
BEIJING – ALAC & Regional Leadership Wrap-Up Meeting

Thursday, April 11, 2013 – 09:00 to 11:00

ICANN – Beijing, People’s Republic of China

MATT ASHTIANI: Welcome, everybody, to the ALAC & Regional Leadership Wrap-Up Meeting on Thursday, the 11th of April, 2013. This is Matt Ashtiani for the record. Please remember to state your name before speaking, to speak into the microphone and to speak at a reasonable pace.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Matt. Good morning. My name is Olivier Crépin-Leblond and today we are wrapping up this meeting which is going to be filled – it’s a session which is going to be filled with a number of votes. So we’re going to have to go through the first two agenda items rather fast. First, the report from RALO Chairs and then the report from the APRALO Beijing Events. If you can make your reports as short as possible, that would be very helpful.

I am going to go clockwise and I will ask first to have the LACRALO Chair provide the report from LACRALO. A short report please, so we can get things quickly. José Arce.

JOSÉ ARCE: For the record, I am the chair of LACRALO. Paying attention to what Olivier said, we will make a pretty short summary of the Beijing meeting.

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I'm giving time for you to your ear pieces. I didn't tell you that I was going to speak in Spanish. I'm so sorry.

Perfect. Especially I am pretty pleased to have come to this meeting and see so much work of members of our region. So many groups such as the New gTLD Working Group which is an ALAC member from our region.

I'm also very happy for the strategy group where we have Dev and Fatimata, who yesterday afternoon had a presentation that made the members proud. I saw them working a lot with such an important effort who had a first vision and a first public presentation and was received so warmly by the rest of the community. This is good because the efforts have so many people involved, not just involved in that group – Dev and Fatimata – but it was then conveyed to the community and had an important feedback actually.

In summary, these groups were perhaps the most relevant ones where we have some dissemination of information to the members of the region, even the non-commerce who come here for the first time. And we tend to get to them through outreach, not just in our region but in the community of At Large. That is all. Thank you.

OLIVIER CRÉPIN-LEBLOND: Mr. Chairman of LACRALO. Next we will have AFRALO with Fatimata Seye Sylla. Fatimata, you now have the floor.

FATIMATA SEYE SYLLA:

Thank you very much, Olivier. Fatimata Seye Sylla, Chair of AFRALO. I will just point the major activities of AFRALO for the whole year I would say. We worked within the group of African Strategy Working Group and we're also right now working for its implementation. We were with the group in Addis Ababa. AFRALO contributed a lot for this.

Mainly we talked about the capacity building program we are trying to set up right now within AFRALO, and this is to strengthen the capacity-building program we had in Dakar because we're not very satisfied with the outcome after this capacity-building program in Dakar. So we're trying to do more by having an aligned platform. Therefore, we also right now are negotiating with Matthew to have this in place.

Something else we're trying to do within AFRALO is really to have more ALSs on board and to reach out to those ALSs. I think these are the main things.

I don't know if many of you have participated yesterday to the AFRALO African Meeting. This is within actually the agenda of the African strategy to have in a development fund for Africa to build on the DNS industry in Africa. We are going to launch a DNS award program and AFRALO is in the middle of it as I am within the selecting committee. That's information I want to share with you.

Any other details about the activities of AFRALO are of course in the reports we're already posted. AFRALO also participated in the Arab IGF. That's something I wanted to mention.

Thank you. If you have any other questions, I'd be happy to reply. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Madam Chair. Next, let's do the EURALO Report. I see Wolf Ludwig please.

WOLF LUDWIG: I'm Wolf Ludwig for the record. There were a few on the activities from EURALO over the last three months. You can see on our web space. They are updated until end of March. Let me just pick out some of our activity highlights.

We started organizing our next face-to-face general assembly in line with the next (inaudible) in June in Lisbon. And by early mobilizing our membership, we succeeded to get more than around 80% of participants who confirmed to our general assembly. It will be, by the way, the first face-to-face general assembly since March 2009 in Mexico City at the time.

There was a lot of disengagement over the last couple of years. But it simply proves you cannot rely on community dynamic without regular face-to-face meetings. This is one of the key lessons we learned over the last couple of years and we are looking forward now to have the opportunity again to discuss the next changes with our members.

The agenda has not yet been finalized. We asked for inputs by our members. We have to-dos of formal bylaw according to some bylaw business reelections and these kinds of things.

But the main part of the agenda will be how EURALO can better represent user concerns via EURALO at large, how they can be better engaged in current ALAC working groups and this kind of stuff.

We will also discuss to identify some key issues who really represent key concerns of European Internet users. Out of the variety of dozens of current issues where most of our members do not much care or do not much understand about, I think it's better to concentrate on a few points and try to bring more inputs on this subject. This is a general assembly. EURALO is also, as some of you may recall, a driving sector behind the EURODIC. So at the same time, we are now finalizing the program for EURODIC in Lisbon.

EURALO was also involved in the creation of the first Swiss IGF – what will take place next Friday in Bern. There are a variety of activities so I just concentrated on the most essential ones. If you have further questions, please feel free to ask me. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Mr. Chairman. We'll now move on to the NARALO region. For this I will ask Evan Leibovitch to provide the report for NARALO.

EVAN LEIBOVITCH: Thank you. And since I'm neither Chair nor Secretariat and the time is very compressed, I will keep this extremely brief. In the time since the Toronto Meeting, NARALO's main priority so far has been to engage in a significant outreach activity where a major subgroup has been created to engage the ALSs to figure out a strategy to attract more ALSs and to take greater advantage of NARALO's ability to have individual members. All of these are being tackled in an attempt to build membership, engage that membership and make sure that the policy that comes

from our ALSs and members is as well informed as possible. I'll leave it at that. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, sir. And finally, we're going to have the report for APRALO. In fact, in the interest of time, I should ask whether we can just have the report APRALO and then followed immediately by the report on the APRALO Beijing Events. For this, APRALO Chair, Holly Raiche.

HOLLY RAICHE: I can do the whole thing in about ten seconds. You've probably seen and heard hopefully all of what we've planned. As you can imagine, the last little while for the APRALO meetings has focused entirely on getting together all of the events that have comprised the work of the particular Beijing organizing committee, so it's kind of like there are two reports in one. I hope you've enjoyed the results.

You want me to expand on all of the ins and outs and the heartache and everything? The highlights to me – there were probably two highlights. Well, probably the three people to thank – that I did thank anyway. The multi-stakeholder meeting was I think a real success. We actually had some very interesting speakers. We had some very interesting discussion and debate, both about the new gTLDs and some interesting perspectives. We also had a discussion on IDNs and raising issues I just really hadn't realized we had some speakers talking about "Well, I deal with these five languages, and guess what, these are the issues." It was I think very illuminating for me and I think for the rest of the people on

just how complex this issue is and how it is particularly complex for this region.

The second highlight for me was the Showcase Event. It was I think a great success and there are two people to thank for that. Maureen I'm not sure is here. Edmund I don't think is here. But it was dot Asia's support and it was Maureen just absolutely working really, really hard to pull that all together so that it actually worked really well.

With those particular events, I think they really went well. I was really pleased with them. I think that everybody else who was an audience in either or both of those events will agree that the last couple of months of planning it really worked out. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Madam Chair. Now I open the floor for questions regarding the RALO reports and also the report on the APRALO Beijing Events. Holly Raiche?

HOLLY RAICHE: If anybody wants anything, we have a more of these second prize badges. Thank you very much. They're now on eBay and I've heard on the night that they're \$500 a piece but we'll settle for less.

This is Holly Raiche for the record. We have a lot of APRALO red, beautiful pins. So if you'd like those, we're happy to pass those out. We also have a lot of APRALO business cards that you can use when you're doing outreach. So if you're okay, we'll just put them over here so you can collect them when you wish. Thank you.

OLIVIER CRÉPIN-LEBLOND: Any questions, comments from around the floor? I see no questions, no comments. Well, I thank everyone for their reports. I of course thank Holly and her team very much for the amount of work that has done, especially the Beijing Events Organizing Committee. It wasn't as bad for them as it was for me. I only attended a couple of the calls because they were at 3:00 a.m. or 4:00 in the morning. So that was a bit of a – but I did notice that there were a lot of calls to prepare for all of these events. That was an enormous amount of work, yet again done by the region. I think that the ALSs here have really had a good time this week with capacity-building sessions in the morning and all of the other things that were going on. So I just wanted a round of applause for the Beijing Organizing Committee.

Now we have to move to the next part of our agenda and that is the action items, the review of the ALAC action items for this week. I invite you all to go into the page which is entitled Beijing ALAC and At-Large Action Items from the 7th to the 12th of April.

