
HEATHER DRYDEN: Good morning, everyone.

If you could begin taking your seats.

HEATHER DRYDEN: Good morning, everyone. We have a short session with the ALAC this morning. So, if we can begin. I understand that the ALAC has a hard stop at 30 minutes past the hour. So we'll begin.

So, first of all, welcome to the ALAC. Thank you for meeting with us this morning. To my right is the chair of the ALAC, Olivier. And a few agenda items have been proposed to us. So can I turn over to you to take us through those?

OLIVIER CREPIN-LEBLOND: Thank you very much, Heather. And thank you for receiving us in this room, which it appears, is just about enough to carry all of us plus all of you in the same place.

Anyway, we have three agenda items in our agenda. The first one is greater coordination on establishing and entrenching end user rights within ICANN.

The second one is the ongoing strategy regarding applicant support.

And the third one is the conflicts of interest. Since we have 45 minutes, we'll probably be able to stick to the 45-minute mark, although we're starting a little late. We'll do 15 minutes on each of the subjects. And so we can jump directly to the first agenda item, the greater coordination on establishing and entrenching end user rights within ICANN.

Shall I provide a little introduction -- okay. Thank you, Heather.

So both the ALAC and the GAC have close relation to the interests of the public. The ALAC to Internet users and the GAC to its country citizens.

Yet, end user rights do not appear to have been a priority at ICANN. In our last GAC and ALAC meeting, we focused on the user interest. And, in this meeting session, we would like to build on this and find out

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how both advisory committees can defend the rights of Internet users and domain registrants within the ICANN framework.

So you have to note we are looking at two categories -- Internet users who are not necessarily domain registrants and domain registrants often described as consumers in the ICANN terminology.

So I guess the floor is open on this. And, of course, we'd like to hear the views of GAC members. Thank you.

HEATHER DRYDEN:

Thank you, Olivier. Would any GAC colleagues like to comment on this agenda item or perhaps even ask a question related to end users at ICANN? European Commission, please.

EUROPEAN COMMISSION:

Thank you, Madam Chair. And thanks to the ALAC for being here and sharing their experience with us. I was wondering whether either Olivier or any member of the ALAC could elaborate a little bit on this notion of protecting users beyond registrants? And what would be the role of ICANN in here?

The perspective of the commission has always been that ICANN has a specific mission, which is a rather well-defined mission. And they should perform that mission and, quite frankly, not try to go too much beyond what is its mission.

So, if you could elaborate a little bit on how you see the -- what we understand is perhaps an enlargement of ICANN's mission, that would be helpful.

HEATHER DRYDEN:

Thank you for that. Evan, would you like to respond?

EVAN LEIBOVITCH:

Good morning. My name is Evan Leibovitch. I'm vice chair of ALAC. And I've been involved in this issue from the At-Large point of view. In terms of the mission of ICANN, we believe this is wholly appropriate in the sense that ICANN exists to protect the stability and safety of the domain name system. And part of that involves public confidence in that.

We believe that, if somebody buys a domain, that they have the right to know where they're buying it from. They have the right to not have somebody take their brand. They have the right to not have it taken away unduly or transferred to somebody else without their knowledge.

They have the right to that name, themselves. These things are not necessarily entrenched in ICANN's DNA, so to speak.

So it's our intention that, when ICANN goes forward in doing activities, whether it's modifying the RAA, working with contractual compliance, or doing other functions, that, when it does these things, that it must keep in mind not only the point of view of those who supply domains, but also of those who purchase the domains and, indeed, in the case of at-large's focus, the end users of the Internet who are neither buying domains nor selling domains but are heavily impacted by those transactions.

HEATHER DRYDEN:

Thank you, Evan. Sala. Is there a microphone for --

SALANIETA TAMANIKAIWAIMARO:

Salanieta Tamanikaiwaimaro, for the record. Two things: First thing would be to strengthen the compliance mechanisms. There have been issues raised by ALAC and the At-Large community to the compliance constituency. I think that can be done in terms of protecting and promoting the consumers and the ordinary end user.

