

Transcription ICANN Durban Meeting
Non Commercial Stakeholder Group (NCSG) Meeting
Tuesday 16 July 2013 at 13:30 local time

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Avri Doria: This is Avri Doria sitting in for Robin Gross as the chair of this meeting. I apologize to you all for not having Robin here as opposed to me but I did bring some Rhode Island saltwater taffy to pass around, just to make up for the fact that it's me and not Robin. So please, you can open it up and...

Man: (Unintelligible)

Avri Doria: As somebody said, we give food to people to help them be calm.

Man: Bribed with treats.

Avri Doria: Bribed with treats. So anyhow, we're starting even though not everyone is here yet. But it's already 11 minutes after the appointed time.

So let me first read through the agenda and see if we've got anything to add to the agenda. One thing I have to remind people of is of course when we speak we have to give our names first. So I think I gave my name but of course it's Avri.

So the first thing we have here is report from constituencies. I see NCUC Chair. I'm not sure that I see NPOC Chair. You're NPOC Chair? Okay. She's coming? Okay. And among one issue that was brought up that we needed to put under this one -- I don't know if NPOC had it on its particular agenda -- was the issue of NPOC representation on NomCom.

Then there's the policy issues. We need an update from NCSG Policy Committee meeting. And then other issues, that if they haven't already been covered by the NCSG Policy Committee, we needed to talk about or discuss the downgrading of rights to benefits in the RAA. Obviously it's a done deal and I'm not sure there's anything that can be done about it other than perhaps - I don't know. That's the topic. But the RAA has obviously already been signed as real and it has benefits, not rights, and does that matter.

Then there's discuss the letter related to GAC overreach that's being worked on and has been discussed somewhat on the NCSG list that's being put forward by some people in the IPC who have actually come and ask the NCSG for support.

Then there's the discussion of how to proceed with the Expert Working Group draft evaluation. There's certainly a lot of issues in there that should be of interest to us. So we want to make sure that we've got something in progress to deal with that.

In terms of the policy issues and the upgrade from NCSG Policy Committee, as the Alternate Chair of the policy group I apologize for not having been at the Policy Committee meeting because I was doing (HERT 2).

Yes?

David Cake: Yes, I chaired the policy meeting and I just...

Avri Doria: Okay. We'll get back to it. I'm just going through the agenda now.

David Cake: Yes, I just wanted to, on the agenda the item four, the preparation for the NCSG discussion, we discussed that in a fair bit of detail so we already have done a fair bit of preliminary work on the items to discuss with the Board.

Avri Doria: Fantastic. Perhaps what we could do with that is have an update from the Policy Committee except for those items and then go through those items individually when we get to that. Would that work? Or was there nothing else discussed during the policy committee?

David Cake: We discussed that and we discussed...

Avri Doria: Microphone and name please.

David Cake: Sorry, David Cake. Mostly at the Policy Committee meeting we discussed the items to be discussed with the Board and some initial ideas about who might tackle that item. And I think we reordered them and decided we weren't quite so enthusiastic about some of them. But of course we can reopen that here with a broader representation from the stakeholder group. And we discussed the items on the GNSO Council agenda for Wednesday, so...

Avri Doria: Okay. So when we're doing 2A we could certainly go through the GNSO Council items and any others but then we can just have a general discussion on the Board of Directors as our last thing so that it remains fresh in our minds.

Yes, please?

Robert Hoggarth: Madam Chair, Rob Hoggarth, ICANN staff. I don't know if it's appropriate to ask the question (or if you have) any other business piece for your agenda. There was one item I wanted to raise to the group to get some perspective on.

Avri Doria: You're right, thank you. Item five should be any other business (at that point).
So perhaps you want to - can you give us a title of the item?

Robert Hoggarth: Yes, it's potential civil society roundtable with senior ICANN executives.

Avri Doria: Okay, thank you. Okay then, it looks like we have a duplicate item here, which was the request (to nominate a) committee for more equitable representation but we'll have taken that hopefully up under 1A. And then we go into preparation for the NCSG discussion with ICANN Board of Directors.

