expected to happen by email, conference call. But, again, flexible in case of this agreement that we need the face-to-face meeting on exceptional basis. So, again, the process is flexible to accommodate such request.

But the default here -- the default proposed is 20 days and expected to be intersessionally, of course.

If we don't have comments so far, then the following step would be communicating this outcome to the GNSO Council. And this comes within, like, five days from what the GAC agrees to do and could be carried out by GAC secretariat on behalf of the GAC chair. Again, if this is an accepted proposal.

If we go to the next slide, please.

Then the following step, again, as highlighted by the recommendations presented by Jonathan that, if the outcome of the quick look mechanism is option A or B, which is are -- that the topic has public policy implications or may have public policy implications, then this indicates that the GAC should consider whether input is needed. And, again, the PDP working group would be formed -- yeah, this is to note that the GNSO PDP working group would be formed after the GNSO council reviews the final issue report and decides to initiate a PDP.

So, basically, the whole thing comes within the very first phase of the issue scoping phase, which, normally, the GAC starts getting information and getting involved from Phase II. So this is really very early within the process.



Finally, the last two steps, which, again, nothing new in those two steps, closing of public comment forum on the preliminary issue report and submission of final issue report, again, including the outcome of the GAC quick look mechanism to the GNSO.

So, like I mentioned, this marks the conclusion of the very first phase of the GNSO PDP, which is the issue scoping.

So, if we go to the following slide with the questions, yes. And we can pause here and start our discussion and seek your feedback on this.

So, as a first question, in principle, is there support for creation of a quick -- a GAC quick look committee? Argentina, please. Olga.

ARGENTINA:

Thank you, Manal. Thank you, Jonathan. I think it's a very good proposal. I have just one general question. Does it go in the other way around as it goes from the GNSO to the GAC, the GAC to the GNSO? Would that work? If we have something -- if we develop a document and it has implications related with gTLDs, would that process go in the same -- I don't know if I'm clear. But say an example -- we're working with geographic names. One of the comments that we received from the registry group, which is a very good comment and a comment and I think accurate, is, if we happen to produce that document, it should go to the GNSO as an issue report or something like that. If that process that something started in the GAC that would imply a PDP process or things that are related with the GNSO, would this working group -- would it see both sides? GAC GNSO? Thank you.



JONATHAN ROBINSON:

Olga, that's a very good point. Let's try to understand and make sure we're answering your question and understand the point here. With respect to an issue report, we have discussed this in the past with the GAC. I think it's really important that we get this couple of points down. The first is policy is generally initiated and managed by the GNSO Council, the group of which I am the chair.

We do have an open place at the table for a GAC liaison to the council. We have had this conversation. We understand it. That is not easy position for you to fulfill. But just a reminder that that possibility in theory exists, although in practice we understand and fully get that it's problematic. Second, to the extent an issue report is created, the GAC is in a position to be an initiator of an issue report. To date, to the best of my knowledge -- and someone else with better knowledge of history can correct me -- I don't believe the GAC has ever taken advantage of that. But from our point of view an ideal mechanism would be should you have a concern about an issue such as in this case, that would be a perfect place to come to us via the creation of an issue report. So in a sense, you -- I understand your question. It's actually, generally, these issue reports -- these issues are being created elsewhere. The issue report's generated, and the GAC is taking a reactive position on it. And what we're making sure is that the GAC reacts early. And that's the whole purpose of this discussion.

But, nevertheless, your point is also very valid. It's what happens if the GAC has an issue? And I think I'm highlighting that we are very receptive to the GAC using that ability to create -- to institute an issue report. And we would be willing to undertake that work and commence that first phase of the policy development process. It would be



interesting then. Because, once we had created a GAC-initiated issue report, I guess the quick look mechanism would have to have a look at that and it would go around a quick loop. But, hopefully, you would say indeed that does have public policy implications. That's why we brought it to you as an issue report in the first place. But thank you.

MANAL ISMAIL: So, yes, please. I'm sorry, I -- go ahead, and then we have U.K.

CARIBBEAN TELECOMMUNICATIONS UNION: Yes, it's Caribbean Telecommunications Union, observer. Just a clarification with respect to the quick look committee and the value of it to the GNSO.

I'm thinking that if we are creating a quick look committee to give early feedback, that it is somehow intended to help the GNSO to expedite its own policy development process, and it appears to me that while a quick look entity is proposed, that no feedback goes to the GNSO until there is some sort of a GAC review by whatever mechanism it takes place.

Is that a misunderstanding? Because my thinking -- my expectation was that with every former quick look committee, this a group that can quickly give the GNSO an indication go ahead or look out for advice or whatever, and they would go ahead; whereas, the quick look committee could then be responsible for guiding the GAC through the process, expediting the process through the GAC mechanisms.

So that's where I'm not clear in what the actual process is. And if I can get a clarification on that, I would appreciate it.

Thank you.

JONATHAN ROBINSON:

So thank you for the question. I think, if I understand -- I mean, from the point of view of expediting the GNSO process, the intention is not to expedite the GNSO process, per se, but to avoid a later problem in the GNSO process where the GAC later says, ah, but did you consider public policy implications.

That said, from the GAC point of view, I do think the intention is to initially expedite the perspective policy development work through the GAC and, quickly, through a quick-look process, give probably what you would say is nonbinding feedback. But clearly the good-faith element of that nonbinding feedback, it would be pretty disappointing, whilst it's not binding, to come later and say it has significant public-policy implications. Of course that right is reserved because the scope of the work could change or new issues could emerge. But in general, it's meant -- its intended to be a good-faith indication that it can proceed with some knowledge of whether there is maybe or is not likely to be public-policy implications.

I hope that answers the question and helps. Maybe one of my colleagues wants to add something. Or, indeed, it didn't answer the question or somehow missed the point, you can come back to us.



MANAL ISMAIL: Yes, Thomas, go ahead.

CHAIR SCHNEIDER: Well, first of all, thank you for this presentation, and we've discussed this before informally. I think this may be -- or looks like a solution to a problem that we've been having for years, that we are always, like, very late in the process coming in, and it's difficult for us to have an impact. It's difficult for you to react to something that comes in late. This sounds like a good experiment, if I may call it like this, to actually get rid of that problem. And looking at this, I think it looks reasonable. The only challenge that I see is, in fact, the deadlines or the days.

My first question would be are these calendar days or is it work days? Because if something happens to be over Christmas or I don't know what, then 15 days may definitely not be enough.

So in general, I think my proposal would be we may discuss the dates and see whether this is reasonable, but in general, we should just try and test it, go through the next PDPs with this and come back together after two, three PDPs, and then see whether that, yeah, is fulfilling the expectations that we have.

Thank you very much.

MANAL ISMAIL: Thank you, Thomas. And again, this is the default proposed, but on one hand, this could be changed in the GAC see otherwise; and on the other hand, this could be on exceptional basis, extended if needed, again by way of communicating this back to the GNSO.



I'm very sorry, U.K., I skipped your turn, and thank you for waiting patiently.

I have U.K., then Sweden.

UNITED KINGDOM:

Thank you, Manal, and thanks for going through, and also Jonathan, for going through the proposal the group has come up with.

Just to pick up on that last comment about time frames and so on, I think this reminds us that this is an important step change for the GAC; you know, that we have to work fairly consistently through the year in terms of delivering on our acceptance of this improvement in how the model is working. We accepted the ATRT recommendation that the GAC should not come in at the end of policy development through having considered an issue, usually in the course of one of our three meetings a year.

This is a step change for all of us on the GAC in terms of keeping a constant eye on how policy is being developed within the ICANN community. And we have a liaison appointed to help us in that, realizing that objective. And so the time frames that are set out here remind us that we can't wait until we meet at one of our face-to-face meetings in order to sort of come back to the issue of early engagement in policy development. We have to sort of commit to working as much as we can in step with the GNSO. So I just want to make that point.

And I really also support your underlining, Manal, that this is -- you know, there is in-built flexibility here, which I think does help us. And the reason I wanted to flag taking -- taking the mic was really to sort of



underline that when the quick-look mechanism committee takes a decision that it unlikely to have public-policy implications, having this that first quick look, that's not necessarily the end of the story. I mean, as I think Jonathan was making clear, as policy starts to develop, new things emerge and resonances are created, and we have to -- you know, they may come back to the GAC.

So the initial sort of review by the committee is not necessarily going to be a decision that is applied throughout policy development.

So we should bear that in mind. I think it's important for the liaison to fulfill that function that we might have to revisit an early quick look as policy development emerges.

The other point I was going to make was that -- I suppose it's quite possible the quick-look mechanism committee might not be able to reach an agreement. They may be split on whether, in fact, there is a public-policy implication or set of implications. Or I guess the default there would be to -- to be to -- to may have a situation, because it's -- it's early days. At this stage it is very much early days, and members of the committee, if it comprises the GAC chair and the vice chairs, may have differing opinions; you know, trying to anticipate and look further down the track, over the horizon, maybe, as to whether, in fact, public-policy implications would come into play.

I hope those comments are helpful.

Thank you.



MANAL ISMAIL:

Yes. Thank you very much.

And again, just to stress what you said. It's a flexible mechanism. It's based on early direct communication between the GAC and the GNSO. Early means not very late within the process when things are at the Board level. And direct again means benefiting from the multistakeholder nature of the organization, and again, not communicating things through the Board again.

And this also helps not to impede the PDP process but, rather, to inform the PDP process; first, whether there is a standing GAC advice on this; second, whether this is of public-policy interest to the GAC; and, third, whether the GNSO should expect some GAC input on this.

So I have Sweden next. Yes, please.

SWEDEN:

Thank you, Manal. And thank you for the very hard work that has gone into this from all of you.

I agree with very much of what U.K. said. This would be an important mechanism, but it's also an example of an increased workload to the GAC and to the whole system.

So I'm thinking of how it could work. It would be easy for us, for me as a member to point to the GAC leadership and say, well, of course the chair and vice chairs should do this, but it's also quite clear that we don't want to put too much work on them.

But the leadership team would, I guess, in any case, have an important role here, together with the GNSO liaison. And possibly also with the



GAC secretariat. If the secretariat could contribute as a trigger and with drive to remind us in the GAC -- or in the committee that things need to happen, that we need to deliver.

So I'm basically very supportive of the mechanism as such, but also we need to really consider how we -- how we implement it to make it work in the long run.

Thank you.

MANAL ISMAIL:

Thank you, Sweden. So we have Switzerland and then European Commission, and then Norway.

SWITZERLAND:

Thank you.