Another thing that's often important -- I think, that my colleague Evan had sort of alluded to it -- it would be in terms of implications of -- implications of competing jurisdictional issues, particularly in the

domain name space, the IP address space. Take, for example, the issue of the judgment by the New York district judge last year when they were trying to clamp down operation ghost net. I think it was a global botnet thing where the judgment was sort of -- it was an order that was supposedly binding on all the RIRs and, in this context, the ASOs.

So I think it's something that can be teased out within the ICANN community on how to properly address matters such as that, including things like the SOPA and PIPA and implications on the global community.

HEATHER DRYDEN:

Thank you very much for that.

Chris LeHatte, the ICANN ombudsman, has asked to speak. Chris, please.

CHRIS LEHATTE:

Thank you, Heather.

I wanted to share that one of the significant sources of complaints to my office is exactly on this issue. There are many consumers out there who lodge a complaint with me about issues of domain name renewal, ownership, cybersquatting, all of those sorts of things. And it's distressing to me that I'm completely unable to help them, primarily, of course, because I don't have the jurisdiction to do so within my framework and within the ICANN bylaws. But what it does say to me is that there's a very large number of people out there who are very concerned about these issues and finding it very difficult to find some sort of solution. And I would be very happy to work with people to try and find a better, if you like, consumer complaint service to be able to deal with all of these issues. There's a lot of unhappy people out there, I can tell you.

Thank you.

HEATHER DRYDEN: Thank you, Chris.

Portugal, please.

PORTUGAL: Thank you very much.

I'm going to speak in Portuguese, if you don't mind. It is our opinion that this is a major subject protection in relations to end users. And we would like to underline not just the subject referred to up to now, the issues associated to the interests of users and consumers.

And something else that was not highlighted in the context of any ICANN organization. It is important to think that this issue about name protection and the Internet is also associated with social, linguistic, and cultural subjects.

And what can be told at ICANN's organization is too polarized toward money issues.

Considering rights and interests of final users can be a way to attract more attention to cultural and linguistic issues. This is a gold opportunity always subordinated to the subject ICANN deals with, that is to say, number and name registers.

OLIVIER CREPIN-LEBLOND: Thank you, Heather. It's Olivier here.

Just trying to build on the ombudsman intervention just now. We have regular meetings with ICANN compliance department. One thing which appears to have come out of those meetings is that we noticed the very narrow mission that the compliance department has. In fact, quite -- okay. I can't speak any more closely.

The -- this is very difficult. The -- yes, the narrow mission of the compliance department, which appears to be, as Portugal actually mentioned, a very -- based on the financial side of things and the contracts between ICANN and the registrars and registries.

Many complaints -- as it was mentioned by the ombudsman, many complaints involve users that have lost their domain names or have had their domains squatted, et cetera. And there appears -- there certainly is consensus within our ranks that the mission of the compliance department would -- if it is not already as it should be, would have to be expanded to be able to cover that so as to make a single point of contact, if you want, at ICANN for those users that have huge problems with their domain names. And there are many, many of them. Whenever I mention ICANN to anyone that I meet, usually they don't know what ICANN is. But, as soon as I explain that, they say, "Oh, yes, I have heard about that. Is that the organization that I can complain to? Because I've had problems with my domain names."

And that is certainly something which we believe ICANN should put right.

HEATHER DRYDEN:

Thank you for that Olivier.

It raises questions about what mechanisms exist for -- now for consumers to make complaints. EU Commission, please.

EUROPEAN COMMISSION:

Thank you, Madam Chair.

I hope I'm close enough to the microphone to hear me. Just for the record, and to thank the clarifications by ALAC members on my question. If my understanding is correct, I can say that our perspective is very much in line with what ALAC members have said on what ICANN should and shouldn't do. I just needed clarification for which, again, I think the ALAC members.

One point which has been raised by a previous speaker from ALAC concerning issues related to jurisdiction, there was a specific reference to a case which we in Europe are very well aware of for a number of reasons.

I just want to signal that the issue of jurisdiction is extremely important for the European Commission. We're following very closely. But, again, and I don't want to be repetitive -- I need to ask the question whether ICANN is the right place where to discuss issues of jurisdiction, which by definition, being jurisdictional issues, are issues that relate to sovereign countries. So we need to be a bit careful. It's not that we don't want to discuss this. ICANN is one of the fora in which we need to discuss this. But we need to be very careful not to put too many eggs in one basket, so to speak, especially because, and with this I conclude my intervention, it seems to us that ICANN has a lot of things to do, including the compliance sector to -- in our perspective, so strengthen its conflict of interest provision. We understand this is another point on the agenda.