That doesn't look like it. Except if we spent so much time that it is the 14th of October. We're in a time warp. Okay, Sunday, the 7th April. That feels like such a long time ago. There were several action items there.

The first one on the session update from the Global Stakeholder Engagement and Communications Department. Staff is to share the videos and podcasts of the At-Large community with Jim Tregrove, the Senior Director of Communications; discussion with Maguy Serad, Vice-President for Contractual Compliance. Maguy Serad is to look into the issue of the PICs – Public Interest Commitments – and enforcement. The dispute resolution process allows that someone who is materially

harmed not able to go to a dispute resolution provider, have that adjudicated. So that will be checked.

Then the At-Large Working Groups update and next steps. At-Large staff is to organize monthly outreach sub-committee meetings. The monthly meetings will rotate to allow global participation. Doodle is to be sent to establish the dates and times. The discussion on .Patagonia, Sergio Salinas Porto with LACRALO, if he wishes – I believe he wishes – is to propose motion requesting the ALAC to consider sending a note objecting to the new gTLD applicant on .Patagonia to the ICANN board.

Next, the discussion with the SSAC. Action item is to look into the possibility of forming a joint working group to look at Deep Packet Inspection –DPI.

I'll go through the whole list of action items this week and then I'll open the floor for comments or questions afterwards. We will not go through the roundtable on the ALAC R3 White Paper because that's a working group. The At-Large Capacity Building Working Group is again a working group. However, the ALAC and NCSG Meeting is a core ALAC activity.

Two action items in there. The first one, the ALAC expressed interest in drafting a joint statement with the NCSG on the process strawman proposals, trademark, clearing house, plus 50 variations. The statement will say that the proposal is problematic. Alan Greenberg cautioned we need to consider the language carefully.

Second, AI. Previous statement to be found to check the language. That was a staff action item. And we have a drafting team which was Alan Greenberg, Evan Leibovitch, David Cake, Poncelet Ileleji, Robin Gross,

Chair of the NCSG will lead the drafting team. I know that this is in progress and we'll be dealing with this maybe with even results a bit later on when we look at our proposed statements for today.

Academy Working Group session. That's a Working Group. At-Large APRALO Multi-Stakeholder Roundtable. I'm not sure. Well, I guess it is an At-Large thing, so let's read through that.

The chair of the ALAC is to pass on the success of the APRALO roundtable as well as the importance of the IDN issue to the senior ICANN leadership. Jean-Jacques Subrenat underlined the political importance – and perhaps we could have JJS rather than JJ who is also an acronym that some use in the community in which it's not the same person.

Jean-Jacques Subrenat underlined the political importance of the work of the Working Group. It is stuff that wars are started for. Not many places in the world where this can be discussed. The fact that the Chinese, Taiwanese, and South Koreans can arrive at these results is quite significant.

Next, the ALAC Policy Discussion Part 1. In the ALAC discussion with the NomCom chair, Yrjö Lansipuro; with the chair elect, Cheryl Langdon-Orr; and the associate chair, Adam Peake, Yrjö Lansipuro mentioned that good candidates are needed for the board for the different positions open. Without good candidate base, we are helpless. So the action item is for eat At-Large structure to send a candidate to the RALO.

You're all listening to this. You've got some work to do. Try and find the best people. The closing time for applications I think is the first of May, I remember, so there's not that much time left. About 15 days or so.

The ALAC Policy Discussion Part 2. Staff is to update the Working Group Wiki and web pages. Alan Greenberg is to prepare a list of the current members of the At-Large list, staff – a list of the current members of the At-Large list. That sounds like a long list. I thought it was a list of the... we'll work it out.

Staff is to send a list of weekly At-Large and At-Large members on the GNSO Working Group meetings on Monday to ALAC (inaudible). Was that done? I don't know. It's in progress. The thing is, Monday could be any Monday. So you can just pick your Monday over the year.

Another action: subscribe to the calendar. That's one for everyone. You can all subscribe to the calendar. If you don't know how to subscribe to the calendar, you can ask Dev Anand Teelucksingh who will be able to help you, and we will probably in the future have – we'll try and get a little spiel on how to subscribe to the calendar.

Dev is to develop a training tool on how to link calendars, and Matt Ashtiani is to work with a community member drafting an ALAC statement to prepare one paragraph on how the policy issue might impact Internet end users. It's quite an obscure action item, but I'm sure it makes sense. Work with the community member that shall remain nameless drafting an ALAC statement that's unknown. I guess this is a generic thing. This one will have to be worked on. Let's do an action item on this action item. It has to be worked out. I'm really sorry.

Next, the APRALO General Assembly. That was an APRALO thing. Then on Wednesday, the At-Large Regional Leadership meeting. That's of course the regional leaders. Although I do want to read through that, because it will affect the overall flow and the involvement of the regions. It's to have calls one month before the meeting and shorter agendas.

Then the IDN Working Group is a Working Group. The APRALO AfrICANN ICANN Joint Meeting. I wanted to read through this as well, because that's always a significant meeting during the week. There was a discussion of a fund for developing countries. That's really something that would affect this region as well. How can AFRALO and AfrICANN keep increasing capacity and engagement to be discussed on the next AFRALO tele-conference? That's great.

Comments or questions? The floor is open on any of these action items.
Alan Greenberg?

ALAN GREENBERG: There was an action item about me doing mailing list stuff. It will be in your mailboxes before the end of this meeting. You're going to be aghast at how confusing it is.

OLIVIER CRÉPIN-LEBLOND: Okay.

RINALIA ABDUL RAHIM: Mr. Chairman, this is Rinalia Abdul Rahim for the transcript record. We have a few ALAC members who are currently engaged in the Expert

Meeting Strategy Group and they are unable to come back to this room to vote on the statements. They are asking if they can send in their vote remotely. Eduardo has asked (inaudible) proxy. I don't know about the status of Tijani and Sandra in terms of whether they will send their remote in virtually or whether they will also designate a proxy. In the event that they wish to send a proxy, then they need to send an e-mail immediately to you and to staff to have that for the record. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much Rinalia. We cannot use proxies, because although the new rules of procedures have been passed, they're not yet in effect. They will come in effect when all of the supporting documents will have been drafted as well. So we're still operating under our old rules of procedure – not that old, but the previous rules of procedure – and those do not allow for proxies.

However, we do allow if there is no objection for those members to send in their vote remotely via Matt Ashtiani who would be acting as the gateway to their vote. I just ask from all other ALAC members whether there are any objections to that.

So, Matt, could I please have a list of the people who would be sending the votes? Could you please give them to the record.

MATT ASHTIANI:

This is Matt Ashtiani for the record. I believe we just had some people walk in, but as of right now, off the top of my head, it would be Tijani Ben Jemaa, Eduardo Diaz, and Sandra Hoferichter. If there's anyone else, I'll take a quick count and let you know.

OLIVIER CRÉPIN-LEBLOND: Okay. There's a word I've heard three times, and I will put it on the record here. There's a word I've heard three times this week on part of staff at ICANN that is not At-Large staff but other staff at ICANN. The word is kerfuffle. Apologies, there has been kerfuffle. There was once, twice, today is the third time. I will have used the term myself. A kerfuffle, you can Google it and check it. It's a nice word.

I invite you all to look at the various statements that we have that we need to vote on today. There are quite a few. Let's have a look. Can we have the policy development page, please?

ALAN GREENBERG: Ready (inaudible). We need to talk about and possibly vote on a joint statement. Is there anything else I was working on that was a statement?

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. Let's start going. We're going to have several votes today. We haven't counted the total number. I think it might be as many as seven votes – or eight. If we are slow, it will just grow. There will be more statements coming in, it seems, but the majority of those statements – well, some of them we've already spoken for a long time.

The first one we can touch on is the Public Interest Commitments Dispute Resolution Procedure – PICDRP. There is a link in your Adobe Connect room which will send you to that statement.

ALAN GREENBERG: No. The current statement is in an e-mail that was very recently sent. I'm sorry. We're working down to the wire here.

OLIVIER CRÉPIN-LEBLOND: Okay. So whilst this gets moved, then, let's move onto another one. The ICANN FY-14 Security Stability and Resiliency Framework. That's a statement that was drafted by Julie Hammer that has been circulated to the At-Large list a while ago, and the vote is going to take place today. Could we have the direct link into the Adobe Connect room and on the screen? Adobe Connect on one side. Screen on the other. I don't know why we just have two members of staff here.

ALAN GREENBERG: Would you like me to talk about the possible joint statement? That one I can talk to.

OLIVIER CRÉPIN-LEBLOND: Well, we're starting with the SSR. I just don't want to shuffle things even more at the moment. Thank you, Alan.

ALAN GREENBERG: Okay.