Let me make a general observation. Since this morning, we have been talking much about procedures, processes, and very little about substance. So we need to deal with a number of processes. Quite often, they have their own system. And I'm afraid that we may be flooded by these processes. So I hope, Mr. Chairman, that you can really bring this to success and carry out all these processes in parallel successfully, although they do not have the same time frames and the same modalities.

Anyway, we need to pay attention to all the situations so as not to run into complicated systems and become entangled there.



Regarding the presentation about the quick-look mechanism, it is a quick-look mechanism, but, anyway, it comprises 11 stages or steps and many days. I don't know what the normal process would look like if we need so many days for a quick-look mechanism. So this raises in me some concerns about the feasibility of this mechanism.

I believe that some colleagues have talked about requiring the assistance of the secretariat. I think that is quite appropriate because it is quite a complex procedure.

We should expect as an outcome something that should be appropriate, a clear decision that everyone should be able to accept. So what should we do with such a complex procedure if we do not have outcomes? I don't want to take too much time by sharing this not-so-positive views, but I think we need to ask ourselves questions about this system, because we may run into these kind of situations.

I am a member of several organizations, and the organizations have their own systems which are sometimes complicated, and I have the feeling that here we are going in the same direction. And I don't think that we should work in a complicated manner. That is not the objective.

We don't want to have complicated systems that make our lives more difficult. Perhaps we can have something clearer, because that would be much more positive from the point of view of transparency and the functioning of our system.

Thank you.



MANAL ISMAIL:

So thank you.

Thank you, Switzerland. Go ahead. You go first.

JONATHAN ROBINSON:

Thank you, Switzerland, for that. I think there were three things that I took from that. One, a very good point that it would be good to talk about substance rather than process. Thank you. I think that that's a good point.

Two, simplicity is better than complexity. I also appreciate that. However, and I hope you won't think my third point is meant in any way to be facetious, but actually we described what is essentially quite a simple process in a complicated way, in the same way as we could describe in detail the steps to make a piece of toast or something. It's actually not that complicated, but we wanted to spell it out in detail and get acceptance for it.

So I think we -- your two former points were well made, and, indeed, the third is also good if we were making a complex process. In my opinion, however, this is not such a complicated process. It's we have a policy. We're going to make a policy. GAC has a quick look, tells us if it has public-policy implications. Boom, boom, boom. It's not so complicated, in my opinion, although we spelled it out in detail for the need to be fully descriptive.

So I hope that's a helpful response and it's taken in the spirit it is intended.

Thank you.



MANAL ISMAIL:

Thank you, Jonathan. And if I may add, I mean, like, half of the long duration that's mentioned is preparing the issue report. And, I mean, one of the steps is a simple email from the GNSO liaison to the GAC giving us a heads up that there is this issue that's going to trigger a discussion.

So again, like Jonathan mentioned, I don't think it is that complex. We tried to spread it out and spell it out just to make sure that GAC members are involved in each and every part of the process. But apart from that -- And we can -- I mean, it's not cast in stone. We can change this as we go if it really doesn't work.

Again, my view of this quick-look mechanism committee, that it might not be focusing only on GNSO PDPs but also maybe if we have something from the ccNSO, again, this committee should be more of structuring our work and giving us heads up, because what we indicated to the GNSO is that our process is a bit longer than the pace you're working with. So -- And that's why they are trying to give us a little bit very early heads up so that we can get prepared.

So I have European Commission, then Norway. Okay. European Commission.

EUROPEAN COMMISSION:

I'm going to speak in French. What I would like to say is that the substance is more important, and I fully agree with Switzerland. I believe that it is more important now for us to use this procedure. It



may be effectively simple. And we can try it and see if it requires some changes.

I agree when you say that the biggest problem will be somewhere else. It will have to do with us, with the GAC, how we are going to work with the requests that I'm going to -- that we are going to receive from the GNSO.

Intersessionally, we do very important work, but I believe that it is also important to know what the GNSO does and what is at the center of the discussion, so we're going to insist on that.

Thank you.

MANAL ISMAIL:

Thank you, European Commission.

And just to highlight that we are open to other suggestions or skipping any of the steps if we feel this is too complex. And on the other hand, I would feel this is very complex if we're talking about just one process or one PDP. But again, with the multiple PDPs that are going on simultaneously, so it may be good to have some interface, even to indicate to the GNSO that we are working on something, please expect something, we need more time, just to keep an open channel.

So I have Norway next.

NORWAY:

Yes. Thank you, Manal, and for the presentation and thanks also to the GNSO for this proposal.



As I also understand it, it doesn't need to be very complicated, so I think that's also of essence, that it should be a quick, easy mechanism.

And I understand the objective is to feed or to flag possible public-policy issues for the PDPs for the GNSO. And I think that will be possible to do with such a kind of mechanism.

And of course, as I understand, of course, regarding intersessional work for the GAC, we are not going to produce a GAC advice on this. So of course that would be possible to have the secretariat or one of the vice chairs to -- well, to take note of all the possible flagged public-policy concerns and communicate that to the GNSO. And of course also the GNSO are under no obligation to take this into consideration. So this is just a simple procedure to flag a potential concern. And I expect also the GAC would be in a position, of course, to provide a GAC advice at a next meeting, et cetera, on this.

And just for a clarification on my point of view -- my part, and of course the ICANN Board, of course, in no position to direct or to tell or interfere with the PDP of the GNSO.

Also, of course, my understanding is just to try to get the dialogues between the communities in ICANN. So that's just a comment on that.

So I think it's a very good idea, and I think this will reach, if we can get this to function, it will reach the objective of what we are trying to do.

So thank you.



MANAL ISMAIL: Thank you, Norway. And just to stress what you mentioned, that this, again, has nothing to do -- I'm sorry -- with, again, the GAC providing the normal advice to the board. But then the advice would not come as a surprise to the GNSO.

So I have -- I'm sorry. Was it China? Or --

CHINA: Yes. Thank you. This is China speaking. First, in general, we could support this proposal. We think that it helps to resolve some problems that the GAC have encountered in previously.

And we just have two comments. And the first one is that are there any guidelines or criterias for the quick look mechanism committee to decide whether there is a report by GNSO that it has public policy implications?

And the second comment is that we would like to have idea about the volume of the work that would be involved for the quick look mechanism committee.

We think that if it's -- if it's not coming as a very large volume, it might be workable for the GAC leadership acting as a quick look committee. But, if it comes in quite a large amount, it becomes kind of day-to-day operation, then in that case, I think they might need some extra support for this committee to carry on this work. Thank you.

MANAL ISMAIL: Thank you, China. Excellent points. On the first point regarding the criteria, maybe this should be something that the GAC could discuss

internally and give some guidelines to the quick look mechanism committee on how things should be decided. And this would even facilitate the work more so that more or less whatever is being communicated from the quick look mechanism committee to the GAC would, hopefully, be along the same lines.

Regarding the volume of work, can someone from the GNSO help on what's the volume of work that's expected? I mean, how many PDPs per second do you have?

JONATHAN ROBINSON: I might actually ask a member of the policy staff to comment. I would think the volume, by feel, I would imagine something like -- I'm not actually sure. It's not that massive, the volume. I mean, does anyone feel qualified to give that comment? Olof, are you in a position to give a comment on the volume?

MANAL ISMAIL: Okay. So do we have mic, please.

AMR ELSADR: Is this working? Yeah. I wouldn't say that there is a specific number of PDPs we have per year. But, personally -- and I may be wrong -- I expect that within 2015, we might have two PDPs that will be initiated. I can think of two that we might have. We are expecting preliminary initial reports on two of them. So one, perhaps, in the next two months and one later in the year. So, if we have two in this year and we can work on



testing at least one of those with a quick look mechanism, that would be pretty good. Thanks.

MANAL ISMAIL: Okay. Thank you. For the sake of the record, that was Amr Elsadr from the GNSO. Olof, would you like to add something? Go ahead.

OLOF NORDLING: This is Olof Nordling, actually. Not Amr.

I would say that I fully concur with Amr. He has got more of the moment.

Recalling 10 years of history with ICANN, I would say that my intuitive guess would be something like three per year. Perhaps four. But not more.

So it's per second while you count the decimals as you like. But we're counting single digits per year, I would say.

JONATHAN ROBINSON: Low single digits. It's Jonathan. Low single digits could imply nine, but it's not. I think your first estimate is more reflective initiating something like three per year. Unless, of course, you start initiating many from the GAC.

MANAL ISMAIL: So I have Thomas and Denmark.

THOMAS SCHNEIDER:

Thank you. I just wanted to express support for what the delegate from Switzerland has said, not just because he's my boss as many of you may know. But, actually, because I think he's right. And I must say we share -- although he's from the French part and I'm from the German part of that small country. But we share some of the same views on efficiency and trying to get simple solutions. And so this is really relevant to think about how much process we need for -- in order to deliver substance in a most efficient way. But in this case -- and this is where I dare to contradict him. It is -- actually, if you look at the situation that we have now, it is a very inefficient situation. We come at the very end of a thinking that has been shaped through various steps, has gone through a community process in a way that it's very difficult to change it afterwards when you come in at the end. So, if the GAC is allowed to come in at an early stage, we are part of the mindset shaping exercise that may help. And this is the hope that this probably is driving those who have been developing this -- may help to set this out in a way that there will be much less work for us as GAC but also the rest of the community at the latest stage where things are already in much more details. If that has gone wrong, we have to change all the details. So, if you try to get it right in the beginning, that may help us to work more efficient. And I agree this may look complicated. And, as I said, I'm not sure about whether the dates are really the end of wisdom. But we may just need to try it out and see whether this is feasible.

And the other point is that these may also help as a kind of capacity building exercise in terms of public policy to the GNSO. If we are forced -- and we don't need to write, I guess, hundreds of pages. We just need to flag, beware, there is or there may be a public policy issue. And then



we can -- it doesn't say how much time we actually have then to work on the substance of that. But it -- it helps to shape the mind in the GNSO to from the beginning take into account that there may be public policy issues that might not be seen in the beginning. And I would support those who say, if the GAC in the initial very short-term deliberation of 10 to 20 days may not also not see a public policy issue, that doesn't mean that, if you have spent more time on working on something, that may come up at the later stage. So I would very much support the U.K. in that regard.

But I think it may be a helpful and efficient tool to have the possibility to flag something, particularly because there are cases that you know there will be a public policy issue. Maybe most of the time you will see that maybe. So we need to look into it. And then we need to see how we can develop our working methods in a way that they are efficient and not too cumbersome and not too burdensome for us to find out whether there is an issue or not. But in general I would support this in the view that this may help us to be more efficient. Thank you.

MANAL ISMAIL: Thank you, Thomas. Denmark and then Indonesia.

DENMARK: Thank you very much. Firstly, I would like to thank everyone who has been involved in making this proposal.