Our perception is that it's not necessarily achieving the results it should achieve in what it is already doing. So opening up fronts and giving ICANN new things to do before we are sure that it's already doing correctly what it is already doing is something which -- I mean, it has great risks that we need to be aware of. But, having said that, I can say that, speaking on behalf of European Commission, we're very open to discuss with ALAC or anyone else all the topics that have been mentioned whether here at ICANN during ICANN meetings or in other settings.

HEATHER DRYDEN:

Thank you, EU Commission.

Evan, did you want to respond to that before I go to the speaking list?

EVAN LEIBOVITCH:

Sure. This is Evan. And I just wanted to say something briefly about this. And, at least from the end user perspective, there's absolute total confusion about jurisdiction. When somebody has a problem with a domain, they don't necessarily know the distinction between a generic and a cc or something else. So somebody has to help them through that. If it's not ICANN, it needs to be something else. We all know this

language. We all know the jurisdictional issues. But an end user who has bought something that they thought was just a regular generic and it turns out to be belonging within a country's jurisdiction or something like that, to the end user, a lot of this is very, very unknown and very, very confusing. So one of our mandates is to try and clear that up.

HEATHER DRYDEN:

Thank you.

Australia, please.

AUSTRALIA:

Thank you, Chair. And many thanks to the ALAC for continuing our discussion on this issue, one which I'm particularly interested in and the GAC has taken an issue with in the past is, obviously, ICANN's compliance function and the governance arrangements about how ICANN performs its function.

Following on from the European Commission's comments, I must admit that I'm really interested in this potential to expand ICANN's compliance function or see whether it needs expanding. To be honest, I haven't given that particular aspect of it much thought. But I'm really happy to continue a dialogue and look into that.

The thing that Australia has been very interested in and I've been very interested in is, as the European Commission said, ensuring that what ICANN is clearly supposed to be at the moment it is doing well. So very keen to discuss that.

For those of you who may not know, I'm also representing the GAC chair on the WHOIS review team at the moment. And this is -- from the slightly narrow WHOIS perspective, that that review team has been focusing on -- in great detail as well, ICANN's compliance function. So there is a particular recommendation in that report which discusses the -- beyond simply a resourcing of the compliance function that, in fact, ICANN look at making compliance another WHOIS context, again, focused on the WHOIS, obviously, but making it a strategic priority,

making sure it's resourced and has the capability to, in fact, take on a proactive role, which I think goes to the same issues like we're looking for -- to ensure that, if there is a need for someone to be doing something like a regulatory role or someone to go to when there are problems with the system, that there is a point which operates effectively, it's simple to find, it's well-resourced, it has predictable outcomes, and so on. I think that's possibly what we're looking at and something which I'm very, very keen to explore. So thank you for continuing this discussion.

HEATHER DRYDEN: Thank you, Australia. Response from Olivier?

OLIVIER CREPIN-LEBLOND: Yes, thank you, Heather. Thank you, Australia. This will reassure our members we think in the same way.

HEATHER DRYDEN: Mexico, please.

MEXICO: Thank you, Madam Chair.

I will speak in Spanish. Please, you need the devices for translation. Mexico takes the floor, sorry. Good morning, ladies and gentlemen. It's also a pleasure for us to be able to share this time with ALAC. Consumer protection issues are very important for Mexico. It is one of the reasons why Mexico is involved in GAC at ICANN. It is necessary for us to work and give clarity to what users may do when they need advice, if they have compliance issues, if they have information issues. It is critical for us if we see the statement of commitment that came out in 2010. It deals with consumer protection in the order of giving more competition and the order of giving more competition and the possibility of the user to choose a new gTLD. But this is just what it says. We believe it is not just competition but also guiding the users in this

Affirmation of Commitments, having the actual mechanisms in place to cooperate with other local or international bodies that can protect the consumer in a proper manner.

HEATHER DRYDEN: Thanks for those comments, Mexico.