OLIVIER CRÉPIN-LEBLOND: Okay. The SSR, we've all read it. It was drafted by SSAC liaison, Julie Hammer. There hasn't been any further comments on the Wiki. It was open for comment for several weeks. The call for comments started on

the 26th of March. I think that we've all – well, I know that we've all read it now, so I will ask someone...

The vote is for ALAC members only. I have asked for the count, unfortunately, there are only two people. So (inaudible) at the moment. We trust (inaudible) hopefully. All those in favor of this statement – now, this is only ALAC members. Committee members, all those in favor, raise your hand please now.

MATT ASHTIANI: This is Matt for the record. I also confirm Tijani's vote and Sandra's vote in the AC.

OLIVIER CRÉPIN-LEBLOND: Okay. Anyone against? No one against. Anyone abstaining? No abstentions. So I will ask Matt to please read the results and the names of the people who have voted in favor.

MATT ASHTIANI: This is Matt Ashtiani for the record. For the vote on ICANN's Fiscal Year 14 Security Stability and Resiliency Framework PC, we have Tijani Ben Jemaa, Sandra Hoferichter, Yaovi Atohoun, Salanieta Tamanikaiwaimaro, Alan Greenberg, Evan Leibovitch, Dev Anand Teelucksinghi, Carlton Samuels, Olivier Crepin-Leblond, Rinalia Abdul Rahim, Holly Raiche, Jean-Jacques Subrenat, Natalia Enciso, and Eduardo Diaz voting in favor. Is there anyone that we missed?

OLIVIER CRÉPIN-LEBLOND: So how many in favor in total?

MATT ASHTIANI: (inaudible)

OLIVIER CRÉPIN-LEBLOND: Okay, thank you very much, Matt. We'll go to the next one, which is the FY-14 Community Travel Support Guidelines. That statement was drafted by Tijani Ben Jemaa. I will ask staff to please put that on the screen and also to put a link on the Adobe Connect to that Wiki page, please.

So this is a regular occurrence. Every year we get to comment on community travel. Tijani picked up a pen and picked up the same errors and mistakes that the document keeps on making year after year. Essentially the number of ALAC (supported) travelers, which is given in the document as being 27 whilst the reality of it is 20. Sorry, it's in document 25 and in reality it is 27.

ALAN GREENBERG: 28 counting SSAC.

OLIVIER CRÉPIN-LEBLOND: 28 counting SSAC, but that's not a supported traveler as far as the flights are concerned, so it's an option when that person is – it's all drafted in the statement. It's all in there.

There is a matter of wire transfer fees for the per diems that should be reimbursable, whatever their value is. It's not reimbursable until \$50,

and in some cases, the per diem is \$50. So that's one day per diem out of the way.

And there is also a matter of community members needing to have normal circumstances for working during their stay, arriving the day before they are supposed to start work and leaving the day after. You cannot get someone to arrive four or five hours before the... so that's the statement itself. Any questions or comments on that statement. Yaovi?

YAOVI ATOHOUN: Yaovi speaking. Just a question. Is this version the one taking into account the various comments posted?

OLIVIER CRÉPIN-LEBLOND: I should have to ask Tijani. Unfortunately, Tijani is in the Multi-Stakeholder Working Group meeting. I believe it is. Tijani has drafted a first draft underneath and he has drafted this from the input that he has received from the community. I don't know – Matt, are you able to?

YAOVI ATOHOUN: Because one of my comments is I don't think it's necessary to put in the statement that (inaudible) not being important (inaudible) to ICANN. (inaudible). That was my comment.

OLIVIER CRÉPIN-LEBLOND: Yaovi, what would you recommend instead?

YAOVI ATOHOUN: I commented to remove that sentence. You have a paragraph talking about it there are 50. That is fine. But there is another sentence saying that \$50 may not be an important amount to ICANN, but is to many volunteer traveler as (inaudible) majority. So the part \$50 may not be an important amount to ICANN...

OLIVIER CRÉPIN-LEBLOND: Many volunteers. So do you wish to remove the whole sentence or just the first part of the sentence?

YAOVI ATOHOUN: Whole sentence was my suggestion.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much, Yaovi. Anyone against that? I see that Carlton supports your amendment.

ALAN GREENBERG: Sorry, which sentence?

OLIVIER CRÉPN-LEBLOND: \$50 may not be an important amount to ICANN, but it is to many volunteer travelers, as this sometimes corresponds to the majority of a day's per diem. The proposal is to remove that sentence from the document.

ALAN GREENBERG: I can live with it, but I don't support it. I think that's an important message.

OLIVIER CRÉPIN-LEBLOND: Evan Leibovitch?

EVAN LEIBOVITCH: Sorry. I agree with Alan's reservation. I would prefer to leave it in.

OLIVIER CRÉPIN-LEBLOND: Rinalia?

RINALIA ABDUL RAHIM: Rinalia Rahim for the transcript. I also agree. I think we should keep it in, so that the other party understands.

OLIVIER CRÉPIN-LEBLOND: Jean-Jacques Subrenat?

JEAN-JACQUES SUBRENAT: I'd just like to support the two previous speakers. I think that, although I don't see the exact figure – \$50 – as being more meaningful than \$100 or \$25, I think that a mention... If it was proposed by someone from the developing world, it certainly has meaning and value. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you, Jean-Jacques. Carlton?

CARLTON SAMUELS: Alan allowed me to change my mind on this. I think we should leave it there. The point Alan made to me is impressed on my mind the real need to have it there, because for some people in the high echelon of ICANN, it may be required to make the case.

OLIVIER CRÉPIN-LEBLOND: Yaovi?

YAOVI ATOHOUN: Yeah. I'll go with the majority, but my point is we don't need to specify \$50, because if it is \$5, it's important. So the (inaudible) for me. Even if it's \$5, they should reimburse. So my point is not to specify the amount.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Yaovi. I think that the reason why \$50 is mentioned is because the actual policy is there is a threshold. Up to \$50, no payment. if it's \$60, then it gets paid. So this is where the point about \$50 is made in saying, well, why are you putting a cutoff at \$50? That was the reason why the number is there. Are you okay with that?

YAOVI ATOHOUN: Yeah. I'm okay.

OLIVIER CRÉPIN-LEBLOND: Alan?

ALAN GREENBERG: It's one of the classic things that if they would tell us what the problem is they're trying to solve, we might be able to come up with it. Having an arbitrary statement saying \$50 is pocket cash, it doesn't matter or \$50 or less is pocket cash and it doesn't matter, I find offensive.

OLIVIER CRÉPIN-LEBLOND: Thank you. Jean-Jacques, and then (Sala).

JEAN-JACQUES SUBRENAT: Exactly. This is Jean-Jacques Subrenat. To address Alan's reserve or remark, could we put it within parenthesis or within brackets just after that sum the rationale behind that very shortly. Where does it come from? Why was that figure given by ICANN?

OLIVIER CRÉPIN-LEBLOND: Yes. Thank you, Jean-Jacques. I'm trying to scour my head in previous discussions that we had, and I think it's the \$50 to do a wire transfer fee. To take it out. It's one of these things. (Sala), and then we're going to have to move forward.

(SALA): In fact, I was just going to speak to Jean-Jacques. I think the policy rationale behind not being anything under \$50 is because every time a transaction is made, there's an additional charge, particularly if it's a check account and that sort of thing. So I suppose that's one of the reasons. I'm saying that just for us to understand the context. But I support the statement as it is.

OLIVIER CRÉPIN-LEBLOND: Thank you, (Sala). Alan Greenberg.

ALAN GREENBERG: Thank you. There may well be a \$50 charge to ICANN or some dollar charge to ICANN for doing a wire transfer. They have other provisions and other expenses if they're under \$100 get accumulated until they're over or get reimbursed at an ICANN meeting. This one they exclude from that and simply say you're not getting it.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you, Alan. I will close the debate and we can start voting on this. I think we've got enough of a point. An important point from Dev.

DEV ANAD TEELUCKSINGH: It's a minor point, but there's a typo in that sentence.

OLIVIER CRÉPIN-LEBLOND: I'm just changing it.

DEV ANAD TEELUCKSINGH: Okay.

OLIVIER CRÉPIN-LEBLOND: Okay. So all those in favor, would you please put your hand up. Only ALAC members please. Seeing so many people put their hands up, anyone voting against? I see no hands. We'll wait for the remote as well.

ALAN GREENBERG: Olivier, it's Alan. After the vote, I have ten seconds to say something before the next vote, which will be worth your while.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. So no one against. Any abstentions? And no abstentions. So, Matt – okay, thank you very much. Matt, can we have the results please?