I think this is trying, as the chair has already said, to solve a longstanding issue of having the GAC engaged in an early stage of the process. And this is important. And it is also a part of the ATRT1 and 2



recommendations and a way of trying to implement this. So I think we believe that it is worth trying this process out. As we understand, it is a pilot proposal.

So, by trying it out, we can see how it works. And, if it is efficient, which I hope it will be, so it can help us in our work. Thank you very much.

MANAL ISMAIL:

Thank you, Denmark. And yes, like you said, it's, again, a pilot. We can change the initial -- any of the proposed elements if we wish right now. Or, as we practice again, we can change this to make it most efficient.

Indonesia, please.

INDONESIA:

Thank you, Manal.

I will propose that we can have a try with this good mechanism.

And -- but please consider how to accommodate all GAC members' input for the GNSO as well as was mentioned previously. I'm afraid that later we will have more inputs coming for the GAC from the GNSO rather than from the GNSO coming to the GAC.

Now, if this really can be trialed and if it is successful, then we can even extend -- this GAC quick look mechanism might be extended for other GAC inputs for other organizations, too, not only for the GNSO. We can start with the GNSO. But, if it is good, then we can start to extend it to other ACs and SOs at the ICANN.



And, hopefully, if it is successful, hopefully, we can have a more calm, more peaceful cyberspace than we -- I don't want to have you know, a cyber problems caused by something -- by simple things like whatever we have no -- you know, so many trouble in the cyberspace caused by simple things. And, hopefully, we can have peaceful cyberspace later. Thank you.

MANAL ISMAIL: Thank you, Indonesia. So Singapore, please. Go ahead.

SINGAPORE: Thank you, Chair. Since it is a quick look mechanism, we will very much like to support the notion of simplicity and effectiveness.

I agree fully with the remarks made by the chair. I think as a start we should try it out. And it really -- we need to fine tune or improve, then along the way we can make it. But, as a start, it's very much a better mechanism compared to the existing where we introduce it at the very last hour. And there is no good in the interest of everybody. So we will have to support this proposal. Thank you very much.

MANAL ISMAIL: Thank you, Singapore. And, again, all the time frames that were mentioned are the expected default or let me say the maximum. Definitely, if we can go beyond less than this, it's going to be most appreciated by GNSO and everyone else. So it's all based on, like, flagging e-mails and communications. So I don't see it that complex. But, again, we'll see when we try it. And so we can keep changing this.



So at this -- can we assume that we agree to try this as a pilot? And are we going to try it as-is, or is there any specific changes that's needed? So I hope it's a good thing to try to work through this mechanism. I'm sure we're going to have very well-coordinated communications, especially with Mason with us on board as the GNSO liaison to the GAC. And with this I would hand back to Thomas or maybe Jonathan, if you have any concluding remarks.

JONATHAN ROBINSON:

Briefly, this is the second probably substantial output from the consultation group. And, to remind you, this is a joint GAC GNSO group. We've worked together on this. And it's our joint output. And it's great. And it's great to have such a lot of contributions from you today. It's very helpful and look forward to continuing the work of the group and continuing the work with this pilot should the GNSO be equally receptive. And I've got no reason to believe they will not be.

Thank you very much.

MANAL ISMAIL:

I was just going to ask whether this has been discussed within the GNSO. But then Jonathan replied even before I asked. So thank you.

JONATHAN ROBINSON:

We've continually kept the GNSO through the GNSO Council appraised of the work and what's going on. And Mason reports to each GNSO Council meeting. And there are councillors representing each of the constituent parts of the GNSO. So, to that extent, yes. But we have this



on our agenda for the council meeting at this -- so we'll do a similar process. And I guess, in terms of formal adoption, it will probably come up for formal adoption at the meeting immediately post Singapore. We did not want to presume an outcome by putting it up for the GNSO Council for formal adoption at this meeting should the GAC have had significant concerns. But -- so we'll -- I'm personally very encouraged. And, like I say, have no reason to believe that this shouldn't be equally well received within the GNSO.

MANAL ISMAIL:

So just very quickly before handing to you, Thomas, I would like also to thank GAC colleagues and GNSO colleagues who have contributed to this effort. And also Olof and Marika and other ICANN staff who were very helpful despite the workload throughout our work. So with this, back to you, Thomas. Thank you.

CHAIR SCHNEIDER:

Thank you. So we'll need to see in the GAC on how to follow these up and make it into something that is simple and, hopefully, works.

And we will keep each other informed about where you are in the GNSO with this and where we are in the GAC with this. And then we wait for the next PDP or issue report, rather. And then, yeah, we test it out.

It is now 1616, says my computer. We would have two more issues on our agenda, according to the paper in front of me. The problem from our side is that, due to the priority and urgency of the IANA transition and accountability, we did not have the time to discuss in the GAC the IGO and Red Crescent protection issues. And I'm hearing or have heard



from your side, Jonathan, there's not that much new to say. So the question is whether we postpone that maybe to a later meeting when we have new developments on black and white, hopefully, to discuss. I don't know the answer. It's up to you, Jonathan.

JONATHAN ROBINSON:

I think certainly from my point of view that that's okay.

We -- I think we understood previously that on one of those two topics, there was still further discussion to take place, and the response would come out after this meeting.

So I think it's work in progress and I'm very happy for that to continue to be the case.

CHAIR SCHNEIDER:

Thank you. Just, I think, one point, to make one point clear. These two issues are separate issues and are dealt with in separate processes.

Before we would break up the meeting, Tom has indicated that he has something that he would like to communicate.

TOM DALE:

Thank you, Thomas. It's just a lost-and-found announcement. An iPhone has been found and if you lost it, you can collect it from staff at the back of the room. I hope that's a relief to somebody.

Thank you.



CHAIR SCHNEIDER: So everybody check and phone each other to see whether it's yours or not.

In that sense, I would finish this meeting and like to thank everybody who has come. And for once start the coffee break earlier.

The question is can we -- the GAC maybe meet at a quarter to 5:00 and have 50 minutes for the IGOs? Is that something that -- in order to catch up with the schedule?

People -- I see people nodding, so please be in time at a quarter to 5:00 and then we take that on.

Thank you very much. Enjoy your coffee or tea.

[Coffee break]

CHAIR SCHNEIDER:

Thank you all for coming back. We will resume the session. So please sit down.

Please sit down. Let's try and use this roughly 15 minutes that we have to discuss IGO protection. And what I would like to propose to you is that we try and agree on a simple way forward on this issue because the situation has actually been this since Los Angeles where, once again, we had agreed that we would try and find a pragmatic and as easy-as-possible solution to go from a temporary protection regime to a permanent protection regime. And knowing that a number of work streams are under way that can be very complicated in the details, there was the intention to create a so-called small group with two members from the GAC. There was Suzanne from the U.S. and myself that would facilitate constructive and pragmatic solutions.

The situation was then this, that this small group never really met because nobody convened it because we didn't really clarify who should convene it, and nobody convened it. Probably also because we had some other urgent items on our plate that prohibited all of those that were supposed to be part of the small group to actually continue that work.

So on substance, not that much has happened. You may have seen the two letters that have been exchanged which actually, to me -- and I will limit my comments on these two letters by saying that the exchange of these letters show that, actually, direct communication in a small and informal group may be more constructive and pragmatic to move things forward. So I suggest that we don't go into the details of that written exchange, but -- and this is the concrete proposal where I would like to



have your views on, that we will basically just note for this meeting that we are aware that work is under way. We note that due to the workload and priorities in the past month, these informal groups have not been able to deliver much, but that we intend -- and this is a mutual understanding with the GNSO and with the IGOs and with others, we intend to intensify these informal channels from now on to Buenos Aires, and that we would limit our communication on IGOs on procedural remark like this that we know that things are under way; that it has been difficult to make progress due to other important commitments, and that we will continue and intensify our work informally with a view to come to a solution in the near future.

That would be the proposal that I would like to make to you with regard to this agenda item, the IGO protection.

Thank you very much. Your comments, please.

May I interpret the silence that there is no objection to that proposal?

Again silence, so I dare to interpret this silence that there is no objection to the proposal, and then we will, with Tom, formulate a very short few lines on this for the communique that we will have in your first draft. And that would actually be it for this time, knowing that more will come, more substance will come, at the next meeting.

Okay. Switzerland.

SWITZERLAND:

Thank you, Mr. Chairman. Very shortly, just to say that we also hope that we will have a solution acceptable for all parties concerning this



IGO problematic. I think we will not wait too much for that, but we encourage everybody to find proper solutions so far as possible.

Thank you.

CHAIR SCHNEIDER:

Thank you very much, Switzerland.

Further remarks?

Yes.

INTERNATIONAL COMMITTEE OF THE RED CROSS: Yes, good afternoon. Stephan Hankins. I work for the International Committee of the Red Cross.

As the agenda item was intended to cover both the Red Cross/Red Crescent protections on the one hand and the IGO protections issue on the other, I just wanted to just make a small point of update with regarding the Red Cross/Red Crescent protections, because I think it is worth noting that following the continued support of the GAC, there has been a development following a resolution undertaken by the NGPC in Los Angeles, which is the decision of the NGPC to instruct the staff of ICANN to implement and extend the protections of the Red Cross/Red Crescent designations to the names of the respective Red Cross/Red Crescent organizations which represents an important development which we had been calling for.



It's a tangible progress, and I think it needs to be noted and appreciation made to the GAC, as well as to the Board for taking this step.

Just one word on maybe a couple of remaining issues, which it is maybe not timely to address now but might require to be looked at in due time.

The first is the point that you were making, the Chair, regarding the whole issue of the protections being temporary or in the interim, and what that exactly means. Obviously, the protections of the Red Cross/Red Crescent names stems from global public-policy considerations which are defined under international treaty law. So the question is, you know, what do temporary protections actually mean and, you know, at what point is it considered that, you know, these protections need to be carried over also maybe to future rounds.

So that's a first point. And the second point is an issue that we had raised in the past that has not yet been addressed, which is the whole issue of the possibility for the Red Cross/Red Crescent organizations in the future, should they require to do so, to register their own names, should they need and want to. So this is a question also for future reflection and decision and consideration.

So thank you very much, Mr. Chair. Thank you.