I actually would recommend that in slot three we put the any other business item on the roundtable so that basically the last thing we do is preparation for the NCSG discussion as we're walking in there.

And so we had, I guess A through F, we had preserving commitment to bottom up community-led model. We had - I should really have this in front of me since I can't really read it from there. We had handling of the NCSG request for reconsideration. We had development of an inclusive outreach strategy (scaring) participation in ICANN. We had GNSO review restructuring. We had concern over the trend of policy movements towards censorship. And we had the Article 29 working party letter.

We've added one thing to it and I've put it in slot three, which is the discussion of the roundtable. Any other items that we're going to need on this agenda? No, in which case we probably should go with that agenda.

Yes, probably should go around the table, although (I always) - just having people give their names and affiliation, etcetera. So starting at that end, please.

Man: (Garth Stone), NPOC.

Man: (Norman Vacia), NCUC.

Man: (Vadio Vaman), NCUC and Brazillian (unintelligible) Committee.

Man: (Johnnes Con Cutinbear), (Brazil) NCUC and (unintelligible) activist.

Carlos Afonso: Carlos Afonso from (CGIBR) (unintelligible) member of the executive committee of NCUC.

Bill Drake: Bill Drake, University of Zurich, Chair of NCUC.

David Cake: David Cake, NCSG, GNSO councilor, an NCUC member and Chair of Electronic Frontiers Australia.

Man: (Russell Divacan), NCUC member and NomCom member.

(Seth Bugay): Hi, I'm (Seth Bugay). I work for the Human Rights Bureau. It's a U.S. state department as a friendly (interloper) here.

Man: (A welcome guest).

Man: (Unintelligible) from Electronic Frontiers Finland and executive committee of the NCUC.

(Mark Perkel): (Mark Perkel), NCSG and representing the Church of Reality.

Rudy Vansnick: Rudy Vansnick, (Policy) Chair, NPOC, and also active as a board member of the (Board of Trustees).

Man: (Unintelligible) Circuitry NPOC and from the (Gamdin YMC), thank you.

Woman: (Naro Golivian). I'm a newcomer, aspiring member, so I'm just here to listen.

Avri Doria: Welcome, and we have Rob from ICANN staff who already introduced himself earlier. Anyone else?

Woman: I'm (Kim Waked) (unintelligible) from Nigeria (dusk 11).

Avri Doria: Thank you and welcome. And remotely we have (Edward Morris), (Morian Margio), (Josh) and (Peter Greene). And did anyone of you want to say anything in your own introduction? No? Okay.

(Josh Instar): (Josh Instar)

Avri Doria: Oh, okay. Oh, that's why I didn't say your last name. Okay, and as I said, I'm Avri Doria. I'm a member of the NCUC. I'm a GNSO person on the (HERT 2) and I'm the Alternate Chair of the NCSG Policy Committee.

So, now, moving on to report from constituencies. I guess since - are we still waiting for the Chair of NPOC or should I have NCUC go first or should I have NPOC go first?

Man: I would say I'm giving the priority to NCUC as we are waiting for our Chair. It is a point on which she has been involved.

Avri Doria: Great. Okay, thank you. So Bill, please.

Bill Drake: Good afternoon. So updating on just today, am I, or recent events?

Avri Doria: I guess updating on today and updating on anything that you believe the NCSG should be updated on.

Bill Drake: Okay. Hello NCSG. So (unintelligible) prior to the IGF - (I said) IGF, the ICANN's meeting commencement, we had for three-and-a-half days a African school on Internet governance that was organized by the Association for Progressive Communication and the NEPAD. NCUC played an active role in

it. I think eight NCUC members participated as faculty members and speakers of Avri played a central role in shaping the program with APC.

We held a NCUC outreach workshop in the context of that event. That went very well and was very well received. We (provided) the group as well as a reception. Then this, during the ICANN meeting itself, we had an Executive Committee meeting the other day that a few of us participated in to sort out some administrative issues.