Council of Europe.

COUNCIL OF EUROPE: Thank you, Madam Chair. For the Council of Europe, we talk less about consumers. But we talk about people. And people have rights. And these rights are affected by what we're doing here, what ICANN is doing. Freedom of expression issues possibly in connection with restrictions to registrations. There are data protection privacy issues. And there are also the issue of states having a positive obligation to protect the security of people.

And the question remains how can such human rights issues feed more systematically into the policy rulemaking? And, from the Council of Europe perspective, we are certainly open to continue the dialogue on this.

HEATHER DRYDEN: Thank you.

Olivier, please.

OLIVIER CREPIN-LEBLOND: Thank you, very much, Heather. I think we might have to move to the next agenda item. But, in closing comments, I hereby invite all GAC members who would be interested in the subject to our registrant rights working group, which is open and which is particularly concerned about this subject. So I'll ask our ICANN -- our own staff to put this as an action item to send an invitation over to Heather. And, Heather, you can share it with your colleagues. Thank you.

HEATHER DRYDEN:

Thank you, Olivier.

If we're moving to the next agenda item, shall I introduce it? All right. So the next item we have is regarding the ongoing strategy regarding applicant support. Presumably, this is in relation to new generic top-level domains and applicant support for that particular program.

So was someone going to introduce this from the ALAC?

OLIVIER CREPIN-LEBLOND:

Is Avri here? So we'll have Evan Leibovitch, who is on the JAS working group, joint applicant support working group, and also a member of the new gTLD working group follow up. Evan?

EVAN LEIBOVITCH:

Hi there. As you know, we've been working together very heavily. This is one of the things that GAC and ALAC worked on together. And, in fact, it was one of the very first initiatives that we'd done in concert to make sure that ICANN put in place a program that would provide applicant support in a developing nation's context.

We've been very pleased to see that a program has been adopted. Unfortunately, it's happened very, very late in the gTLD process. And, as a result, getting the word out has been difficult. Finding interested applicants has been very difficult.

At a certain point, when we found out that ICANN would be allocating \$2 million to a fund for applicant support, we were very concerned. And we thought there would be a lot of applicants that were fighting over a limited pool of money. There may be some concern that there's not going to be that many applicants who are aware enough of the program to actually take advantage of it. We have a window that's closing very soon regarding the ability for people to file applications.

And, given the late date at which the program was released and the, shall I say, middling manner in which it's been publicized, it's been, I



think, very difficult to find out there the people that would come forward that would be able to take advantage of the program that was crafted with so much effort and passion by members of both ALAC and the GAC.

So I use that to introduce it. The program is out there. If you're aware of applicants that can take advantage of it, please tell me quickly. And we're hoping that this may be continued into other rounds. But for right now, we really want to make sure that this program is sufficiently used and exploited. Thanks.

HEATHER DRYDEN:

Thank you very much, Evan.

The GAC had a brief discussion about this as well, and I believe similar questions were raised about the ability of applicants to access in good time that the program and questions about what would happen to the funding, if there was funding remaining after this round closes.

Would anyone like to comment on this topic?

It does seem like we share your questions.

Please.

TIJANI BEN JEMAA:

Thank you, Madam Chair.

The outreach question --

Introduce.

TIJANI BEN JEMAA:

Pardon.

Tijani Ben Jemaa, ALAC.

The outreach aspect of this program poses a very important problem because there is two main objective of the outreach, which is one to

make the people who really need the assistance to be wear of the program so they can apply on time, and now the window is almost closed.

And the second main reason is that the evaluation panel must be composed of people also from those regions, to make the evaluation as fair as possible.

So the leg of good outreach or sufficient outreach in those regions specifically is very problematic, I think, for us, for ALAC. And we think that the successful of the program depends a lot of this aspect, outreach.

HEATHER DRYDEN:

Thank you very much.

Okay.

I don't see requests to speak.

Perhaps we can move to the final agenda item.

Would you like to introduce that, Olivier, please.

OLIVIER CREPIN-LEBLOND:

Yes, thank you very much, Heather.

The final item on our agenda is the conflict of interest.