CHAIR SCHNEIDER:

Thank you. Actually, I haven't forgotten about the Red Cross. I just didn't think that we would be so quick to be able to deal with the IGOs and the Red Cross in 50 minutes. Maybe I should have said it, that I was



thinking of bringing up dealing with the Red Cross in another 50 minutes somewhere in the agenda. But since you raised this, the proposal for dealing for this meeting also with the protection of the Red Cross that I'm thinking of making to you is, first of all, that we acknowledge and welcome the decision you of the NGPC to grant a temporary protection to the names of the Red Cross institutions, and that we would note that there seems to be good work under way and that we wait to see the results of this good work. That also here we would basically send a positive signal and make reference to ongoing work. But since there is no final result yet and since we have a lot of other issues to discuss, I would propose that we don't go into a substantive debate at this time and wait until we have something, a concrete proposal for a permanent protection mechanism in front of us, and then spend time on this issue again.

That would be my proposal for how to deal with this issue this time with regard to the Red Cross and Red Crescent.

So we have three minutes left for comments on this issue. I see the U.K.

Thank you.

UNITED KINGDOM:

Yes, thank you, Chair. Just briefly to endorse your proposal. But we might have a couple of sentences in the communique to that effect, to welcome the good work under way and underline, again, the GAC advice on this, just in one or two sentences. Maybe that's the ideal.

Thank you.



CHAIR SCHNEIDER:

Thank you. Other comments?

May I again take this as an acceptance of the proposal? No objections?

So again, you will find draft, first draft text, a short one on this along the lines we discussed in the communique as soon as possible.

Okay. Thank you very much. So we have two minutes' time to prepare our minds for the next session, which is a very condensed and complex one with a lot of items.

We also, due to time constraints, we tried to put all the recommendations 6.1 to 6.9 in one hour. We hope that will work. We hope that we can, wherever something is not controversial, just tick boxes and agree on ways forward, and only devote time for lengthier discussions on where there is a need for discussions. We hope it works. We'll start in one minute.

Thank you.

Would you want to come over, Anne-Rachel, and Manal, if you have space? Because this session will be led by a number of very good people, so it's good that you sit here.

This is a mix of different structures and working groups that have been dealing on some of these issues, and as we put them all together, this is now quite an interesting mix. And the session will be led by members of each of these groups and structures that have been working on this.

So I start by giving the floor to Gema for the first items.



Thank you.

GEMA CAMPILLOS:

Thank you, Thomas.

I don't know whether we -- we have on the screen the -- this is not what I prepared.

I would ask my colleagues in the GAC to try to pay attention because there is a lot of detail in what we are going to explain now and we are going to put forward proposals for your consideration and approval.

These proposals, by the way, are in the document related to the implementation of ATRT2 recommendations that were distributed before the meeting, and it's in the zip file with the briefing documents for this meeting in Singapore.

So we have the report of the accountability, transparency and review team, number 2.

This report comes from the affirmation of commitment, the agreement the United States has with ICANN. This agreement mandates ICANN to go through a review of all its processes and organizations every three years. The first one, the first review took place in 2010. And the next one started on 2013. The report is from 2013. The report contains some recommendations directly affecting the GAC. And we are going to go through each of them to see whether we have implemented them or not and what could be the way forward.

This is not the first time we deal with this issue. At this very meeting room last year we decided to endorse a new charter or a revised charter



for the board-GAC recommendations, implementation working group. This is a joint working group that was in place for the implementation of recommendations and stemming from the ATRT1 report. And this group has continued to review the implementations of the second report. At that meeting one year ago we agreed that this joint working group would take charge of some of the recommendations contained in the report. They are 6.4, 6.5, 6.7, and 10.2.

Other recommendations fell within what we call GAC internal models. And in Singapore last year we took the decision that the GAC would take charge of the implementation of those recommendations and then could fit into the ATRT2 process. And this is what we are going to do now to tell the BGRI what we have done so far in implementing these recommendations.

There are other recommendations that concern participation of governments in the GAC and in ICANN at-large. And these recommendations have been worked on by the working group on engagement with governments and intergovernmental organizations. It is the group led by Dr. Imad Hoballah, GAC representative from Lebanon who couldn't make it to come to this meeting

And there is a recommendation that advises the GAC to organize GAC one-on-one sessions, what we call also open forums. And there has been work undertaken by several members, GAC members led by Sweden, by Anders Hektor. And we'll talk about that, too.

So, without any more introduction or preamble, let's go to recommendations that are more related to GAC internal models.



The first one is precisely convening GAC one-on-one sessions. This states there has been three GAC open forums already. So these give us a reason to assert that we have implemented these recommendations. And, if you agree, we can convey this message to the BGRI. And this is notwithstanding the improvements and ongoing review of the way we organize these GAC open forums for which our draft paper has been done and is going to be discussed later in the week.

The second one concerns agendas and minutes of GAC meetings. And what ATRT2 report requested the GAC is to post those agendas and minutes on our Web site.

And the recommendation is quite specific. If you want to read it, it asks the GAC to publish agendas seven days in advance. I think we can agree with this recommendation and also consider it implemented in practice. Because our agendas are published like any other SO and AC's agendas in the e-scheduler or in the Web site ICANN has for meetings. So there is no exception with the GAC.

As regards minutes, it's much the same thing. They are being published on the GAC Web site, I think. So we can also agree with these recommendations, especially taking into account that GAC minutes usually don't assign positions to countries, which is something we couldn't do. So, in the current format, they can be published.

The report requested the GAC to publish the minutes in seven days or seven days after each meeting. There is a difficulty in implementing the recommendation in this point, because minutes have to be reviewed by GAC membership before being published.



And that takes more than seven days. So our proposal is to accept the recommendation but to adjust the time frame for that publication and extend to what is normal practice in the GAC, that is three weeks. Three weeks after each meeting we could publish minutes, minutes that will not reveal each country's position on an issue.

Then the next recommendation refers to the GAC Web site and recommends updating it. And also publish in the GAC Web site GAC transcripts, positions, and correspondence.

If we break it down, we can say that the GAC is about to start a review of its GAC Web site. There's going to be a session on Thursday on this. So we can also say that we have accepted this recommendation. And regarding transcripts, they are already being published on the ICANN meeting site with the exception of closed sessions. So we can also convey the message that we are accepting this recommendation with the exception of closed sessions.

As regards correspondence, our GAC Web site doesn't contain all correspondence.

But the ICANN Web site published all correspondence between the board and the GAC chair. So we have been taken over by ICANN in this respect. So, as a matter of fact, this recommendation is already accepted. The only correspondence that we propose not to publish is the one concerning members with the GAC members applying to be -- with countries or organizations applying to be GAC members or members conveying a change of the representative. We consider this our internal models are maybe not of much interest to the wider community.



And, as for positions, we cannot agree to publish positions for the same reason that I explained before, especially positions that have been held at closed sessions. If positions have been held at open sessions, there is no issue with having them published.

I go on to the next one, which refers to opening GAC calls to other stakeholders and possibly through liaisons.

We dealt with this issue in the working group on working methods. When we came to the conclusion that conference calls could be open to GAC liaisons, so the chair could invite GNSO liaison or other liaisons where they exist to attend those conference calls, except those that are concerned only with GAC internal models. So this is the proposal as regards the implementation of this recommendation.

The next one concerns engagement with the community. This recommendation doesn't contain a new message. So it's more like a summary or re-phrasing of previous recommendations. And, in that respect, we consider it is implemented by implementing other recommendations we have already talked about.

The next one concerns agenda setting calls, advises the GAC to adopt a routine of having agenda setting calls after each meeting. And this is something that we have been doing for some time. So we can also convey a completion of these recommendations to the BGRI.

The next recommendation requests the GAC to provide clarity as regards the role of the leadership of the GAC. In this respect we can say that at the Los Angeles meeting we decided to expand the number of advice chairs to have broader leadership team. And this has provided



more visibility to the GAC leadership and is related to this recommendation. We have -- well, in this case I have suggested to include in the GAC operating principles provisions that set out the role of the chair and the role of the group made by chairs and vice chairs. So that could enhance also clarity as regards the role of the GAC leadership.

Next one in this 6.2 is a very particular recommendation to hear particular entities that might be affected by GAC advice. I understand this recommendation very much related with the early warnings and in the program of the new gTLDs in the sense that, if we are going to issue advice, that concerns a particular company or entity, that company is afforded the opportunity to express its view before GAC conveys its recommendations.

What we propose is that the GAC accepts this recommendation and applies it or enforces it whenever the same situation arises in the future. So it doesn't need any particular action, just to take it into account for the next occasion.

Then we move on to recommendation 6.2. It requests GAC to adopt open -- the rule of open meetings as default and to establish and publish clear criteria for closed sessions. We can say in this respect that the GAC is actually holding most of its sessions as open sessions, at least for the last two years, I think. So we think we can convey also completion of this recommendation. The exception is the GAC community drafting session, which it's normally conducted in a closed fashion. Still comply with the recommendation because the



recommendation allows for exceptions provided that there are clear criteria for them.

The third one is to publish rationales for GAC advice including in the GAC registry of advice, both the rationale for the advice and the board response to it. Here we have different options. We can provide rationales in writing. We can consider that holding our sessions as open sessions provide already enough transparency as to what rationale GAC advice follows. Or we may think that, on top of that, it could be good to have GAC open forums in which we explain to the community the reasons that have led us to adopt certain advice.

So there is something we should discuss in order to convey to the BGRI what is our decision on this recommendation.

The recommendation also recommends the GAC to review the GAC registrar of advice. And we can -- this is easier. We can say that, of course, we're going to do it because it is part of the review of the GAC Web site. And we have talked about the need to make it more user friendly for some time.

And 6.4: Develop and document a formal process for notifying and requesting GAC advice. For 6.4 and 6.5 are directly within the remit of the BGRI. So it will be Manal who is going to talk about these recommendations.

I jumped on to 6.6, which is a very broad recommendation related to removing barriers for participation in the GAC. It talks about language barriers, for instance. It also includes improving GAC procedures not



only to make it more inclusive of GAC members but also to make it more transparent, more efficient so that we provide our advice timely.

And it concludes with the recommendation to develop GAC engagement, best practices for its members.

It comprises recommendations regarding how governments deal internally with the issues we discuss at the GAC, how they prepare for the meetings, how they engage with their local communities, how they avoid possible conflict of interest.

And, as regards these recommendations, 6.6, we should break it down a little bit because it's not homogeneous. There are different kinds of recommendations included in these. So, for the first part about barriers, I think this has been dealt with in the group of government and IGOs engagement. So I will defer or refer the outcome of this recommendation to the work done by that working group.

As regards the secondary recommendation and procedures, I would say that it's not really adding anything new to what previous recommendations included. So we can say that it is in the process of being implemented, too. The GAC has every interest in making its procedures more slim and more agile. We are actively trying to do it so it can be considered in implementation.