And then this morning for three-and-a-half hours we had a constituency (day) meeting, during which time we had quite a good turnout. We had - I think I counted at one point 40 people in the room, a substantial number of them being African colleagues, people from the - many people who had been in the Fellows program. This morning I spoke to the Fellows program, as well as some people from the African School on Internet Governance. So it was great to have new folks.

I had a discussion for about an hour about African perspectives on Internet governance and got a lot of very interesting feedback on the table. We also had a meeting with the (HERT 2) team to go over the questions that they're posing to the community. And we had a meeting for about 45 minutes with two GAC vice chairs who came to sort of establish a bit of a working relationship between NCUC and the GAC. And we had built a number of local administrative operational things, including launching a new Web site and so on.

So it's been a busy period thus far. And tomorrow we have a workshop that we're doing at 1:30 to 3:00 pm on closed generic TLDs, which should be fairly controversial and lively, given what's coming out of the GAC today and other fun things. So we're very busy. And that's my report (for what we're up to here).

Avri Doria: Thank you. Any questions for Bill?

No, okay. Next is the NPOC. I'd like to ask, since a bunch of people -- I think mostly NPOC -- came in after we did the (walk around) of name and such, if you'd be willing to - those of you that just walked in, if you'd be willing to go through. And I guess Wolfgang you weren't here when we said hello and who we were, so if you could start. And then we'll go down. Those of you that weren't here when we did it last time please do it this time. If it was just one person I wouldn't bother but it was a whole bunch.

Wolfgang Kleinwachter: Okay, my name is Wolfgang Kleinwachter. I'm from the University of Aarhus, a member of the NCUC and one of the councilors on the Non-commercial Stakeholder Group and the GNSO Council.

Marie-Laure Lemineur: Thank you. My name is Marie-Laure Lemineur, Chair of NPOC. Apologies for walking in late but we were finishing a meeting with the Expert Working Group, sharing privacy issue concerns. So we thought we had to dedicate some time to it because it was very important.

Cintra Sooknanan: Cintra Sooknanan, Vice Chair NPOC.

Woman: My name is (unintelligible). I'm from Brazil. (An) NCUC member and I am one of the GNSO councilors for NCSG.

Avri Doria:: Thank you. One of the things I wanted to point out as we're passing around some Rhode Island saltwater taffy just (to sweeten up) the room. So if you'll continue passing it around. If you wonder why the box comes back. So now, to your report.

Marie-Laure Lemineur: Very well. Let me see. I'm supposed to do, like, a summarized report of the...

Avri Doria: Basically...

Marie-Laure Lemineur: ...what we've been doing this week?

Avri Doria: This week or whatever you actually believe that the NCSG would benefit from knowing about. In other words it's your report to report whatever you think is worth reporting.

Marie-Laure Lemineur: Thank you. So I haven't had that much time to organize my thoughts but I'll try to give you the fullest report I can. If I forget something my colleagues can help me.

Basically, as the same as all of us, we've been very busy. We started last week. Originally we had programmed sort of - we had planned to have a one day standalone event many months ago but we were realized that ISOC was doing a day and a half event, so we decided not to compete with them at the end of the day. It wouldn't have made sense.

So what we did is we cancelled the workshop we wanted to organize, the one day workshop, which was about the sole of civil society within the (DNS) in Africa. That was an initiative of (conselate) (Conselates) that was here. And we (requested to) ISOC if we could have a couple of (unintelligible) so that we could actually could (spoke) - speak, sorry, within their events. And that has been done. (Conselates) represented (and proctoring) the (DNS) activity that ISOC organized.

And what we're going to do is, rather than having it Buenos Aires in Argentina, we're going to actually organize a one day event -- co organize a one day event -- with (LAC TLT), ISOC, Latin America -- who else -- with (Lacnic) and with the sponsoring of (a PIR). And we're still working out on the details but we have had a very productive first meeting a couple of days ago. And things are rolling and we basically have to sit down and write down the proposal and think about the details.