We've already spoken somehow at our last meeting. It was something Jean-Jacques spoke very eloquently about, so I will hand the floor over to him. Jean-Jacques Subrenat.

JEAN-JACQUES SUBRENAT:

Thank you, Chair. This is Jean-Jacques Subrenat, member of the ALAC speaking.

I would like to make a few remarks and perhaps end with a proposal, which I would like to submit to us all.

The first thing is I would underline at this stage the link, the factual link, between the concept. Global public interest on the one hand and conflicts of interest on the other.

The two things are linked; not only in the Internet world, but in economics, in a whole series of everyday items.

The other thing I would like to say is that it's become ever clearer that certain systems which have been used worldwide, such as self-regulation, have not always been, frankly, a great success. Take, for instance, the financial sector.

So there is a need now for a greater attention to be paid to the global public interest as opposed to interests. And of course in the multistakeholder system, there are interests, and they are all legitimate. It's simply a question of the proper weighting of each. And that's where I think we should, once again, come back to the primacy of the global public interest.

Having said this, I see a problem. It is that especially you at the GAC and we at the ALAC may have different views not on what is the public interest but who can defend that and enhance the global public interest.

I think it's quite clear, and as a former ambassador, I think you understand I have some knowledge of this.

Naturally, sovereign states consider that the global public interest is best expressed and some would see say exclusively represented by sovereign states. But recent developments worldwide -- for instance, in the Middle East, but also in Occupy Wall Street and other movements -- have shown that there is disenchantment of the public, of the aware public or the informed public, about the limitations of some State action.

And, therefore, I am not calling for a revolution to overturn that. I am simply saying that there is a limitation to the effectiveness of the traditional approach, and I would venture to say that it is time, perhaps, to have a fresh look at this.

Now, of course, in the multistakeholder system, every stakeholder has an equal right and should be considered. The problem, as I said a couple of minutes ago, is the balance, the proper weighting.

So the question now arises, are we in a period of crisis? I would venture to say, yes, we are in a period of crisis of community confidence in the Internet governance system. Not only in ICANN; in the Internet governance system.

And there is also a crisis of external credibility of ICANN, for instance, which is being questioned here and there.

So when you look at this whole situation, which I have described very briefly, perhaps too schematically, I would say I wish to underline that there are areas of convergence between the sovereign state approach, which you so well represent here, and the Internet user approach, which we, too, represent in ALAC.

And for that purpose, this is my proposal and I will end my presentation with this, I would suggest that we think about setting up a joint task force or working group, or whatever you want to call it, to examine the consequences of this moment of crisis we are living through and the weakened credibility which we all see around us.

What are the causes? What would be some of the solutions? That is the proposal I submit to you today.

HEATHER DRYDEN:

Thank you, Jean-Jacques.

Please, Sala.

SALANIETA TAMANIKAIWAIMARO: My apologies. Salanieta Tamanikaiwaimaro. I am in the ALAC, but in this particular instance, I am expressing my own personal view.

I think what Jean-Jacques has raised is a critical point, and I'd like to, if I may, tie it to the comments that were raised by the Council of Europe.

If we look at how the globe treats it, I mean the Europeans, for instance in a European Court of Justice judgment last year, they sort of held that privacy, privacy and the right to freedom of expression, had priority or weighed more than intellectual property rights. And I don't have the citation with me to send to you. But on the other hand, you have the United States legal system where they sort of hold that intellectual property rights is sort of -- you know, it sort of weighs more.

And so because we live in a global community, these are critical issues to discuss, particularly in terms of global public interest and also in terms of the interests of the end user.

And again pointing to what my colleague, Evan, had sort of raised, the end user doesn't know which jurisdiction ultimately, but I think in terms of the primacy of the global ICANN community, within the cane community, how do we discuss and tease these issues out? And I warmly support Jean-Jacques's proposal.

Thank you.

HEATHER DRYDEN:

Thank you.

Australia, please.

AUSTRALIA:

Thanks very much for this useful introduction.

I think what I have, really, is a question. I certainly agree that our interests converge in many, many places, and certainly ongoing dialogue on a good many issues is to be encouraged. And at the introduction, I agree that the convergence between the public interest and conflict of interest to me is a very clear link.