The third recommendation may be a little more difficult to deal with because maybe it's -- it concerns each government's decisions and way of dealing with issues. Maybe it's not a GAC issue to decide whether or not the implementation is accepted and implemented because implementation doesn't depend on the GAC but on its government. So



maybe this is the answer we can provide that this is not an issue for the GAC but for each of the governments to consider. Until here the recommendations were very much related to the working group on working methods. And from now on, the other recommendations are not so closely related to that. And it would be Manal and Anne-Rachel who will give an overview to you. Thank you. Of course, when we finish our presentation, it will be your time to express your views on the proposals that we have tabled whether you agree or not. Thank you.

MANAL ISMAIL:

Thank you, Gema. And thank you, everyone, for joining us in this session. And, like Gema mentioned, the BGRI working group is working on implementing particularly those four recommendations. It's a joint working group between the GAC and the board. It's cochaired by Gonzalo from the board side and myself. And I would like also to recognize other board members who are members of the working group here present in the room. So we have Erika. We have Mike. We have Markus. And also Ram Mohan. And I think we also have Chris Disspain on this working group.

So if we go to the next slide, please, it's -- and those are the slides that were presented at the L.A. meeting. I tried to highlight new comments received in different colors, but as far as the text is in black, then this is the old stuff, so you shouldn't get alerted.

So the recommendation 6.4 states that the Board working through the BGRI working group should develop and document a formal process for notifying and requesting GAC advice, and it also refers to an ATRT1 recommendation.



So if we go to the next slide, we have -- this is the current process that is currently followed in the Board requesting GAC advice. This have been circulated on our mailing list for comments. So far, no comments were received, so I'm not sure whether we would like to have this posted as the current process for GAC -- for Board requesting GAC advice or there are comments that we need to take into consideration.

If we go to the following slide, also I would like to note that the Board requested GAC advice only once in the past five years. So maybe because the GAC is too active and is always in advance of anything. But again, just to highlight this point. And I'm in your hands. We can either put this online as the current process followed or accommodate any comments that we may receive either now or later.

So if we go to the following recommendation, it's the Board should propose and vote on appropriate bylaw changes to formally implement the documented process for Board-GAC bylaws consultation as developed by the BGRI Working Group.

So the following slide gives us a snapshot where we stand on this right now this has been an output from ATRT1, ATRT2 and the BGRI advice which basically suggests that the bylaws threshold be two-thirds of the Board to reject the GAC advice.

At the last ICANN meeting, the Board and the GAC noted that the public comments -- again, to have the bylaws changed, we have to put this for the public comments, and the public comments received were almost unanimously negative. So, although some of which have related this to the accountability and IANA transition processes, yet this, as I mentioned, was as early as ATRT1 recommendation. So -- But again, the



issue has been put on hold, to be revisited in the broader context of other changes across the ICANN community.

And so this is where we stand on 6.5.

The following recommendation, 6.7, where ATRT2 recommends that the Board work jointly with the GAC through the BGRI Working Group to regularize senior officials' meeting by asking the GAC to convene a high-level meeting on a regular basis, preferably once every two years. And countries and territories that do not currently have GAC representatives should also be invited and a taking stock after each high-level meeting should occur.

So if we go to the next slide, please.

Then again, we have drafted, with the help of Michelle from GAC secretariat, some guidelines that would help any government that would like to host a high-level meeting based on experiences by past hosts. We have one high-level meeting held in Canada and the other in U.K.

So I have received comments from European Commission, and those are highlighted in red, and others from U.K. also, which are highlighted in blue. I have to say that I tried to really summarize the comments received, but again, U.K. have shared a very thorough experience, which made me wonder whether we can just annex them to the guidelines rather than putting them into the guidelines. This is something maybe we can discuss how we are going to proceed with the process of revisiting and reviewing the guidelines.



So basically before each meeting, the host member should liaise with the ICANN staff and GAC secretariat for the facility and the resources and also for the posting of agenda and information. As well, of course, as with other previous host members to share their experience.

They could also arrange travel support opportunity. This could be liaised with the ICANN. Send invitations to governments, including non-GAC members. And like U.K. mentioned that reaching out to embassies and high commissions was particularly important in engaging administrations which are non-GAC members. So again, this is a bit of experience from U.K.

Sorry. Mike, would you like to have the floor?

MIKE SILBER:

Thank you, Madam Vice Chair. I think I would like to add one comment to that and encourage the GAC to think about it, and that is as we move and based on the Cross-Community Working Group on meetings, as we're looking at revising the structure of the ICANN meetings as of next year, the opportunities for high-level meetings may be impacted. And I would encourage the GAC to consider whether you want to have a more regular rotation, or if it's on an ad hoc basis, and the basis for selection. Because we would really hate to be in a situation where ICANN selects a venue based on its criteria. For example, the middle meeting, the circled B meeting of the year, and it turns out the venue then is not conducive to the high-level meeting that the GAC would like to hold.

So we just need to take that into account, and we need to just work out how the revised meeting structure and the revised regional rotation



based on the revised meeting structure may impact future high-level meetings so that we don't disappoint the GAC in terms of its desire and its schedule in terms of future high-level meetings.

MANAL ISMAIL:

Thank you, Mike. And, indeed, a very important point which was raised also in our meeting in L.A., but it's good to reiterate this as we speak here.

Also, it's suggested that the hosts GAC member self-nominate and inform the GAC one year in advance, because this, again, would help in terms of what Mike said, the logistics and the venue and so on.

So going to the next slide, please.

So the host country should also liaise with the GAC and the ICANN for the agenda. And again, as suggested by U.K., the agenda should not be merely a high-level GAC meeting but, rather, to define also other key strategic issues that could be discussed. And liaise with GAC and ICANN to propose options for meetings with other stakeholders. Again, this was a suggestion from European Commission which, indeed, provides more incentives for the high-level representatives attending the meeting.

Also secure participation of GAC leadership, the CEO and the chair of the Board, for as much of the program as possible. Again, this is a bit of experience from U.K.

Prepare briefing opportunities for governments who may wish and brief GAC members about high-level government meeting at earlier



meetings. And develop a list of other related opportunities. Again, this is the normal stuff we had from our last meeting. I was just trying to highlight where we got some feedback and some input from GAC colleagues.

So the following slide, please, which describes what's expected again. During each meeting, host member will arrange for briefing the chair of the high-level meeting and the chair of the GAC if, of course, they are not the same person. Have the meeting open for all stakeholders to attend. Again, this was contributed by U.K. Of course, seating arrangements; minute-taking; transcription, translation; lunch and any post-meeting functions. And finally, publication of the chair's report, providing a summary of the meeting.

And following slide, please, describes what's expected after each meeting, and the host member is expected to arrange for publishing of minutes, transcripts, and the chair's report. And again, U.K. suggests that from their experience, they reflected significant areas of agreement as well as range of other views. And of course it's better to have this published as soon as possible.

Also, stock-taking by GAC to discuss the high-level government in terms of attendance, discussion topics, and outcome.

And finally, GAC support team may be able to track and report back any increase in GAC membership resulting from this high-level meeting.

If we go to the following slide. And again, those are proposals also from European Commission to consider GAC guidelines for high-level meeting a living document. And this goes, again, along the lines we



were discussing last meeting, and it could serve as how we can review this process. We can just keep injecting experience of other -- of previous host so that we can facilitate the job of future hosts. So the high-level meeting hosts are encouraged to work with the GAC on updating those guidelines in order to increase the robustness of the exercise over time based on their experience.

And here I would like again to pose and to mention that the guidelines were circulated. Those are the comments received so far. They are not all injected into the current document. Only European Commission comments were added to the document and circulated.

I find the U.K. contribution very thorough and very detailed, and that's why I was asking whether we would like to be annexing input from host countries or we would like to generalize and put into the guidelines. So this is one point I would seek feedback on.

And afterwards, I think if we have other comments, we can incorporate this. If not, I believe we can adopt the document again as a living document that would be revisited and reviewed after each meeting.

So if we -- And again, of course considering the output of the committee that's working on the ICANN meetings. This also should be considered.

So if we go to the following slide. I think it's the last recommendation which has to do with GAC early engagement in the GAC-GNSO PDP. And we already had an hour and a half discussion on this, so I won't bother you again with the same stuff. So if we go directly to the last slide.



And this is a quick update to those who were not present in the -- in our previous session, that recommendations for GAC early engagement has been presented, and during the last session, particularly very early within the process, which is the issue scoping phase. This early engagement many proposal is focusing on direct ongoing coordination between both groups which basically is based on early heads up to the GAC by the GNSO and early indication of interest to the GNSO by the GAC.

And with this, I hand back the floor to -- who? Or should I hand back the....

Gema?

Anne-Rachel next, maybe? Or --

UNKNOWN SPEAKER:

Anders. I think it's something we should think about, when can people ask questions and comments. This is up to you.

MANAL ISMAIL:

I'm flexible, if we want to take comments on those four, then hand over to Anne-Rachel, maybe, and then -- for people not to get confused with too many recommendations. So....

So can we take questions now or -- okay.

Sweden.



SWEDEN:

Thank you.

I have a question for 6.3, that's about publishing rationales for GAC advice.

In the recommendation, I think it was Gema who drew this, the recommendation is talking about open sessions and open forums, but I'm wondering if it's not meant to be public forums. If the suggestion is not supposed to be to hold public forums at the end of each GAC meeting.

This is relevant because later we're going to discuss the open forums, and our options changes considerably if we're going to have public forums.

So question one, do you mean public forums? And question two, should we have a small discussion about hosting systematically public forums at the end of GAC meetings?

Thank you.

GEMA CAMPILLOS:

Thank you, Anders. Maybe it was a mistake on my part to call them open forums, and the correct name is public forums.

I was referring to your proposal to hold specific sessions to explain the GAC advice. But the recommendation 6.3 doesn't mention open or public forums at all. It just suggests the GAC to explain in more detail the rationale for its GAC advice.



So in order to comply with this recommendation, we can choose among different options, one of them being holding that kind of a specific session in conjunction, for instance, with ICANN public forums to explain the rationale for our advice.

These sessions are not like the one we held at the IGF in Istanbul, which are meant to be informative of anyone in the world who is interested in the work of the GAC.

I refer to the session that could be held here at ICANN, and only for the purpose of explaining the GAC advice.

Does it help? Have I addressed your question?

SWEDEN:

Yes, you have addressed the question, but the question still remains on what the GAC position is on having public forums.

Is there space in the -- Is it possible to do it? And it would be the GAC leadership team that would be hosting it, so there is a bunch of different questions associated to this.

CHAIR SCHNEIDER:

Thank you. Actually, I may make a procedural proposal. We've located one hour to this, which is very tight. We may not need the next full half an hour for discussing the outlines of the communique.