So other than that, while myself I've been acting as a temporary alternate for Wendy Seltzer, who is a GNSO councilor. So I've been busy attending the GNSO meeting and activities and acting as NPOC Chair.

This morning we had, like, a couple of working sessions as an Executive Committee. This morning we had the meeting with the (HERT 2) team. It was a very interesting meeting. We had the opportunity to provide some comments since we did not submit any specific NPOC comment during the public comment period. We did submit an NCSG statement but we did not have a chance. We already discussed this over email.

So it was an opportunity for us to interact on a one-to-one basis with them. And basically since nine o'clock we've been locked up in another room discussing in house details because this is the first time we are meeting as a new executive meeting.

Last week, some of you might not know, that we just went through a process of elections of the new Executive Committee and the results were made official last Wednesday. Basically most of us were on the plane already traveling here. So this is the first time we're actually meeting as a - after the elections. And we had to do a lot of in-house discussions and reviewing aspects that have to do with vacant positions within the Executive Committee, financial reports and Web sites.

Actually, I don't know whether you realized it and you're aware of it but our Web site has been - how do you call it?

Man: Defaced.

Marie-Laure Lemineur: Defaced by a terrorist group. Apparently there is a - if you open the www.NPOC.org, there is a message from an Islamic group. It's a black screen. It's just amazing. It happened today. So...

Man: Action has been taken to take it off.

Marie-Laure Lemineur: Yes. It's just - yes, today, yes. And coincidentally, we are in the process - can you see it? It's gone? Oh yes, you can see it? Yes. It's really strange, yes.

Man: (Unintelligible)

Woman: (Unintelligible)

Man: Action is on the way. As the NPOC.org domain name was not really in our hands but was administered by, if I'm not wrong, an American organization. And we are now - we proceeded doing the transfer of the domain name to us in the correct way so that we would be able to handle. And I have taken action.

The moment I saw it, I have taken action. Requested to take off the Web site so that it cannot be on the visual - in the world. So action is taken and normally in a few hours it should be done. As it is in the States, it's a bit early for them to act midnight.

Marie-Laure Lemineur: Yes, because when we were aware of that it was very early today and everybody was asleep over there. So, anyway, within - yes?

Man: (You have) absolutely no idea what this is about or who or what or...

Avri Doria: Was it the original American College, the original NPOC group, that still had the Web site?

Marie-Laure Lemineur: And what is funny - well, funny, you know, that sense, is that we are - right now within the next two or three days we were going to transfer - we are going to transfer the name actually with this company, I believe, in

Belgium. Because that was, I mean, the time to do it. And so this is very interesting, what is happening right now.

But this is going to be fixed and once we secure and stabilize the Web site we are going to redesign it and within the near future we'll be able to have a new Web site and then more updated in a more regularly way.

We also discussed this morning charter review processes. We do feel that there is need to review our charter and at some point we want to discuss with you the possibility of reviewing the NCSG charter, at least some of the articles in it. We do feel that there is a need to sit down and discuss this issue whenever we can do it.

We also discussed NPOC participation in the Executive Committee, who is going to be in the name of NPOC. And the Policy Committee, the Finance Committee -- there are so many issues that we have to discuss. And it's not the right place nor the moment (but then) just mentioning it I'm aware that we're not going to solve us this in here, obviously.

We've been, this morning, basically discussing also how we are going to get, I mean, our goals and strategic planning for the next year. Fundraising issues and some financial issues that we have to resolve with the ICANN Director of the financial department. We need to sit down with him (and discuss) constituency collaboration and a bunch of other in house matters. Oh, sorry.

And finally we ended up with a meeting with the Expert Working Group. Yesterday I approached them, a last minute request, and I felt that it was very necessary to sit down with them and express. Basically I corresponded with (Kathy) because we do share the same concerns about the Expert Working Group reports and I've been in touch with her for the last two or three days. And we have - I've submitted a bunch of questions and we've continued doing it through the public - I mean, the comments, writing comments, in coordination with (Kathy). Yes?