My question really is just what would be the issue focused on that you are proposing for this particular working group? It's quite a broad issue, I guess, the way that I read what you are painting, and I am wondering exactly what it was that is being proposed.



HEATHER DRYDEN: To respond, Jean-Jacques.

JEAN-JACQUES SUBRENAT: Thank you, Chair.

I am just giving an indication of what I think should be the remit of such a study, but it remains for the interested parties, the GAC and the ALAC, if they so accept, to define more precisely the remit of such a study.

And what I'm thinking of is that there should be a closer examination of, perhaps, real cases of conflict of interest which appear in ICANN, and to study what these conflicts of interest are. Are they supposed? Are they real? Are they perceived? On the one hand.

And on the other hand, it's to try to define more precisely the limits within which it is possible to operate. For instance, it so happens that someone noticed and put on a blog recently that at a recent vote of the board of ICANN, nine of the board voting members were conflicted. I mean, that's something which is quite -- quite amazing.

So either we don't care and we think that, after all, that's quite a normal situation, or we consider that there's slightly something wrong and we have to repair that. So that's what I am suggesting we look at. Analysis, recommendations.

HEATHER DRYDEN: Thank you, Jean-Jacques. I should give the floor to the EU Commission? No. Okay. Yes; okay. I had overlooked giving you the floor earlier.

My apologies.

EUROPEAN COMMISSION: Thank you, Madam Chair. No need to apologize. There is no problem. This is simply to signal that I guess it shouldn't come as a surprise to my GAC colleagues, hopefully not to the other colleagues in here, that the

European Commission feels extremely strongly about the whole identifying what are the conflicts of interest, the structure of conflicts of interest within ICANN, and to operationally solve them quickly.

Now, on the proposal of Monsieur Subrenat, if I understood correctly -- now, I can't really express a position of the Commission before understanding better what is the objective and the scope of this working group or task force. I can say, however, that we will be more than interested in discussing -- and I speak for the European Commission, here not for the GAC, of course -- we would be more than interested in exploring how we can -- what would be the scope of this reflection.

By way of information, during the recent open consultation on the Internet Governance Forum, the Commission put forward very clearly the idea that we need to discuss broadly what are the roles and responsibilities of all the various partners and parties in the multistakeholder model because, quite frankly, we had the impression that when we say multistakeholder, different people mean different things.

So there is the need of a bit of clarity of what are the rights, responsibilities and roles. Specifically -- and this is the kind of, if you allow the term, philosophical reflection which is very useful, we should do it.

We do have some very practical concerns. The Commission has some practical concerns, which is that as you may remember, the Board had committed in Dakar to come up with a new policy on conflict of interest by March, by this meeting.

I was at the meeting with the Board yesterday, and I was informed that the Board has just started now -- not the Board. Sorry. ICANN has just started, as a matter of fact, to reflect on this issue. It has started an open consultation on the Code of Conduct, bylaws, modification of the bylaws, et cetera, and maybe we will see a new policy and conflict of interest in Prague.

So my recommendation to the ALAC colleagues, and this is something that we will discuss in the GAC, I assume, so I don't want to prejudge the discussion of the GAC here, but our personal recommendation as the European Commission to the other colleagues is please do get involved in this. It's very good to have high-level discussions, we neighborhood them, but then when it comes to ICANN we need to be operational and understand which kind of modification we want and need. And I speak from personal experience, it's a very tiresome job. Going line by line into the bylaws, understand what may be the effects of those modifications, et cetera, reading tons and tons of documents, it is not the funnest way to spend your time, but it is very important. Otherwise my fear, and I speak personally here, that if we continue to speak at a very high philosophical level, which is fine, and in the meantime other things happen and that would be unfortunate.

The European Commission, and I say it here formally, is very open to receive any ideas or any comments from all the colleagues on the work that is being conducted right now on the review of the conflict-of-interest provisions by ICANN. There is an open consultation, as I said, opened just yesterday.

Thank you.

HEATHER DRYDEN:

Thank you, EU Commission.

So Jean-Jacques would like to make a couple of brief remarks. Then I have Wolf Ludwig, then Senegal, and then I think we will need to move to close this session.

So Jean-Jacques, please.