My proposal is since you have this document where with every recommendation you have an indication in the right column on whether everything is done or you have some proposals for discussion, and,

actually, for decisions, at the meeting with the recommendation that is you presented so far, that ideally you would go through them one by one where there is a need for a decision. Maybe we don't even have to discuss it. Maybe the decision is just easy to be made. And so that we get these things done.

That would be my proposal. And then we spend some time on the other two recommendations. Because just going through them, and we need to somehow structure the discussion, would be my proposal. And I don't think all of them take equal time. We could actually take a few decisions on some of these proposals right now. That would be my idea.

UNKNOWN SPEAKER:

Thank you, Gema, and colleagues for the detailed report. I noted two things as a government representative. I wonder whether we should -- we should have a definition or explanation for what do we consider to be senior officials. I see the reference there is senior officials there is de facto and de jure definition or understanding. De facto is what we see in -- what we saw in London, which is ministerial. De jure may be -- that's what we need to look at. Is it us, senior officials, or is it ministerial level? So it will be a good if we maybe get some definition or clarity or explanation on that. Because that impacts on some of the requirements of what is required from those countries. Because, if it is ministerial, I see there is no arrangements for protocol and security and so on.

It's not listed. But, if it is senior officials, then maybe -- which is non-ministerial, then that becomes irrelevant or that becomes superfluous. That's my humble comments. Thank you.

MANAL ISMAIL:

So, if you're referring to the high-level meeting, actually, we found it's not practical to enforce a certain level for the meeting. And it's up to each and every country to see whether they would like their minister to be present or head of regulator or whatever senior official they would like to have on board. So does that answer your question? Morocco.

MOROCCO:

I will speak in French. I would like to thank the chair for presenting the work done, the work that should have our support. My comments will focus on recommendation 6.7, more particularly, the high-level meetings.

Such meetings are very important in this regard. They offer us an opportunity for countries, for GAC members to raise awareness about the different topics discussed within the context of ICANN. As many African institutions said yesterday, governments and high ranking officials or senior officials are not aware of the issues discussed within ICANN.

So my delegation carried out this kind of meeting. Geographic rotation is very important so that no region would be excluded. So far we have had two high-level meetings -- one in Toronto and the second one in London.



I would also like to support all the comments made by the London delegations last June.

I believe that we can have good feedback from this process that will enable us to make improvements in terms of the expectations that we may set for these high-level meetings. All discussions regarding the agendas play a very important role. We have to have a very concrete agenda for these meetings, because this will enable us to get the best possible results.

And those results will deal with issues that we usually address within ICANN and also in a broader context. So we support the principle of rotation and also this idea of having high-level meetings and taking the feedback from previous hosts.

MANAL ISMAIL:

So thank you, Morocco. And this is exactly the intent behind this recommendation is getting the work of the GAC and the ICANN to the senior officials. So we have Portugal next. Portugal, U.K., and United States.

PORTUGAL:

Thank you very much. I think I'm going to speak in Portuguese.

My comment is -- on this has to do with this senior officers, whether it should be ministers or senior officers. And this has to do with member states and countries and would like GAC members to be present and that ministers do not feel engaged. They don't feel that they must come. So we should be very clear about this. They should either be

ministerial on a ministerial level or not. So this decision of mixing is not adequate for me.

So what do we want from these meetings? What do we want to get from these meetings? Do we want a different more particular discussion? Within the GAC we will not get very different outcome. But, if we want a high-level ministerial meeting, we should then say that these meetings are ministerial meetings and ministers will attend them or not. They might send somebody else. But this should be very clear.

So ministers -- we could not say that ministers want to attend and should attend or not or whatever. It depends on them. But, at the end of the day, ministers will want to go. But the GAC cannot say that each country should decide on whether it will send a minister or not.

We want to know, clearly, the focus of our meetings, if they should be attended by ministers or not.

MANAL ISMAIL:

Okay. We have U.K., U.S., and then Peru. U.K.

UNITED KINGDOM:

Yes. Thank you, Manal. And just on this point about level, we took a decision to invite ministers where it was possible to invite ministers. Administrations don't actually call them ministers but ministerial equivalent. So we called the meeting high-level governmental meeting rather than high-level ministerial meeting to allow for that sort of flexibility. And, of course, some administrations were represented by senior officials in the end.



But our invitations strategy was to invite ministers. And of course, as I think Portugal just indicated, it's the prerogative of the administration as to deciding who would head their delegation for the high-level governmental meeting. So that's my reflection on that.

You had a question earlier on about the response from the U.K. to your request for feedback on the guidelines and so on

and as to how you would handle that.

I mean, for those of you who saw it, basically, I made the point that we supported the guidelines document and the amendments that the European Commission had tabled. And then I proceeded to give an account of our experience with some of the key decision making stages that we went through in terms of agenda setting, our strategy for awareness raising and outreach, how the meeting would be conducted, what our proposed outcomes should be in terms of the chair's report of the meeting, the report of our minister who chaired the meeting. And, also, the great assistance we received from ICANN and from the GAC secretarial support in the preparation and the logistics and facilities that were provided on the day of the meeting.

So my response covered those areas of decision that we went through and how we looked for support from ICANN and the GAC secretariat. And I'm very happy for that to be appended to the guidance, which, as I say, we fully support. So that's, basically, our position with regard to this account of implementing the ATRT recommendations on the high-level engagement with governments. Thank you.



MANAL ISMAIL:

Thank you, U.K. And, in fact, yeah, I found it too detailed to be incorporated into the guidelines. But then all the details were extremely useful to be summarized. And I'm sure it's going to be of great benefit to future hosts. So -- to Portugal and, again, Namibia also raised the point of the level. We had this discussion as early as the very first meeting in Canada.

And it's good to set a level for the meeting in order for high level officials to know whom they are coming to meet. But, again, like U.K. mentioned, putting ministerial would exclude other senior officials from attending. So it's this balance that we're trying to maintain. But, again, this is revisited continuously. If we have a certain proposal, I think it would be good to accommodate it. But so far it's a high-level government meeting. And GAC members -- again, it's good to start to prepare early and get early indication of the meeting so that GAC members also share with each other who's going to be present from their side.

U.S., sorry to keep you waiting.

UNITED STATES:

Thank you very much, Manal. No worries about that. I really appreciate all the material that has been presented. And so I'm going to actually ask a process question, if I may, as opposed to substance.

I think the exchange certainly on the high-level meeting has been extremely helpful, very informative. But I do have a process question.

I see that on our objective it is to review progress to date and, quote, decide on further actions to be taken.



Not entirely clear what you mean by "further actions" unless you are referring to some of the proposals in the many documents we now have.

So a lot of documents have been loaded on this agenda item. Sort of a little more quickly, more recently, as opposed to a week or two or whatever ago.

So there's some new material here. And so I'm not entirely sure what it is you're seeking our positions on or guidance on. There's some materials in this text that have not been thoroughly vetted or discussed as agreed positions. So I'm just a little bit unclear

So I'm going not to you, Manal, but to the chair. If you could provide some guidance, please, that would be extremely helpful. Thank you.

CHAIR SCHNEIDER:

Thank you. Actually, in light of what has been said about talking substance and talking procedure, my hope would have been -- but maybe we didn't have enough time to prepare the session with all the different groups -- but that we would go through quickly through every of these items. And where you see something to discuss and decide, we would try to take decisions. Because I'm not sure whether we need to spend hours and hours on every of these subitems. But to get them off the table wherever we can, some of them may be left over where we realize we would need to have a longer discussion. But that was my original perception that we would be able to go through them and clear off most of them in this hour or maybe 90 minutes that we might have. Thank you.



MANAL ISMAIL: Peru, please.

PERU: I would like to speak in Spanish, please. Peru speaking.

Regarding the level of the invitation extended in London, the invitation to the high-level meeting, first of all, I would like to acknowledge and appreciate our British colleague who was our host in London. But I also want to take this opportunity to highlight the perception -- at least Peru's perception of the invitation received. Not the invitation sent by the British government but sent by ICANN.

Is ICANN an international organization or not? Does ICANN want to be an international organization or not? Peru's government will not formally at a ministerial meeting attend an ICANN meeting because ICANN is an organization, a nonprofit organization. It is not an international organization. Therefore, when you invite us, with all due respect, we will engage. We will participate within our best possible level or efforts. But, please, do not expect Peru's government to send a representative of the president's cabinet of ministers. Because this is not fit for an ICANN meeting. A minister is invited by means of a diplomatic invitation, not by means of an ICANN letter. These are details that ICANN needs to consider because ICANN is not an international organization. And inasmuch as ICANN is not an international organization, ICANN has to accept the conditions of its status. Thank you.



MANAL ISMAIL: Thank you, Peru, for sharing your views. Switzerland.

SWITZERLAND: Merci. Thank you. I'm going to speak in French.

First of all, I fully support my colleague from Peru. These rules are as follows: If you want to have a ministerial meeting, then it is a minister the one that will be inviting his or her colleagues. If it's going to be a governmental meeting, then the head of the governmental organization is going to be inviting the attendees. This is not the case in ICANN.

So I believe that, if we're going to hold high-level meetings and we want ministers to attend, the minister in the host country must be the one extending the invitation to his or her colleagues.

And these colleagues, in turn, may decide to represent their countries in an individual capacity. Or else, if they cannot do so, they may send a government official on their behalf or even a colleague from another ministry, if they so wish.

But every minister in each country will decide how to proceed regarding representation at a ministerial meeting. These are the rules of the game. And I think we should follow them.

MANAL ISMAIL: Thank you, Switzerland. And this is, again, exactly why we could not really force a certain level of attendance. And it's up to each and every country to decide, of course. Indonesia.



INDONESIA:

Thank you, madam. In addition to what my -- our colleagues have mentioned with the procedures with the ministers and so on, of course, the procedure has to be followed. Indonesian minister was invited by British minister was ICANN 50 in London. For IGF, for example, in addition to the U.N., these are invitations that are for the high-level leaders meeting. The minister will invite their colleagues to the high-level leaders meeting. In a few months time Netherlands will host a GCCS meeting. It is the Netherland foreign minister who invite our foreign minister. That is standard procedures.

Now, in addition to depth, we also have to see the organism itself. As mentioned ICANN is a nonprofit organization in California. Now, it will be different with an invitation from ITU. The ITU decision is done by the ITU plenipotentiary meeting. That is the highest decision body. When the plenipotentiary meeting is set, it has to be carried out by the Secretary General. There's no way the Secretary General will decide the plenipotentiary meeting where the minister decides that one. And everybody who comes to the ITU meeting needs to have a letter of -- I forget the name in English. Letter from the foreign minister saying that I am representing the government of Indonesia and my signature representing the government's signature agreement. So that is the things that we have to follow. While in ICANN -- well, we discussed like yesterday that, if we get advice may or may not be considered or taken by the board of ICANN. Because it is just advice.