MATT ASHTIONI: This is Matt Ashtiani for the record. On the Fiscal Year 14 Community Travel Support Guidelines, we have Yaovi Atohoun, Salanieta Tamanikaiwaimaro, Alan Greenberg, Eva Leibovitch, Dev Anand Teelucksingh, Carlton Samuels, Olivier Crepin-Leblond, Rinalia Abdul Rahim, Holly Raiche, Jean-Jacques Subrenat, Natalia Enciso, Tijani Ben Jemaa, and Eduardo Diaz, and as well as we also have Sandra Hoferichter.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. And how much does that make in favor?

MATT ASHTIONI: This is Matt. 14.

OLIVIER CRÉPIN-LEBLOND: With no abstentions and no negatives. Okay. Let's look at the next one. pick and mix. Which one should we go for? Well, let's first hand the floor to Alan Greenberg, who wishes to speak to make an important announcement.

ALAN GREENBERG: I brought a number of gifts for Chinese hosts of which I have some extra. So I have two boxes of maple sugar candy. It's solid sugar. Don't take more than one unless you really know what it is. Enjoy.

UNIDENTIFIED MALE: A funny point now. There might be some people around the table who might need it.

ALAN GREENBERG: There's 24 of them. That's all, I'm afraid. So I hope there's enough for everyone at least at the table.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this commercial break, Alan. And now we'll be back to our previously organized programs, and that's the voting. The next one is going to be the Consumer Metrics Statement. This is the New gTLD Metric Task Force Report, if you'll turn to that. And if we could have a link also in the Adobe Connect room, please.

Just to give you a brief background, this is an additional statement of the ALAC. We were asked to provide a statement on the Consumer Metrics Working Group, which was a joint working group with involvement from At-Large members. In our first statement, we had mentioned we would be putting together a small work team that would design a few more metrics. Evan, could you please say a few words about this?

EVAN LEIBOVITCH:

Thanks. The GNSO was charged by the board to create a set of consumer metrics I believe as part of the AoC which was involved in judging consumer trust and confidences, a result of the gTLD program. I believe Olivier, Cheryl, and myself were participating in the Working Group that was formed to do that. That group created a set of metrics. The ALAC in a previous statement made at the Toronto meeting said that that was good, but they were not sufficient to totally judge the metrics as they related to end user trust.

So at the time of the Toronto meeting, we committed to create a set of additional complementary metrics between Toronto and now. What you see in front of you is the result of that work compiled by a small task force of At-Large members.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Evan. There are quite a few additional metrics here. I note one thing, which is the numbering that you've used to not clash with any of the numbering that was used in the original report from the GNSO. I ask if there are any questions, comments, or amendments that anybody wishes to add to this statement.

EVAN LEIBOVITCH:

I would simply like to mention that over the course of this, there were a number of comments that were received on the Wiki page, notably from Rinalia, from Alan, from Thomas Lowenhaupt. To the extent possible, those have all been considered and in some cases resulted in changes to the original draft. So there is some significant input to this.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Evan. You mentioned comments on the Wiki page, but I don't see any comments on the actual Wiki page of the work space.

EVAN LEIBOVITCH: There's the original work space, and this is actually the policy development page where this has been brought for the sake of the vote. There is a separate Wiki page where the actual development work was done.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Evan. I would therefore ask that staff provides a link to the original Wiki page as well on that page.

MATT ASHONTI: If you refresh, it's there.

OLIVIER CRÉPIN-LEBLOND: You're too fast, Matt. Thank you very much. Anymore questions or comments? I don't see anyone. Okay, so I think we can start the vote on this as well. All those in favor – ALAC members only – would you please raise your card or put your hand up? And we'll be waiting for the remote. Thank you very much. Anyone voting against? I see no one putting their hand up or no votes online. Any abstentions? No abstentions. Thank you. Matt, could we have the results please?

MATT ASHIANTI: This is Matt for the record. On the New gTLD Metrics Task Force Report, we have voting in favor Yaovi Atohoun, Salanieta Tamanikaiwaimaro, Alan Greenberg, Dev Anand Teelucksingh, Carlton Samuels, Evan Leibovitch, Olivier Crepin-Leblond, Rinalia Abdul Rahim, Holly Raiche, Jean-Jacques Subrenat, Natalia Enciso, Tijani Ben Jemaa, Eduardo Diaz, and Tijani Ben Jemaa. We have no nos and no abstentions.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Matt. So this statement is ratified as well. That's great. The next one is the At-Large Trademark Clearing House and IDN Variance. This is one which is very recently added, but it was discussed earlier this week. I will ask Rinalia Abdul Rahim – if we could also have a link in the Adobe, please – to give us an intro on this. Rinalia?

RINALIA ABDUL RAHIM: Thank you, Olivier. This is Rinalia Abdul Rahim for the transcript record. This issue came to our attention extremely recently. It came about in our APRALO Multi-Stakeholder Policy Roundtable and it was brought up by the Business Constituency Representative who also spoke from the point of view of developing countries, Zahid Jamil.

Basically, he said that the ICANN Trademark Clearing House mechanism cannot handle IDN variance, and since then there has been frantic discussions in various forums dealing with IDNs, including our At-Large IDN Working Group yesterday, which involved various language experts as well. And I have consulted one particular expert and asked him whether this problem is applicable across languages, and he confirmed

that it does with the worst impact on the (Han) script, which is applicable especially to Chinese as well as Japanese.

The other languages that he identified in decreasing order in terms of impact include Arabic, Hebrew, Latin, Cyrillic, Devanagari which includes Hindi and other Indic languages, Thai as well as Korean. So this is a very important issue and it is very important that we say something because we represent Internet end users and (Hong) has kindly drafted a statement late last night. It is, in my opinion, quite comprehensive. There needs to be some editing in terms of just making the language flow more smoothly and correcting some grammatical issues, but in my opinion, it is a good statement and is worthy of our consideration and support. I'd like to ask Jean-Jacques to add on any comments that he has on this statement. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Rinalia. Jean-Jacques Subrenat is next.

JEAN-JACQUES SUBRENAT: Thank you. Jean-Jacques Subrenat. I sent in a comment this morning, but maybe it didn't arrive on time. I have one comment. In several instances, the draft bears the word writing. For instance, Chinese writing. I think that's a bit vague. We should use a more technical term such as script when that is needed for or another technical term.

I think the word "script" was the most appropriate as far as I remember in those various, I think it's two or three, instances. Thank you.

RINALIA ABDUL RAHIM: May I comment, Mr. Chairman? Thank you, Jean-Jacques. This is Rinalia Abdul Rahim for the transcript record. Script is mainstream in terms of usage, but also the IDN Variant Team also uses a term “writing system.” But I think I agree. Writing system. Writing system and script would be okay, and we can substitute that for the statement. But not just writing. I agree. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Rinalia. Alan Greenberg.

ALAN GREENBERG: Thank you very much. Given that the statement is not ready, I think the best we could do is approve it in principle. However, I believe the critical issue is that a statement be made at the open forum today. And I think a (inaudible) this statement is sufficient for that to be done.

A couple of specific notes. I believe they are limiting interventions to two minutes this year. So whoever is going to say something should make sure it comes in under that period.

Second, I think you need to make the qualification not that variance must be handled, but to the extent that we have a full understanding of how to handle variance in a given language, they should be handled.

The kind of statement that Jim Garvin made at the end of the APRALO Roundtable the other day that variance are very difficult is true in the generic case. It is not the case for all variance. Some of them are well under control, and Chinese is one of them. And we do not want them to have an excuse of “But we don’t have a table for Hebrew or Arabic.”

Sometimes the trademarks, if they're different, they're different. We don't want them to have an easy out, but for the ones where the variant situation is well understood and under control, that they should be doing that first not waiting for the general case. I think it's very important because they keep on coming back to saying we still don't have all the answers. That's true. But we have all the answers for some cases. But I really think talking to other people around ICANN, the statement at the open forum today is absolutely crucial to make something public and not wait for this to be perfect. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. Evan?

EVAN LEIBOVITCH: Thanks. I agree with the comments so far. I agree with Alan that a comment needs to be made. I'm prepared to support the statement as-is; however I honestly believe that it could use a little bit of tightening up in order to make it absolutely most effective to the audience that it needs to go to.

I volunteer to help with any forward wordsmithing if possible. But perhaps the best that could be done right now is to make sure at the public forum to make sure at the public forum that our displeasure is known and that indication of a statement coming forthwith be made at the public forum, and I'm more than happy to help with any word-crafting effort to tighten it up going forward. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Evan. Rinalia? Oh, Jean-Jacques first. Go ahead, Jean-Jacques.

JEAN-JACQUES SUBRENAT: Thank you. Jean-Jacques Subrenat. I agree with Alan’s recommendation that we put in a placeholder, as it were. And I agree with Evan and concur that I, too, would be willing to help with the drafting.