JEAN-JACQUES SUBRENAT:

Thank you for your tolerance time wise and letting me say a few words more.

I should have started off, of course, by saying I was expressing a personal view, personal emphasis and a personal suggestion.

This has not been discussed in the ALAC previously because I actually discovered the topic and its potential interest quite late. And I apologize for that.

The second thing is I very much buy into the remarks of the representative from the European Commission. I think that whereas we start from a high philosophical ground as an observation vantage point, I think that our objective is to come to very specific recommendations, which are presented to the board for action.

So I would like to underline that.

Thanks.

HEATHER DRYDEN:

Thank you, Jean-Jacques.

Wolf, please.

WOLF LUDWIG:

Thanks a lot.

This is Wolf Ludwig from ALAC.

I think the most important points have already been said before by Jean-Jacques, and I think that there's broad agreement on common grounds and interests, on the public interest, on the policy of the public interest. But I think we also shouldn't forget about the distinctions and the divergences involved.

If I take the recent actor debate as an example, a lot of governments have signed in Japan the agreement, and there was no parliamentary consultation in between.

So at the moment, we are in the ratification procedure, and there is a lot of discussion on the European and the national level about whether

governments should sign actor treaty in our interest, in the interest of the Internet users, in the public interest, or whether actor is a special case proving that these kind of international treaties are not necessarily in the public interest.

And I think these kinds of conflicts also should be discussed bilaterally between At-Large and the GAC.

Thank you very much.

HEATHER DRYDEN:

Thank you.

Senegal, please.

SENEGAL:

Thank you, Chair.

My name Mrs. Ndeye. I am from Senegal. And I have just one point about the public interest.

I think add European said.

We have some conflict of interest inside ICANN. We try to work on it. But if it comes to conflict and interest globally, I think we have the IGF as a forum to talk about this.

And I just want, having the mic, I want to talk with the At-Large community about what's happened at our last meeting in Dakar and say on behalf of my government that we are not responsible of what happened at the hotel because we receive a 20-page letter of complaint from At-Large, and it was not very pleasant for us. We make a lot of effort to make this meeting good, and all what we receive is these letter of complaint, with 20 page. I think it was not so good for us. And I take this opportunity to apologize if you get -- if you get not a good time in Dakar, but I think it was not good for our officials to get this kind of letter and I really hope that it was the last time; that if we have a meeting in developing countries, that we really have the opportunity to

see that we are coming from several countries, we are coming from different areas, and each area has a reality, and try just to make effort that we get the best service, we give you the best service.

And really, we are not happy on what happen with At-Large, and I really take this opportunity on behalf of my government to say that it was not our responsibility. We take responsibility for a lot of services, and we deliver it. These kind of hotels and so forth were not our responsibilities. It was the responsibility of ICANN staff.

Thank you.

HEATHER DRYDEN:

Thank you, Senegal.

Olivier would like to say a few words on behalf of the ALAC, and then we will close the meeting.

So Olivier, please.

OLIVIER CREPIN-LEBLOND:

Thank you very much, Heather.

And thank you very much for your -- Thank you very much for your -- for what you have just mentioned here. And on behalf of At-Large, I must say that the matter, unfortunately, was mishandled by ICANN due to the fact that the report was an internal report regarding the hotel, regarding the hotel itself. And I'm not quite sure how it landed on your desk. And at the same time, I must say that our local At-Large structures in Senegal were as well absolutely horrified that this had taken place. This is a matter we were handling internally, and we absolutely had a great time in Senegal.

All of our members have come back to us with great memories of Senegal, and it was not at all a critic of Senegal itself but local problems with the hotel itself, the accommodations. And these are really logistical issues which should have never reached the level that they reached in the correspondence that reached you.

So I do have to apologize if this has reached you, but, you know, we had a great time and I must really thank you on behalf of the At-Large community for the -- for the whole stay over in Dakar.

Thank you.

HEATHER DRYDEN:

Thank you very much, Olivier.

So on that positive note, let's conclude this session and thank the ALAC for coming to meet with us here. And I hope the discussions will continue around the global public interest and the variety of issues that are of joint interest to us.

For the GAC, we have our break now, and then we meet at 11:00 with the WHOIS Review Team.

Thank you.

(Break)