So that is completely different with the plenipotentiary meeting decision.



So I think this has to be taken into account; because, from my point of view, GAC is just an advisory body. Whether I say something or not, it doesn't really matter. I never sign anything here. In ITU meeting I have to sign because I represent government with an Indonesian flag in front of me. So, if I sign something that is very, very heavy, bring them to me. Because, if I do something wrong, I'm going to Indonesia and I did something wrong. My minister will get mad to me.

Well, here. Well, okay. The Internet (indiscernible) will do the rest. The Domain Name Association will do the rest. It doesn't really matter whether we come or not. So thank you.

MANAL ISMAIL:

So thank you. We have China, please.

CHINA:

Thank you. We'd just like to concur with the intervention by our Indonesian delegates. We have some concern on having this regular high-level governmental meetings. Because, if we recall, if we are holding a ministerial meeting, the invitation either from the -- from the international organization -- the leader of the international organization. Normally, it will be like an intergovernmental international organizations. It's a but weird that the minister will accept invitation from a leader or company. And also add to that we think that the GAC is a working level organization. So how could ministers be attending like a meeting of the working level nature? And what's precisely is the mandate of this? And the agenda for this ministerial meeting, and what's the outcome? And how we can -- actually, how the



minister's instructions can be implemented in this, as my colleague from Indonesia have pointed out clearly, that GAC don't have -- GAC is an adversary organization. So it will be very possible that the instructions from the ministers could not be fully implemented within these working mechanisms. So this is our observation. Thank you.

MANAL ISMAIL:

Thank you, China. We have European Commission. And then maybe we should wrap on this recommendation with your permission, Chair. And then, because we have two other recommendations to be presented by Anne-Rachel. So European Commission, please.

EUROPEAN COMMISSION:

Thank you very much for giving me the word. I'll be very short. I just wanted to say, when we had the meeting in London, it was clear that it was the British minister invited. It was not ICANN that invited. And this meeting is actually outside the scope of ICANN, although we discussed a number of issues which has to do, of course, with ICANN, which is an important -- albeit prior company. It's an important company. Otherwise, we wouldn't be sitting here.

I would also call on also the fact that everybody here has some kind of official status, I hope. Because we are here representing our governments even though we are giving advice to, again, a private company. We are still here in -- as representative of our governments. At least I am. So I just wanted to mention that. Okay.

Am so I just wanted to mention that.



MANAL ISMAIL: Thank you, European Commission. Yes, very helpful, and will help me wrap.

So again, probably it's the host country would set, again, the level -- by the invitation extended, would set the level of the meeting. It's very helpful that this is done early on if we want to secure higher level. And again, that's very helpful to have this done early on so that there is a sense of the level of the meeting, because despite the fact that it is up to each and every country to bring their senior official, again, it's not logic that we have just, for example, one minister and the rest.

So it has to have, again, some -- So the earlier we work on this, the better.

And finally, those are some guiding principles to the host country. They are not something that's binding. So just to guide future host countries on how to -- some tips on how to hold the high-level meeting.

So with this, I'll hand it back to our chair, and I hope we can have this as a living document as I said so it's not cast in stone and we can keep changing whatever we feel.

And one final thing, that I think we can find some way to just acknowledge or recognize previous hosts so that even future ones know whom to talk to. Because if we keep compiling things into the document, then we lose track who hosted which.

So maybe having an annex or something start big Canada and U.K.

So Gonzalo, you wanted....

GONZALO NAVARRO: Thank you, Manal. I am going to make a couple of comments, and obviously since you are taking advantage of the translation or interpretation services that we have here, I'm going to do it in Spanish.

Gonzalo Navarro speaking. First of all, I would like to thank you for this invitation to join you today. We believe that is, indeed, relevant, and my congratulations to Manal. I commend her on the progress achieved regarding the ATRT2 recommendations in terms of our joint initiative.

I would like to raise some points of clarification. As I recall, the two invitations sent out, the two invitations for high-level meetings, were sent from one host state to another state. So, for example, at the time the Minister of Communications in Canada, and then the Minister of Communications or Telecommunications of the U.K. were the ones sending out or extending the invitations. So we cannot say that this is an invitation sent out by ICANN.

So the recommendation is addressing the GAC, it's not addressing ICANN, in terms of the organization of these meetings.

So ICANN is not inviting ministers. It is a state or government inviting other states or governments.

Secondly, in reply to the comment made by the colleague from Morocco, and as Mike Silber pointed out, next year there will be a change implemented in terms of the ICANN meetings structure. The second meeting is intended to be a shorter meeting with less need of infrastructure. So countries that were not considered hub countries initially will be able to engage to participate. So countries that normally

were not able to host these kind of meetings will be able to engage and to host an ICANN meeting, and why not a high-level meeting, be it a ministerial meeting or be it a meeting attended by senior government officials.

Once again, I thank you all for this opportunity and for this invitation to join you today.

Thank you.

CHAIR SCHNEIDER:

Thank you. And I would just like to add a clarification about this point of the high-level governmental meetings. We're actually not discussing whether or not to have them, because that decision has already been taken. The question is about some refinement of guidelines, which is on a way lower level of whether or not, just to clarify this. And by the way, it has been the implicit agreement, and if you look at the L.A. communique it says that regular high-level meetings, so on and so forth. And the rule that we've had so far is the idea of having one every two years, which will bring us to the point that we may have one, should have one, will have one next year, which then will bring us to the point that we should actually start preparing it sooner or later in case it might take place in the beginning of the year, because with the new meeting strategy, we probably will not have it in the middle of the year but either the beginning or the end. I will not go into detail of this. We have a session on Thursday where we can spend more time -- I hope we can spend some time on this. But time is running, and so there will be some decisions that will need to be taken rather soon, actually, about a next high-level meeting.



With this we have now ten minutes -- roughly ten minutes left. Maybe we can have a little bit more. I suggest that we go to the recommendation 6.8 and 6.9, which is Imad and Anne-Rachel who are involved in this work together with others. Unfortunately, Imad is not here so we're glad to have Anne-Rachel presenting where we are with regard to 6.8 and 6.9 to us. Thank you.

ANNE-RACHEL INNE:

Thank you very much, Chair, and thank you for having me here. As you said, Imad is not here, and I'm going to go pretty quickly since we don't have too much time and I believe the draft guidelines were circulated.

This is the second version of the guidelines, and so I'm going to give you just an overview of what we've done so far.

The working group was created last year here in Singapore. It's had two meetings already, one with -- one in London and another one last October in Los Angeles.

Among the members of the working group -- so the lead is Imad Hoballah from Lebanon, and the members of the United States, the European Commission, Australia, Turkey, Mali, Sweden, Argentina, the African Union Commission, the Organization of Islamic Cooperation, and the Caribbean Telecommunication Union for the GAC part.

And on the part of the ICANN team for what we call the regional stakeholders engagement group and the government engagement group, so I come from the government engagement group which is headed by Tarek Kamel, seated here. There is three of us. My colleague Nigel Hickson who takes care of the international organizations. Myself,



I take care of the government part. And we have all our colleagues that are in the regions. And we have Africa, North America, Asia, Europe, Latin American and the Caribbean, Middle East, Australia, Pacific Islands, Eastern Europe, Russia and Central Asia. So these are what we call the regional vice presidents are in regions, and basically what we do is we coordinate work with them and also with the GAC representatives whenever we go out there.

So recommends 6.8 and 6.9.

6.8 specifically talks about basically how to organize and develop guidelines for engaging governments, both current ones at the GAC and also nonmembers of the GAC.

So what we have done is tried through the guidelines to put what we do in general when we contact people, whether they're members of the GAC or nonmembers. So we also have contacts with the secretariat, of course, so we make sure, you know, that things like, for example, meetings of the GAC communiqués are shared regionally with the communities. In Geneva, for example, with the missions and the IGOs.

We have what we call the level of engagement and approaches. And these are the ways, basically, that we engage the GAC present and future members.

So the regional teams organize things like Webinars. They organize also conference calls between, you know, the -- one on ones, for example. If a GAC member feels like they need to have more information on a subject that is being discussed at ICANN, they would call up one of the vice presidents or exchange emails with one of the members of the



team, the regional team, and, you know, have information about, for example, the regional strategies that are being developed at the moment. And GAC representatives have always been part of those.

Individual briefings. So those are, for example, individual briefings that we do in Geneva. In Geneva, we have missions that call to say, "Oh, we heard ICANN is in town. We have been to one of your general briefings, but we really would like to exchange more with you, so could you come to the mission and talk to us?"

And basically that entails, you know, questions that they have about what is the mandate of ICANN? What is this IANA stewardship transition that we're hearing about? What are you doing in my own country? You know.

So basically we tell them that, and afterwards we also coordinate with the regional representatives so that they can, you know, tell, for example, the GAC representatives, oh, our colleagues in Geneva have talked to your mission and at the mission they were asking this, this and those type of questions, you know. A lot of developing countries, for example, always have questions about country code top-level domains, what happens there; some of the issues that they've heard their own country codes are having, you know, so on and so forth. So these are some of the individual briefings that we do.

The regional vice presidents also go to countries that are interested to hear more. When they're, for example, on-site for a meeting were they have been coming to, they meet officials in the country. They talk about what ICANN is. Why, you know, we're there. What is happening. Some

of the ways that we've been interacting with, for example, the Country Code Top-level Domain, IXPs, name it, network operators.

So these are the type of things we do. And in general, of course, when they go to countries, they always make sure they contact the GAC representative, you know, to be with them.

We also have meetings with, you know, the communities in the regions, and those are pretty specific. For example, for when -- last time, I will just give an example. Our colleague from Africa, for example, had a meeting with the whole community on an update on the Africa strategy at the RIR meeting that took place in Mauritius where they had a lot of the community who was going to be there. So they took the occasion and, you know, this is one country where, for example, they had also issues with Country Code Top-level Domain so they met the officials in country. Having the rest of the community helped in putting them in touch with people who could probably help them in giving them best practices for, you know, following up and resolving issues on the ground for the Country Code Top Level Domain.

We do some -- what we kind of call some -- this is actually a term that came from the GAC members, that they want some basic training or hopefuls of GAC to become GAC members who want some basic training. So what we do, because we have the opportunity of the other regional vice presidents to meet them, we sit with them and we go through what the GAC Web site is, you know, how the GAC works, how many members are around, who are the observers, what are -- what came out of the latest communique, what GAC has worked on and

basically put them in touch, then, with the GAC secretariat, you know, on how to send a letter and basically become a member.