My other point I wanted to make is not about the wording, but about a concept that while this is at the level of principles and (inaudible) forcefully, I’m very (inaudible). However, there’s a part about implementation – I’m sorry, I haven’t been able to look this morning at the present status of this paper, of this draft.

But I had made a point yesterday that there is this part about strategy. There is a part about implementation I have insisted on, and that would be to say according to the expert – and that was (inaudible) yesterday – the whole thing would not be ready before about a year. But in commercial and practical terms, from those from let’s say developing countries who want to apply, there is a problem of misfit between their timeline and the technical timeline.

In that sense, I had suggested that we say a word about the necessity of having an interim solution whilst waiting for the final technical solution, perhaps by making sure that staff is properly geared to deal with this, including with people who have sufficient linguistic knowledge to at least be able to receive those demands or requests and treat them. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Jean-Jacques. Next we have Rinalia, and then we'll have Sala.

RINALIA ABDUL RAHIM: Thank you, Oliver. Rinala Abdul Rahim for the transcript. Thank you, Jean-Jacques. I think that's a very important contribution, and if I'm not mistaken based on my limited understanding of Mandarin, in the Chinese ALS session earlier this morning, this was brought up by Ching Chiao and he says that, wearing his GNSO hat, there has been a recommendation that there would be a small Working Group that would include the relevant members of GNSO and staff to figure out what are the issues related to New gTLD rollout specific to IDN variance. So I think that's really good, but I think we should have it in the statement as well.

Can I just confirm – Evan, Jean-Jacques, and Alan are going to help with the wording of the statement? Yes? And also, for the short version that will be articulated in today's public forum.

ALAN GREENBERG: To the extent that time allows, I'd be delighted.

EVAN LEIBOVITCH: Sorry. It doesn't take three people to write a two-minute message. But I was thinking more of the ongoing statement, so I would suggest maybe fewer people do that brief thing.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much. Salanieta Tamanikawaiwaimaro?

SALANIETA: Thank you. Salanieta Tamanikawaiwaimaro for the transcript. Out of the global Internet end users, 44.8% come from Asia and it poses a significant challenge, particularly as we heard the commitment and also the aspirations of the Chinese government, which is indicative of the views of Korea, the views of others who use variance and that sort of thing.

So, to that effect, I'd just like to mention that I had a (inaudible) conversation with a data escrow for the Trademark Clearing House yesterday and I posted him a question in relation to this particular situation and asked what his views are about the system being ready for IDNs and that sort of thing, and he basically said that he confirmed what I had actually mentioned.

So vulnerabilities do exist, and just writing the thing that Jean-Jacques had mentioned earlier in terms of recommendations going forward, I'm not too familiar – and I think Alan would probably be most (inaudible) whether there was discussions already, particularly in relation to potential for Trademark Clearing House for IDNs.

If there is, then I would suggest that one of those recommendations be to open that up further, aside from the Working Group. And if there isn't, perhaps to be open to initiating – I'm not sure whether the PDP would delay things and whether that's the way to go, but to initiate a full-scale examination of the issues, because from an exposure point of

view, the implications on the (ordinary) end users will be significant as (Hong) had actually mentioned. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sala. I'm just going to take one more comment before we move on since this statement is not going to move ahead at this meeting. Alan Greenberg?

ALAN GREENBERG: Just for the record, the Trademark Clearing House does include support for IDNs. Whether there are potential implementation problems today, I don't know. But it is definitely part of the process. Variance were not included, although the clearing house does already handle variance in a number of other areas and simple variant rules are not that different from what it already does. So I don't think there's an issue here. I just think we need to (inaudible) ahead.

I presume we're going to do at least a straw poll to support – sorry, Olivier? Sorry, you were looking as if I was crazy. I assume we're going to do at least a straw poll here.

OLIVIER CRÉPIN-LEBLOND: I'm looking at Tijani's name card. He had a look at it and we both made the same face.

ALAN GREENBERG: Sorry, I couldn't tell. I thought you were looking at me. I presume we should do at least a straw poll, that the person who gets up at the open forum today can speak on behalf of the ALAC.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. Let's get the temperature of the room, as they call it, on this statement. I just wondered how many people feel inclined on the ALAC members, how many people would support that there would be someone speaking in the public meeting this afternoon with the (inaudible) that we've given? And how many would not? We don't need to count because this is just a temperature. This is not a vote. Remember, this is not a vote.

EVAN LEIBOVITCH: It's warm.

OLIVIER CRÉPIN-LEBLOND: It's pretty warm. Anyone wishes to bring the temperature down by being against this? Anybody wishes to abstain from providing any kind of temperature? It's not a vote. You can abstain from expressing your opinion.

Anyway, who's going to be dealing with this we don't need to choose that at the moment. So the action item is for this statement to be kept aside and followed up after this meeting. I've seen strong support in the room for someone to stand up during the public forum and to support a condensed version in front of the board. Let's move on because time is running out already.

The next statement I suggest we look at is the At-Large Preliminary Issue Report on gTLD Registration Data Services Work Space. That's a statement that was drafted by Carlton Samuels with help from Alan Greenberg. Carlton, would you like to please take us through this very quickly?

Staff will put it up, and we'll have also a link on the Adobe Connect.

CARLTON SAMUELS:

This is Carlton Samuels for the record. Members would recall that the board resolution of November 2012 laid out a certain process by which the WHOIS question was to be adjudicated. If you recall, it compelled continued action to enforce existing WHOIS policy, and for a process to be augmented with an Expert Working Group that would take a fresh look at the WHOIS matter and then make some determination that would have gone into presumably a PDP process in the GNSO.

This means, therefore, that the initiation of the issues report, which is a prelude to the PDP, would not have had access to the output of the Expert Working Group because, at the minute, we have not exactly published anything that could be seen as even indicative of where the group is going with the issues before us, so we feel that the statement – this issues report – is a little premature.

What the statement says is that we would ask that the issues report be withdrawn, suspended until such time as there is some indicative reporting from the Expert Working Group that would augment this issues report. That's essentially what the statement says.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Carlton. Are there any questions? Alan Greenberg?

ALAN GREENBERG: Not a question, but a statement. The call for comments on this issue report says they will withhold issuing the final issue report until after the EWG (inaudible) and they can incorporate their answers. I believe staff erred in a major way because the instructions of the board are worded such that the community comment could also factor in the EWG output, and how the issue report treated the EWG output. So I believe they erred in having a comment period which closes prior to the EWG output and prior to them putting that in in the first draft. So I fully support Carlton's statement. I think we should also make a quick comment at the open board meeting today on this one. Thank you. At the open forums today.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. Anymore questions or comments on this? Okay. So I think we will start on a vote. I do note that this statement has been on the Wiki for a while, so I believe everyone has had a chance to look at it. The comments have been going on for nine days, from the first of April to the ninth of April.

So, all those in favor, would you please put your hand up? In favor of the At-Large Preliminary Issue Report on gTLD Data Registration Services. Only ALAC members to vote, please. I note that some ALAC members have made it into the room. They were in another meeting

and they've made it here, so I don't think we have anymore remote votes. Anyone against?

ALAN GREENBERG: We already have 14 votes. We don't need to ask the others.

OLIVIER CRÉPIN-LEBLOND: I need to go through the motions, though, because we have one person that is not here and that person may come online, so I do need to ask. So I see no one against. Any abstentions? No abstentions. The statement is ratified. Matt, will you please read the names?

MATT ASHIANTI: Hi, this is Matt for the record. On the Preliminary Issues Report on gTLD Registration Data Services, we have 14 votes in favor; 0 against and 0 abstentions. The 14 in favor are Tijani Ben Jemaa, Sandra Hoferichter, Yaovi Atohoun, Salanieta Tamanikaiwaimaro, Alan Greenberg, Evan Leibovitch, Dev Anand Teelucksingh, Carlton Samuels, Olivier Crepin-Leblond, Rinalia Abdul Rahim, Holly Raiche, Jean-Jacques Subrenat, Natalia Enciso, and Eduardo Diaz.

OLIVIER CRÉPIN-LEBLOND: Thank you. And that makes it 14 in favor, 0 abstentions, and 0 against. Thank you. So that's the next one that's ratified. So let's have a look now at the proposed 2013 RAA posted for comment. That was drafted by Alan Greenberg. I think we have spoken at quite a length about this. Is there anything you would like to add, Alan?

ALAN GREENBERG: Only that, to some extent, our comment as a formal statement is rather moot because I understand that all of the issues are resolved, although not the language. However, we did provide a statement to staff much earlier, so they had the benefit of our wisdom, so to speak, but I think we need to ratify it just to make it formal. I don't believe there were any changes requested that have not been incorporated at this point.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. I think we can expedite this one, so I will ask all ALAC members – oh, Holly, sorry, I didn't see you. Go ahead, Holly.