Man: (Unintelligible)

Marie-Laure Lemineur: No, the Expert Working Group is the working group about the (new) directory services, yes. We've been attending other - we attended the strategic planning session, like most of us did and we - tomorrow I think we'll show up the Trademark Clearinghouse session (till I) talk to (Kathy) about it.

I don't know if I missed something but (unintelligible) should be said?
(Unintelligible), yes. Oh yes, I forgot to mention the...

Man: I would like - (no). I would like to inform you that over the last few months we were busy refining our policies, especially the area of (our inform) initiatives. The documents are now available. We have spent this week talking to different organizations and representatives regarding this initiative. I'm extremely grateful that so far everybody seems to be very supportive and we are basically awaiting now clearance by tomorrow two o'clock, if we will be able to have some major events in Brussels in the next two weeks (unintelligible) and then the event in Buenos Aires basically will be on the topic of which I laid out (in our inform) initiatives.

So we hope that we can really make some policy and contributions in that field now actively. And I'm really looking forward to be able now to finish the conceptual face of this initiative (and then) going into the implementation phase. Thank you.

Avri Doria: Thank you. Any questions for NPOC?

Woman: Yes, I've got one and then...

Man: Yes, just want to inform you that NPOC...

Avri Doria: Name first please.

Wolfgang Kleinwachter: My name is Wolfgang Kleinwachter. I just want to inform you that NPOC.com is for sale for 9635 U.S. dollars.

Avri Doria: Thank you Wolfgang. (You guys are) getting famous fast.

Man: (Unintelligible)

Man: (Unintelligible)

Man: (Unintelligible). Just a question. You mentioned that some issues - discussion about the NCSG Executive Committee and Policy Committee. What kind of issues (unintelligible)?

Marie-Laure Lemineur: No, it wasn't an issue. It's just that we do have - according to the charter, there are NPOC representatives on those committees. I'm sorry I did not express myself properly. So we just spoke of who should go and which committee (unintelligible) and that we have to, you know, formalize this. That was (unintelligible).

Avri Doria: So going on on the agenda then, I had stuck the NPOC representation on NomCom actually. Actually (that fell) in two places and so I've got something else now in slot C. But on the issue of the NPOC representation on NomCom, it actually shocks me that NPOC has been in existence now for close to two years and the bylaws change to give NPOC its constituency seat on NomCom has not yet been resolved because I guess they said, "Well, we'd have to rethink the whole NomCom thing." But in the meantime it does seem like the pattern should have been followed.

Now we have discussed in the NCSG the notion of sending a letter that basically said, okay, you know, we're shocked that you haven't done it yet but since you haven't done it yet there is a seat for an education - for the Board to put on an educational representative that they have not filled. So our

suggestion was that they put an educational representative but chosen by NPOC on that seat and sort of fulfill the two functions of giving NPOC a voice in NomCom and fulfilling the educational.

So it's not really a misuse of the seat -- it's a particular way of using the seat in this one instance, giving us another year to get that. I believe that that letter has been sent by Robin, so I wanted to make sure that was on the record and I what I wanted to figure out is and what's next so that we don't find ourselves here next year going, "Oops, they haven't done it yet and another year has gone by."

So I'd like to know what we need to do and especially what NCSG needs to do to support you in getting that done. So it's your issue but it's our issue.

Woman: Thank you very much Avri. And I know you've been active with this issue and I want to thank you for that. We've been discussing (this) this morning. It's something I forgot to mention previously. Robin actually sent the letter yesterday. I saw it last night, which is perfect.

Basically, I don't know how long the Board usually takes to answer this kind of letter, if (we're) talking about weeks or months. I have no idea. I don't know whether there is, like, a pattern or it's really something subjective. But anyway, what we agreed - this morning, we discussed the issue and we agreed that basically what's next is, number one, wait for the Board to respond and, number two, wait for the NomCom. In September I believe the NomCom will officialize some of the positions, right? If I'm not mistaken.

So these are two parallel processes and according to the results -- the Board's results and what will happen with NomCom -- we can decide what will be the next step.

Actually, I might mention that yesterday I had a conversation with a Board member and informally I said, "You're going to receive a letter from Robin."