And became engagement with, you know, the non-GAC members goes, you know, the same way. So that basic engagement can be for a GAC member that basically just arrived or someone who is a hopeful. And if it cannot be done on a one-to-one, there's also the Webinars. The team do Webinars where, for example, the latest one being one that was done in Latin American, and Olga was very graceful to do an update for hopeful members from the Latin American region.

So we do work with -- you know, together with the GAC members to make sure that the engagement is really optimal.

Outreach materials are some of the things that I listed. We also have the ICANN dashboard. Among some of the things that we needed to develop are the draft tools among which, you know, a Wiki, list of ministerial ministers around the world for the GAC. That is being -- at the moment, it's ongoing. So hopefully we will soon get that part done.

We also, right now, for example, do send a lot of the GAC, either members or the ones who want to become members, to a Web site called learn.icann.org where there are quite a few modules where people can go by themselves and learn, you know, what ICANN is, what the community is, how to participate in all of that. And, you know, as we go. And when they have questions, basically the regional vice president or their teams help them in coming -- being up-to-date with what is happening.



And then we have also the -- the regional teams have a part on the community Wiki, they all have a part where they update, they talk about the regional strategies, what is happening. And this is where you can get, for example, also meetings that are happening in regions; other, how do you say, trainings, for example, that are happening around the DNS in general; and things like in 6.9, references to developing -- working with -- develop and execute for each region of the world a plan to ensure that local enterprises and entrepreneurs are fully and on equal terms and can make use of ICANN services, including new gTLDs. We have, for example, the DNS enterprise center that has been, at the moment, started in Egypt for the Middle East and Africa region, and that one is specifically to make sure that we foster, you know, DNS business around those regions.

So these are the type of things that are happening. And in terms of content, this is really what we offer.

For the Joint Working Group, we have -- and the GAC specifically, we have a meeting, a monthly meeting with the GAC leadership -- ICANN and GAC leadership. We also send to the GAC a report, a monthly report basically where we itemize all the one-to-ones and also public meetings that have happened around the regions. And if, you know, the GAC members are either interested to ask, for example, what has happened at those meetings, they can do so.

In there we also put a little bit some of the formats of the materials. Of course, in general, they always -- we use presentations in others, and generally people can find them on the Web sites of the meetings whenever they happen.



So I'm going to finish with something that we -- when discussing with the regional V.P.s and some of their GAC representatives regionally, some of the issues we're facing in engaging GAC people in general, especially for small countries and smaller economies, is lack of -- they say lack of human resources, lack of time, and also lack of basically grasp of what is happening at ICANN, what ICANN is and how to participate.

Some are saying they really need constant hand holding. In terms of, like, for example, briefings. Like every single time there is an ICANN meeting or there is something happening on specific subjects, like WHOIS and others. And of course there are, I would say, the personal preferences that some like the Webinars, because they think it's more conducive to their own ways of learning, and others like emails and all of that.

So we do take care of, you know, what people and GAC representatives, you know, tell us. And this is what we have drafted. We would love to have your comments on, you know, the way that we're interacting with GAC representatives and see if going forward these are ways that you think are proper.

So this is the updated draft guidelines. And I'm going to stop here and ask, you know, via the chair if you can send comments to the Joint Working Group, we'll be happy to take those into account.

Thank you very much.

CHAIR SCHNEIDER:

Thank you. Any comments?



I think it has been quite clear that there is a lot of work that is being done by this group and a lot of engagement. I realize it's rather late. So what is the way forward? I think let's just have a very quick discussion. There are some recommendations that are implemented. Others are being implemented. Others are on hold. I suggest that we don't do this now but we try to have them all implemented and (indiscernible) as soon as we can and that respective groups will contact you intersessionally and -- on those items where a decision is needed to move forward. That would be my proposal.

Any questions or comments? If that is not the case, I would like to thank you all. And see you on Tuesday. Or is there something, Sweden?

SWEDEN:

Sorry, Thomas. I'm not sure I understood you. When you said that the groups would contact intersessionally, are you saying that we should develop proposals and then discuss them at the next GAC meeting or --

CHAIR SCHNEIDER:

Thank you. If -- I mean, either we devote time to discuss these things every -- at every meeting like we have done so far or we try to -- yeah, implement those that are not yet implemented electronically through sending out proposals asking for comments and see what comes back. I'm trying to say this because I don't -- do not think that, maybe apart from the high-level government meeting where, of course, the discussion is needed and what the goals and so are. But most of them are procedural. And I don't think that we should spend too much time



on discussing detailed procedures but should try and just implement these recommendations and get them done.

That would be my point.

African Union Commission.

AFRICAN UNION COMMISSION: Thank you, Chair. And I'd really like to thank Dr. Tarek and Anne-Rachel for all the work focusing on government engagement and to mention that we've noted -- we do know and we've had discussions regarding some of the challenges that, for example, the African region and, specifically, African government members, those who are part of the GAC and those who are not members of the GAC are facing. And to this end we've had discussions both with Anne-Rachel and with the chair to see and better articulate the needs for our region and specifically how we want to ensure that we coordinate that taking into consideration that the African Union Commission is a member of the -- of this working group. So thank you once more.

CHAIR SCHNEIDER: Thank you. Manal. Egypt.

EGYPT: Thank you, Thomas. Just to quickly seek clarification on the way forward, as you mentioned. Because I believe that the guidelines for the high-level meeting, I feel they don't necessarily have to be postponed until the next face-to-face meeting. I don't mind that we don't conclude now but do it intersessionally. But I think it's in good

shape. It's a living document. We can still revisit it. And over and above you already mentioned that we need to have one next year. So it's better to have this somehow concluded. Thank you.

CHAIR SCHNEIDER: Thank you. Yes, absolutely. This is why I was suggesting that we move things forward as quickly as we can. Sweden, please. And the U.K.

SWEDEN: Thank you. If I may make a suggestion then. The third column that goes through the proposals -- actually have several. As you mentioned, several are purely administrative and non-controversial. But there are also some that propose that we do things such as propose to hold a public forum. Those are -- that's one of the proposals. So the time is now after the agenda. This day's meeting is more or less over. So we won't have time to go through it today. And the agenda is full, so maybe we won't have time to go through it later either. But possibly -- and this is the suggestion. We could suggest to put the text of this in the communique. And then, as we go through the communique, we will have the short discussion on each item whether or not we agree to put it in the communique or not.

Okay? So the issues -- if each and every one of us goes through these, we will see okay. I won't agree to this. And this item we cannot decide on now. We need to work with it more. And this will become clearer as we go through the agenda. Could this be a way forward?



CHAIR SCHNEIDER: Thank you. The U.K. and then Spain.

UNITED KINGDOM: Yes, thank you. I just wanted, specifically, to come in on 6.7, to agree with Manal. I think the guidelines have been reviewed and looked at. And I don't think there's anything -- any issue raised or question raised today that would delay that. And I agree with the Swedish proposal in terms of the way forward for this meeting. Thanks.

SPAIN: Are you really sure you want to go through each of the recommendations during the communique drafting session? I mean, most of the recommendations that concern administrative issues are really straightforward. So I think we can accept. Tell the BGRI we are on the way of implementing the ones that are not completed yet.

And, as regards the convening of GAC one-on-one sessions, we have already convened those sessions. So we can convey the message that this recommendation has been accepted and has been implemented and is going to be implemented further.

And, as regards the recommendation on publishing the rationales for GAC advice, convening public forums was just one of the options that I put forward. But the recommendation that's in force as to convene these kind of -- so we can say, yes, we agree with publishing recommendations or we aren't decided which way would do better for these offers. With that, I think the BGRI could be satisfied.



CHAIR SCHNEIDER:

Thank you.

Any more views on how to move this forward? Yes, U.K.

UNITED KINGDOM:

Just -- thank you, Chair. Just on that last point, I -- wouldn't we want to take a decision on how we implement the recommendation? For example, on publishing the rationale for GAC advice. I thought that's what we were trying to do. And, you know, just on that, so I support the GAC being able to engage with the community in a kind of open forum or public forum so that we can take questions and enhance the understanding of the communique advice. So I -- don't we have to say how we do it? Thank you.

GEMA CAMPILLOS:

What I see is maybe that recommendation, it's the only one that is a little bit open, it regards the implementation method. So why don't we devote some time on Thursday, which I think is already shadowed, to decide on how do we implement that recommendation about rationales, instead of doing that on Wednesday. Maybe we can just deal with the rest of the recommendations by formally closing this chapter of ATRT2 and saying that we have accepted them and we are implementing.

And the only one that is open to debate is (indiscernible), and we can deal with that on Thursday and then take a final decision on how to implement that, how does it sound; okay?



CHAIR SCHNEIDER:

Thank you. Before giving the floor to U.S., I would suggest that we conclude, then we can still continue to think about how to implement these recommendations in the easiest, simplest and least complicated way, and how we communicate about where we are in implementing these recommendations. We don't have to spend -- I think we shouldn't spend too much more time tonight on this.

U.S. Thank you.

UNITED STATES:

Thank you, Chair. And I couldn't agree with you more. I think we have devoted quite a bit of time.

I would like to suggest, however, it would be helpful in the future if the actual decision that you are seeking feedback on is made far more clear, because I would have to respectfully disagree with Gema and Spain and her assessment that everything is clear; all the recommendations are agreed, and the only one that remains open is this issue of rationale.

Just based on a very quick look, which was very recent, of some of the proposed approaches and how we would characterize whether we implemented something -- for example, the role of the chair and the vice chairs has not been established. It has not been agreed.

So it's difficult to understand what am I being asked to concur with. I'm being asked to concur with recommendations that haven't been discussed.

So if we could just be clear as to the urgency of the reporting. I fully understand it's important that the GAC have a record of how we are



implementing, have implemented. I have no problem with that. It's the way it's being presented and assessed as being largely done.

So in the future I think we do need a little more time for people to actually review the text that we are now being asked to summarily approve of because it's just a report.

So I just urge a little caution and maybe a little slightly different approach to preparation for these kinds of decisions.

Thank you.

CHAIR SCHNEIDER:

Thank you, U.S. And I fully agree with you. Basically, what I think we should do is go through every time, say this is implemented, okay, we can leave it; this is not implemented, where are we. Have, if necessary, a quick discussion on what the next steps to make it implemented, and then give it back to the working group so they prepare these steps and that we don't have to spend too much time in the whole GAC on discussing things while we have other things also on our table.

So we take note that we should try and improve the preparation of this session.

Okay. Thank you very much for your patience and cooperation, and I wish you a nice evening.

Thank you very much.

[END OF TRANSCRIPTION]