HOLLY RAICHE: We haven't seen the final language. Now, we've been told that there may not be changes. I just think we have to say based on the documents that we have, we don't have the final wording, Alan. We do not have the final wording.

ALAN GREENBERG: This comment is on the draft we saw. We're not approving the final product at this point. That will come out for comment and we'll have an opportunity.

HOLLY RAICHE: Okay. All right. I just want to be very clear this is based on what we've seen and what's available.

OLIVIER CRÉPIN-LEBLOND: I'll ask you all to provide our names when you speak, because it's going to look a bit strange. That was between Holly and Alan. With this in mind, let's get going with the voting. So all those ALAC members only. At-Large Preliminary Issue Report on gTLD Registration Data Services Work Space. In favor, put your hands now up. Thank you very much. Anyone voting against? Any abstentions? No one. Okay, Matt, could we please have the results and the names of the people?

MATT ASHIANTI: This is Matt for the record. We have in favor Yaovi Atohoun, Salanieta Tamanikaiwaimaro, Tijani Ben Jemaa, Alan Greenberg, Eduardo Diaz, Dev Anand Teelucksingh, Carlton Samuels, Evan Leibovitch, Olivier Crepin-Leblond, Rinalia Abdul Rahim, Holly Raiche, Jean-Jacques Subrenat, Natalia Enciso, and Sandra Hoferichter. We have no votes against it and zero abstentions.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. So that's 14 in favor, 0 abstentions, 0 negatives. This statement is ratified. Now we have a choice.

Due to an error on my part, having read the wrong statement on the screen, we voted on the wrong statement. We voted twice on the other statement. To the record, proposed 2013 RAA Statement, it's proposed 20133 RAA posted for comment. We have to vote again. I read on the screen. It was the wrong thing on the screen. It was one that we had already voted on before – the Registration Services. It's good because we had the same vote twice on the Registration Services. We had the same result, which is helpful.

ALAN GREENBERG: I thought you said RAA. It didn't look at what was on the screen.

OLIVIER CRÉPIN-LEBLOND: The second this is it's good that someone was listening as well to what I was saying. Let's start this one. Proposed 2013 RAA posted for comment. All those in favor, please raise your arm now. ALAC members only.

MATT ASHIANTI: This is Matt for the record. On the Proposed 2013 RAA vote, we have 14 in favor. They are favor Yaovi Atohoun, Salanieta Tamanikawaimaro, Tijani Ben Jemaa, Alan Greenberg, Eduardo Diaz, Dev Anand Teelucksingh, Carlton Samuels, Evan Leibovitch, Olivier Crepin-Leblond, Rinalia Abdul Rahim, Holly Raiche, Jean-Jacques Subrenat, Natalia Enciso, and Sandra Hoferichter. There are zero votes against and zero abstentions.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Matt. So this statement is ratified. The next one is the Public Interest Commitments Dispute Resolution Procedure – the PICDRP. Is that ready now? Alan Greenberg, yes?

ALAN GREENBERG: I believe so, but Rinalia really wants to say something.

OLIVIER CRÉPIN-LEBLOND: Go ahead, Rinalia.

RINALIA ABDUL RAHIM: Thank you, Olivier. Rinalia Abdul Rahim for the transcript record. Just the first line of the statement, there is an option between deeply troubled/concerned. Can we pick a word please? It's my text, so I'm okay with either.

OLIVIER CRÉPIN-LEBLOND: Matt, could we please go into edit mode and we will change it on the fly right now?

EVAN LEIBOVITCH: This is Evan. Rinalia, what is your preference?

RINALIA ABDUL RAHIM: This is Rinalia. My preference is troubled.

OLIVIER CRÉPIN-LEBLOND: Thank you, Rinalia. Jean-Jacques Subrenat?

UNIDENTIFIED MALE: I support that.

JEAN-JACQUES SUBRENAT: Just a note from an old diplomat. You don't want overkill. So concerned is I think strong enough.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. Alan?

ALAN GREENBERG: I didn't hear what he said.

JEAN-JACQUES SUBRENAT: Was concerned, not troubled.

ALAN GREENBERG: I am happy with either.

UNIDENTIFIED MALE: Me too.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much. I will go for Jean-Jacques's choice due to the fact that I don't understand how the ALAC could be troubled. It's an emotion, and I know that we feel quite strongly about what we're saying. Troubled is very strong, yeah.

ALAN GREENBERG: Let's not debate it. We have agreement.

RENALIA ABDUL RAHIM: This is Rinalia. We agreed. There was sort of agreement in a majority that we wanted a strong statement. That's why I gave two options. I know that concerned is the acceptable diplomatic response, but in case we wanted it to be stronger than that, troubled is okay. Given that it's an option, concerned is perfectly fine. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you. Will someone please bring a glass of water to Evan? In the meantime, Alan?

ALAN GREENBERG: I am not proposing a change in word, but I'll give you a philosophy when I wrote this statement. I chose, when I wrote the original one, which has been significantly changed, to use emotional words to convey that. And there are also some inflammatory statements in there, which are not diplomatic at all, quite intentionally.

OLIVIER CRÉPIN-LEBLOND: Okay. So we'll stick to the concerned, and take troubled out and take deeply out as well, because if we want to enflame things, there's some stuff later on.

RENALIA ABDUL RAHIM: No. I'm sorry. This is Rinalia. Deeply must be in.

ALAN GREENBERG: May I suggest that, in general, people who are concerned with the detailed wording really need to be commenting earlier on.

OLIVIER CRÉPIN-LEBLOND: Anyone else in the room? Wolf Ludwig, would you like to – go ahead, please.

WOLF LUDWIG: Just a slight contradiction to Jean-Jacques. I think the (inaudible) the community here and we should not necessarily adopt a language of diplomats. They have to do it due to historic rules and regulations, blah, blah, blah. But I think as a (inaudible) society entity, we can dare to be a little bit more outspoken and frank. And I support Rinalia deeply.

[laughter] [applause]

ALAN GREENBERG: It's Alan speaking. I really think that should be the last word.

OLIVIER CRÉPIN-LEBLOND: I do give Jean-Jacques the right to respond. I will note, however, to the record, that there has been applause in the room. Jean-Jacques?

JEAN-JACQUES SUBRENAT: I, too, deeply support Rinalia, and this is not the first time. But it's not about being a diplomat or not. Have you ever been in a real diplomatic negotiation where things are expressed in very strong terms? It's simply the choice of vocabulary, which is slightly different. I would like to underline that I can say deeply concerned. It's very strong. But as you said yourself, Olivier, using things which express emotion rather than analysis may bring around a contrary result.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Jean-Jacques. From what I sense in the room, the deeply troubled is not acceptable. The concerned is a bit weak for some

people. Deeply concerned seems to show some deep appreciation of our concern. Thus, I think I wouldn't be deeply concerned if we use deeply concerned. So let's use deeply concerned, please. And with that, maybe we can start a vote. I don't see anyone else being deeply concerned about anything else in there. Alan Greenberg?

ALAN GREENBERG: Sorry. I'm voting.

OLIVIER CRÉPIN-LEBLOND: Okay, perfect. Excellent. So let's start with a vote. I do have to ask, first, for the vote to take place. So all those in favor – ALAC members only – and the vote, just for me to make sure – let me read my screen rather than the one that's zooming around. At-Large Public Interest Commitments Dispute Resolution Procedure – PICDRP work space. All those in favor, raise your card or hand now please. ALAC members only.

MATT ASHIANTI: This is Matt for the record.

OLIVIER CRÉPIN-LEBLOND: Matt, we haven't finished.

MATT ASHIANTI: Sorry.

OLIVIER CRÉPIN-LEBLOND: Anyone voting against? Anyone abstaining? So no abstentions and no negatives. Matt, could we have the results please, including the names of those who voted?

MATT ASHIANTI: This is Matt for the record. On the Public Interest Commitments Dispute Resolution Procedure vote, we have 14 votes in favor. They are Yaovi Atohoun, Salanieta Tamanikaiwaimaro, Tijani Ben Jemaa, Alan Greenberg, Eduardo Diaz, Dev Anand Teelucksingh, Carlton Samuels, Evan Leibovitch, Olivier Crepin-Leblond, Rinalia Abdul Rahim, Holly Raiche, Jean-Jacques Subrenat, Natalia Enciso, and Sandra Hoferichter. There are no abstentions and no votes against it.

OLIVIER CRÉPIN-LEBLOND: So that's 14 in favor, no abstentions and no one against. The statement is ratified. The next one on our long list – and hopefully we'll soon reach the end – is the Joint Statement for the Public Forum. I have to reload my page, since this has just been added.