And he said - the reaction was, "Well, I'm not sure. I have the idea that this educational seat was - we have sort of cancelled it and we had this idea that this was no need for it. But I'm not sure it's a permanent thing or a provisional thing." That was the answer.

Avri Doria: Just from a personal point of view, since they can't add a seat to the bylaws without changing the bylaws I doubt that they can cancel a seat from the bylaws without...

Woman: I'm the one who is using the word cancel but it wasn't (the proper)...

((Crosstalk))

Woman: ...in French.

Avri Doria: They had decided not to do it. But that's another decision that they can remake having gotten a request from us. They certainly haven't cancelled the seat. It remains an unfilled seat.

Okay, anyone else want to comment on this? So I'm understanding, we will wait but in any case -- and we should probably talk more about this on the list -- this is not a permanent solution. Even if we succeed this year there's still a necessity. I also understand that NomCom (in it's entirety) may be under review and we need to fit into that. But I just want to caution you to keep pinging us because we do not want to let another year go by without this getting a proper treatment.

Woman: Thank you. We actually do have a very clear idea that that would be - if it comes out, it will be a provisional -a temporary solution and that we do have the right as a community group to have permanent seat and an NPOC seat. It's very clear to us.

Avri Doria: If constituencies at the moment have seats on NomCom, except for the business constituency that gets two.

Yes (Rudy) you wanted to comment. Give your name please.

Rudy Vansnick: Yes, (Rudy Vansnick). I think it's important that we have - we have to keep in mind also that with the new gTLD program being launched that there will be probably some other requests coming for NomCom seats. And I think that we have to be careful and look forward how that could fit in the new concept in order to avoid that at the end the civil society and then the individual users are not kept any more in the perspective of participation, as (unintelligible) is requesting across (unintelligible) process.

So I think it's important that NCSG keeps in the agenda how to look forward (with this) new NomCom concept (unintelligible). And I think it's coming soon.

Avri Doria: Thank you. (Rafik).

Rafik Dammak: (Unintelligible) the NomCom we are really minority. I am the only non-commercial there and the rest of commercial. So, yes, we need to think about (the whole picture) for the future but I think at least for next year to have more support can be helpful.

Avri Doria: Thank you. Any more on this topic before we move on?

Okay, the next one is policy issues. Now we already had a quick update from NCSG policy in terms of the general and what we decided was that while they already discussing the Board issues we'd get to that when we got to that, but that there were also issues in terms of the GNSO agenda from this week that you covered.

So if it's okay with you I'd ask you to sort of cover those issues and any issues other than the Board's (unintelligible).

Man: Yes, I'm trying to remember exactly what we covered. But we talked in particular about the issues coming up facing the GNSO. I think most of the issues facing the GNSO this week are relatively uncontroversial -- not just to us but to pretty much everybody, including the (Policy Versus Implementation) Working Group, which the charter seems to meet with general approval. We will be voting in favor of that.

There's a call for letters to be sent by the GNSO of support of the (Jig). The...

Woman: (Unintelligible)

Man: The (IDN) Group. And (a lot of) the linguistic (unintelligible) to be treated as a serious policy issue by the Board. We are going to support that. The one that's going to be - it seems to be controversial but not within NCSG, is the - or at least (has) some parts of the GNSO seem to be worked up about it, is the proposed motion that the GNSO sent a letter to the Board asking for bylaws change. That would require the Board basically to take GNSO advice, (similarly) to GAC advice, (which is) that the Board can ignore it or the Board can disagree with it and do something else but they have to at least tell the GNSO - it may be (they have) to tell the GNSO why.

Whether that will actually end up being voted on this week or will be deferred, we'll not sure. There may be some talk around that. But the general gist of it is that the NCSG at least will support it. So we certainly welcome any input on that from anyone who wasn't at the policy meeting.

But that pretty much covers it for GNSO business. I think there a couple of other motions but they're sort of supporting charter work, you know, Working Group work that already done and are pretty uncontroversial.

Avri Doria: Quick question. So on the deferral of the one that might be deferred, that letter, are we deferring it or...

Man: Oh no, that is just being mooted, that it may be deferred. I don't think there's any actual plan. There have been a lot of concerns raised about its precise wording. So if the, you know - and there may be a group that says, "Well, if we change the wording then perhaps we should have a little bit more time to think about it."

But NCSG, I think we find the current wording acceptable, so we will be quite happy to vote on it at this meeting.

Avri Doria: Thank you. Any questions or comments on any of the GNSO Council issues? Yes (Rudy)?

Rudy Vansnick: May be an item - (Rudy Vansnick). An item to add is we had this meeting yesterday very shortly, about the question that came from the GAC to the GNSO about the IGO and the INGO.

Woman: (Unintelligible)

Rudy Vansnick: No no no, no. It's the other one about the (unintelligible) for the acronyms and the protection of the organization (name). So I think it...

Avri Doria: Is that on the GNSO Council for this week? I don't believe so. Is it?

Man: I don't think so. We had a report on it and we discussed it but I don't think it will be on our formal agenda this week.

Avri Doria: Although that work is up for review at the moment. The initial report is up for review so it's definitely something we should do something about. More than keep an eye on, we should produce a comment on.

Man: Yes, absolutely.

Avri Doria: And hopefully there will be people to produce a comment on it as a member of the IGO and INGO Working Group. I tend to not think of myself as the one that should write the comment for us because I have been commenting incessantly inside the Working Group. So I'm hoping that we as a stakeholder group can have a wider view.

Woman: We do have a (unintelligible) in this working group. I do understand.

Man: Yes, (I will say) I am - sorry. For the record (unintelligible) NPOC. (I called in), I followed the tracks of the meeting yesterday because I had to be at the meeting strategy working group meeting but I will be sending out my comments to the Policy Discussion Group later on since I'm on that mailing list. Thank you.

Avri Doria: Thank you, yes. I'm really hoping -- and this is me speaking in the role of, you know, what do we call it? Alternate Chair of the Policy Committee, is that we get more active. We've sort of gotten semi-active in terms of responding to comments but sometimes by the time we actually catch our breath the three weeks have gone.

One of the ways that we've worked on that -- and I suggest it to all of you -- is that if you've got an individual comment to make on anything that is out for review, make your individual comment. And what the Policy Committee can then do -- in fact we've done it several times -- is then we can review your comment during that second period, the review period. Because the way the comment period is set up is initial comments and then comments upon the comments. Responses to comments.

And I know - and I've done this sometimes because I've procrastinated until the very end and even as a member of the Policy Committee didn't have time to get the Policy Committee to review my comments. I sent them in at the last hour then I sent a note to the Policy Committee saying, "I've made personal

comments. Please review them and either endorse or, you know, contravene, contradict, change, add stuff."

So I suggest to all of you that if you find yourself having to comment on something, get your comment in. We can always add more comment to it later. Don't necessarily wait for a process because with three weeks there isn't generally a lot of room to get a process. But once somebody has sent a comment it's really quite easy to then endorse or modify, amplify, what have you.

Okay, on policy - so anything more on the Policy Committee update? If not, moving on to the next one, which was the RAA, the Registrar Agreement. And there had been a rights and responsibilities section in that. We had contributed a fairly well developed, I think a fairly mature suggestion on rights and responsibilities.

And then I don't know if any of you have heard anything from the black box of how this changed but all of a sudden we see the new RAA ready to be signed, just speaking about benefits and no rights and responsibilities.

So I don't think there's anything we could do to change the RAA. That's done. Is there anything else we want to do? Is there anything within the ICANN process of sending letters to somebody who won't read them that we want to do? Or is there anything more public we want to do? Any circle ID, anything wider? Is there any response we should be making to this or should we just accept that what's past is past and move on?

Yes, Wolfgang.

Wolfgang Kleinwachter: I'm not 100% sure what is the situation now. In the Article 29 working part letter (unintelligible) made reference to the so-called (unintelligible) and said it's step in the right direction but it's not enough.