ALAC NCSG statement at the open forum. Alan Greenberg, you have the floor.

ALAN GREENBERG: Okay. A statement was drafted initially by – sorry.

OLIVIER CRÉPIN-LEBLOND: I have two ears, Alan. I can listen to two things at the same time. Go ahead.

ALAN GREENBERG:

A statement was drafted initially by Robin Gross of NCSG. The statement was exactly counter to what we decided in the meeting. That it said that we support 100% their position on the various trademarks. There was a number of back and forth. I drafted a new one, which I believed was accurate. It was a three-paragraph statement. They said the third paragraph – the middle paragraph – does not flow and they did not want a statement which said we are divided on some issues, which we are. So they took out that statement. So we went with a two-paragraph statement, which then they said doesn't flow and to fix that added back another sentence, and that other sentence, the essential part of the other sentence as originally drafted said we are not in complete agreement. They took it and removed the "not" and said we are in complete agreement, which was not true. And that's the way it stood. There are no current statements at this point.

That notwithstanding, there was a very extensive discussion of this at the GNSO yesterday and the GNSO position of the majority of the GNSO – certainly not NCSG – has changed. They are no longer saying that since they are the gTLD policy, policy can only emanate from them. They are now saying that if the board chooses to disagree with them, they are owed the courtesy of the board coming back, explaining why or if the board has a staff recommendation disagreeing with GNSO – coming back and having an opportunity to discuss it before the board overrules them.

I think this is a very rational position, because ultimately the board does have authority to do these things, but it should be done with respect for the policy council, and I believe the NCSG proposed statement, even the watered down one, which they wouldn't say because it didn't flow,

implies that the board does not have that right and I personally agree with what the GNSO is now saying.

That is, we have to operate with a certain amount of courtesy. That doesn't take the right away from the board to make decisions, but you shouldn't find out about it by reading a blog post when it's too late to do anything about it. I think that's a reasonable position to make, so I would advocate not trying to make a joint position since we haven't hammered out any words that we both agree with anyway. And it's a bit late to do it now, so I would say we remain silent, that it is an opportunity to make a public statement or we may want to, after the GNSO makes a public statement and sends a letter – which they will be doing – the ALAC could support that if we agree with the substance of it. So I would suggest no action on this point.

We could approve the two-paragraph one, which is the last one circulated via e-mail, but the NCSG has said they don't like that one. so I'm left with nothing really to recommend.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. A note on our working page that it is a very short statement, but it does speak about the, again, deep concern of this community about the flawed process that led to the creation and adoption of the so-called (inaudible) proposal. With regards to the assurances that staff would not create or alter a community-developed policy, some aspects of this proposal were adopted outside the appropriate policy development processes.

I remember at the time the unhappiness of several segments of our community with regards to the discussion between policy and implementation how this was going to be purely implementation and how we (strayed) to policy. I'm surprised that you appeared to have changed your point of view. Or have you not? Alan?

ALAN GREENBERG:

I haven't really changed my view. But we seem to be moving towards a more pragmatic and realistic world where decisions have to be made. We will not always agree with each other and we need a process to come to closure on them. And when some of the more violent advocates in the GNSO of the policy development process are willing to say the board has the discretion but it has to be done with due process, I don't think we want to be on the other side.

The NCSG, by the way, did say they would like us to change our view on the actual substance of the issue, and I don't think we have the time today to discuss that. I will be glad on behalf of the NCSG to pose the issue to the ALAC after this meeting, and we can look at whether we in fact have changed our mind or not. But we're certainly not in a position to do it in the timeframe we have today.

Yes, we have taken a position that it is policy and should go to the GNSO, and it did go to the GNSO because the GNSO issued a statement saying, "This is policy." Staff disagreed and I don't know whether the board has disagreed yet or not. And the GNSO is saying ultimately that may be a valid outcome, but you have to follow reasonable process to get there and they haven't.

In terms of the straw man being an outrageous process, we've already gone through that. Fadi has apologized. He won't make that mistake again. He'll make another one, but we all will. I don't see any point to flog that horse right now. That's my position. You don't have to follow it, but it's my position. It's Alan Greenberg speaking for the record.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. Next is Salanieta Tamanikawaiwaimaro.

SALANIETA: Thank you. Salanieta Tamanikawaiwaimaro for the transcript. I note that the current statement as it addresses the procedures or lack of process, but it doesn't deal with the substantive issue that I suppose was discussed during the meeting with the NCSG.

I suppose the question I have then, Alan, would be is the reason why the NCSG – is the reason why they disagree with this current text – is it because of the omission of the substantive portion that was discussed? And the second thing that I'd like to say is – yeah, that's about it for now.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sala. There's a queue. I was going to let Evan speak, and then after you, Alan. I was going to say Evan Greenberg. I don't know about that one. Evan Leibovitch?

EVAN LEIBOVITCH:

Yeah, all these Canadians look the same – especially on Thursday. Thanks, Olivier. This is Evan. Sala, I was involved with Alan in putting this together and you are right – one of the differences between us in the NCSG was over talking about – we were trying to take a high level view about the problems in the process, and the NCSG wanted to hammer the plus-50 and all that.

Part of the issue is that the ALAC has already done a statement that we sort of support the concept of protecting strings contained under certain circumstances. The plus-50 was a particular implementation of that that came out of thin air.

But at the same time, we were okay with it in previous statements on principle, and it's the specifics of this particular thing. It's specifically an NCSG reading of how this could be done that was problematic. And so I think we were trying to take the point of view of dealing in generalities with the problems that happened in the way that policy was handled, the way the clearing house was done.

We didn't have a specific problem with Fadi's attempt to resolve things in the LA meeting and with the clearing house, so we were trying to come to common terms with the NCSG on disagreeing with the way that this was done, and as Alan said, Fadi has already apologized for parts of it.

On the issue of the strings contained, ALAC has already come out in the past saying that there is a consumer protection component of strings contained. So in other words, it's not just a matter of protecting a brand, but also, say, a brand in their category or something like that or

it's not just Red Cross, but also Red Cross Haiti or something like that in terms of strings contained.

So we didn't have a problem with the concept. We've been arguing over the particular details of the implementation.

OLIVIER CRÉPIN-LEBLOND: Alan Greenberg.

ALAN GREENBERG: There was one thing I left out there. There were many e-mails on the last day on this. The one part – NCSG had two aspects of why they didn't like the 50. They don't like it period because the consumer aspects are not one of their factors, but freedom of speech is and a UDRP found against one string may not mean that you're using it the same way five years later. So on the consumer issues, we have chosen to agree to disagree.

They did have one other aspect that the way it is worded, you not only could get 50 additional strings per mark, but 50 additional strings per registration of that mark. So if Apple is registered in 100 countries, you in fact could get 5,000 by adding 50 onto each of the registrations even though the registration is for the identical string.

I did find that overkill. One of the interim statements saying we don't agree on the specifics of the prohibition, but if it is implemented, it should not allow more than 50 per string, not 50 per registration. They rejected that paragraph because they didn't want any paragraph that implied the two groups didn't agree on something. Even if it

emphasized our agreement on one part, if it mentioned our disagreement on a related part, they didn't want to say it at all so they cut it out completely.

Even where I thought I could sell to the ALAC that prohibition, and I think that would've helped the overall statement, they refused to include it for that reason. So at this point, I don't think we can do anything. At least nothing that I would support.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much, Alan. Sala, and then the queue is closed.

SALANIETA: Salanieta Tamanikaiwaimaro for the transcript. On the issue that the NCSG raised in terms of the potential evolution of the term five years from now, ten years from now, I think closely linked to it also is communities that are part of global Internet end users who may not necessarily be represented now, but with interest, would be affected.

Having said that, noting what Evan said in terms of it could possibly contribute to some positions earlier on, and I fully respect that, I'm just wondering – it doesn't have to be discussed now – but I'm just wondering on certain elements of previous statements whether we could factor in certain exceptions or whether that could be open for discussions. I know it's probably possibly too late now.

But having said that, given that there is clearly now consensus on the matter, I agree with the approach that Alan has taken in terms of

removing the substantive bit and sticking to the process and procedure. And I like how it's (drafted). Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sala. I was just reminded that this was just for a sunrise and 90 days after that, the Clearing House (inaudible). So it's not a long-term protection. Seeing no consensus on even the small two paragraphs that we have here on the process, we're not commenting on the substance of the report at that point – we're just commenting on the process – I will remind you that in my meeting with Fadi Chehadé on Friday night – Friday afternoon – last week, I made the very point of the breakdown in the process and that has led to his immediate apology and he has also apologized publicly when we raised it with him.

Mistakes are made from time to time, and I think that Fadi is in a position where he learns from mistakes and has promised not to push in that same way. There are times when you think you're making a good decision and the decision is flawed. Hopefully I won't be making that decision today, and I see no consensus in the room which means that we would not be sending a joint statement, reading a joint ALAC and NCSG statement at the Open Forum.

However, I do see that there are some matters in the comment itself, which might be something we could continue working on with the NCSG, and I urge the people who are part of that drafting team to continue working with the NCSG. It might be done in a week's time where the pressure of (inaudible), we might be able to come up with a joint statement that would be amenable to all parties. We are just faced here with running out of time having eleven hours of meetings per day

plus statements plus everything else is just an impossible task. And this is the note I shall be conveying to Robin Gross, the chair of the NCSG, with the message that we're ready to continue working on this, perhaps polish something up. Want to add anything Alan? Sala?

SALANIETA: Salanieta Tamanikaiwaimaro for the transcript. Just one last suggestion on editing. If we could just put a full stop to the policy development process.

OLIVIER CRÉPIN-LEBLOND: Sala, we're not going to vote on it because we're not carrying it. We can have weeks to do this one, but thank you for your comment. I think that's the last one in our long list. Is that correct?

The At-Large challenges in terms of WHOIS and Compliance Work Space. I think that's the last one on our list. Yep. I invite you all to go over to this one.

At-Large Challenges in terms of WHOIS and Compliance Work Space. That's a statement that has been drafted by Sala. It's a short statement. Sala, could you please take us through this quickly?

SALANIETA: Thank you. Just very quickly, this particular statement is drafted in the context of the existing compliance and process mechanisms within ICANN, particularly pertaining to (inaudible) WHOIS.

Noting and acknowledging that significant process has been made already in terms of weaving appropriate enforcement mechanisms within the Registration Accreditation Agreement (RAA), I would like to say that once provisions are within the contract, the issue of enforcement is another thing altogether, and it's a good thing that we have those provisions within the contract and that sort of thing.

One of the issues that surfaced this week particularly following reading Garth Bruen's exhaustive report – I'm not sure if you've all read it – but one of the issues he raised particularly was something that happened earlier this year within the first quarter, I think in March, where the staff removed the bulk WHOIS reporting mechanism. So that's been (inaudible) in.

So the issue is this. If currently, as we know it, the existing compliance – what's that smell? Apologies.

OLIVIER CRÉPIN-LEBLOND: Sala, I believe that comes from outside and it is sulphur dioxide.

SALANIETA: My apologies for distracting us. Yes. The point is the context of the statement is that if compliance – if the existing mechanisms are watered down, that signals to me a serious problem, particularly in terms of forecasting future compliance enforcement issues, and hence the draft statement. So if anyone has any questions, please feel free.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sala. Are there any questions on the statement? Has everyone read it? Alan Greenberg.

ALAN GREENBERG: Thank you. Alan Greenberg speaking. I think events have overtaken this statement. We should have a final draft RAA out in a small number of days. It's going to address some of the concerns. I have had – in addition to the briefings we got at this meeting, I've had some one-on-one interaction with compliance. I believe they have tools now that will allow them to take action. Whether they will take action or not, we don't know, but they will have tools that are not on the same level of anything we've seen before.

I just do not – I don't think the time is ready. I think parts of the statement refer to things that have happened in the past, which are not applicable right now. Some may not be applicable based on what comes out of the final document from ICANN and the registrars. And if indeed we need to submit something, I think it needs to be done in the context of what will be happening over the next week or so and not the past. So I would advocate not supporting this statement. Or not voting on this statement. Sorry.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. Salanieta.

SALANIETA: Sala for the transcript. A question for Alan. In your conversation with compliance, was there any indication that there was a substitution for

the removal of the bulk? When they remove the bulk WHOIS thing, was there something to replace it?

ALAN GREENBERG: I'm not sure if the bulk—

OLIVIER CRÉPIN-LEBLOND: Alan, please say your name.

ALAN GREENBERG: Sorry. Alan Greenberg speaking. I'm sorry. I will be trained one day. Probably the day before I leave. But Alan Greenberg speaking.

My understanding is that that particular tool could not readily be integrated with the automated tools they were working with and they were building and they have built some very substantial tools, some of which they have demonstrated here and some of them – for instance, a page they can pull up which will pull up the registrars with the largest number of infractions and then you can dive in and look at a particular registrar and see what kind of problems they have, that the bulk tool was just not amenable to it.

It was a manual base process once it got into their office. It may have been easy for the submitter, but it wasn't easy for them to process, and that yes, they would be looking at tools which would allow certain entities to submit things in a more ready fashion which could be integrated with the tools. And yes they are worried about people who are not trusted entities, but the bulk tool was already like that. (inaudible) already was approved to use that tool.

So they are talking good words to me and I think we should give them the benefit of the doubt. Plus there are parts in here which are simply superseded we think by what's going to come out in the RAA. So I would suggest it's premature at this point.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. Evan?

EVAN LEIBOVITCH: The short answer to all this is the lack of a bulk reporting system is a temporary situation that we have been told is going to be solved, has been remedied. It has been taken down temporarily. The downtime is longer than might be expected, and even for a number of technical people here seems significantly longer than it should be. But we have been told that this ends up being, to a certain extent, a technology problem that is in the process of being dealt with. It's not as if it's being removed as a permanent issue, but simply as a matter of trying to upgrade processes, which are totally incompatible with the old ones that they had before. Does that match your reading, Alan?

OLIVIER CRÉPIN-LEBLOND: Unless you're going to contradict this and insist that we have to vote on this, I suggest that we cut the discussion because I think we are in agreement and time is running out. We're over time.

ALAN GREENBERG: I understand. I was going to add one more little tidbit. If you went to the opening session, Fadi said that compliance is going to be split over three

regions with tools to allow it to be managed professionally. That's very different than what we had before. I think we need to let them get maturity of those tools.

OLIVIER CRÉPIN-LEBLOND: Sala, closing words.

SALANIETA: Fair enough. In light of the same, I'm fully persuaded that we should withdraw the statement and I'd like to retract that particular statement. And also to let the records reflect that this is something that we can possibly monitor over the year and potentially see at the end – the last ICANN meeting this year whether the issues have been addressed and whether this really is a transitional thing, which I think it is. And I'm persuaded. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Sala. And I can see some nodding heads, some thumbs up. Let's turn this into an action item. That's a long-term action item that we will have to monitor compliance until the end of the year and see this progress.

There's also another thing I wish to put to the record. It's not sulphur dioxide. It's hydrogen sulfide. Less toxic, but more smelly as far as the smell is concerned in the room. And for those people who are reading this on transcript or listening to the recording, you're lucky.

EVAN LEIBOVITCH: This is Evan. I hope this isn't the smell of rotting policy.

OLIVIER CRÉPIN-LEBLOND: With this, we are finished with all of the statements, and I do have to thank all of you for this extraordinary amount of work.

[applause]

How many statements does this make for this meeting, that have been voted on and agreed?

(MATT ASHIONTI): Six.

OLIVIER CRÉPIN-LEBLOND: Six. I think – is that a record? We did nine once, did we? Not in a month, but in a statement.

UNIDENTIFIED MALE: Olivier, the last one for you.

OLIVIER CRÉPIN-LEBLOND: Oh, fantastic. A bit of sugar. Pure sugar. Super. Wow.

So with this, I have to thank you all for the whole work that you've done during this week. It's been a very strenuous week. I was speaking with some people outside who were asking, "How many sessions did you have this time?" It seems to be a joke out there on how many sessions we're able to actually put in 24 hours. I think it's 27. Is that correct? 27.

That's a very high number. Every time we try and do a few less in order to give a bit more time to our staff – but it's been really hard.

I want to thank our interpreters. They've been an incredible resource. Really incredible work.

[applause]

I wanted to thank the audio-visual staff as well. The systems have worked fantastically well.

[applause]

And we do have a webcam which makes the discussions a bit less boring sometimes, although it looks as though the webcam is about a mile away. But anyway.

And of course our amazing staff.

[applause]

Including Gisella who is back in the tower of power back at base and has been sending us – well, dealing with all of our agendas and so on.

There is a chairman's message. In fact, that's what it is. We all have to assemble outside and gather our belongings and so on, and there will be a small presentation for a few couple of people.

Sala, you wanted to add something?

SALANIETA:

There's an invitation from the youth who are doing a mock something if we could just support it. Five minutes.

OLIVIER CRÉPIN-LEBLOND: Yeah. There is a youth forum that is going on. I don't know if it's upstairs. Upstairs, yes. So you're welcome. Of course we've got this thing this afternoon. What is that? Oh, the board meeting. That's what it is. This afternoon as well. Thank you to all of you. See you in Durban! Next location. And lots of work until then. I'm really proud of you all. Thank you. This meeting is adjourned.