Probably somebody can clarify is the waiver in the existing RAA included and then it would be a question, (you know), how to (unintelligible) this.

And another thing is we have the Expert Working Group. And my question is this is another thing, that the policy is implemented before the Working Group (unintelligible) probably new recommendations. And it's also an open question, you know, are there any plans, you know, how the recommendations from this working group will be implemented. Where there will be a revision of the existing RAA or is it just okay, thank you for the recommendation and (unintelligible) the RAA. Is there any procedure in place or...

So there's now two questions. One is, is the waiver in? And then the question is how is this implemented and exercised? And number two is what will be, when the recommendations from the Working Group come, how we can make this as consistent as possible with the agreement, which has been now signed?

Avri Doria: Thank you. Cintra.

Cintra Sooknanan: Thank you. Cintra Sooknanan. I had raised in the meeting that we just had with the Next Generation Registration Directory Service Expert Working Group the fact that just because they are proposing an aggregated database of Whois registrant data does not mean that the bar should be lowered for registries/registrars. It means in fact that they should try to raise the bar by ensuring that the data is really maintained in the same manner.

So I think that's a recommendation. This is not just to punt the ball to somebody else (or to) a separate database but it means that there must be a (complimentary) service provided by the registrars.

Avri Doria: Okay, yes. And in fact, one of the things that I would think of anything that comes out of the Expert Working Group with the RADS is something that's

also going to take several years to actually be completed. I know the (AETF) is still working on the protocols that would support the RADS type of functionality, et cetera. So that's still a longer term solution and in fact, you know, how to proceed with the EWG draft evaluation, which also includes looking at some of the privacy advances that that at least tantalizing makes possible, is something to look at.

I'm not sure if the waiver is still in there Wolfgang. I believe it is but how that waiver is used. And I don't think it's been changed but the waiver previously meant you actually had to have a court action taken against you before the waiver clause is activated. So something like Article 29. And while the wording was very bad Article 29 saying, "But this is against EU law," is not quite the same as a legal authority having given a judgment to a registrar saying, "You have breached."

And it's not until there is a legal authority that has actually indicated the breach that that waiver becomes viable. You get a waiver because you have been legally told you did something wrong. So Article 29 saying in theory it is wrong and they shouldn't do it is sort of a (unintelligible) the (actual of) having a legal authority. The waiver is initiated by a legal authority saying you've done something wrong.

And I've got Wolf - was your moving to the table an act of raising your hand or...

Wolfgang Kleinwachter: (It was just) for clarification. That means under this system which is now in place you (push) registrars in Europe to provoke a court action to get the waiver.

Avri Doria: Yes, that's the way the law works in America.

Wolfgang Kleinwachter: So that means you push hundreds of registrars into a procedure where they really...

Avri Doria: Yes.

Wolfgang Kleinwachter: Who covers all the costs which are involved with this?

Avri Doria: I would assume the registrar.

Woman: I think that's a good question.

Avri Doria: But one of the things...

Woman: (Unintelligible)

Avri Doria: One of the things that, as someone who's been rather active in making noise about this for a while, is I've been begging some European to actually take them to court so that we could kick in the process, but no one has. No one has complained against their registrar to the data protection authorities in Europe yet saying, "Hey, wait a second. What you're doing with my data is against European law. I've been sitting in committees for years saying, "Why has no one sued their registrar yet? Is anyone willing to sue their registrar yet?" But of course, you know, I'm not a European.

But indeed, in many laws, you don't kick in a review of the law until somebody's been brave enough to break the law.

Rudy Vansnick: (Rudy Vansnick) (for the transcript). I'm just wondering if we would not write a letter to the Board that we recognize that they won't give benefits, that the benefit is not something you (can't) put in a law. The benefit is most of the time a financial rewarding but it doesn't give you a right. And I think we have to underline that we see this as not being a write but something in favor and that is not enough to cover us. Wolfgang was saying cover costs when you have to go to court because what they try to do in this way is that by not

having the right you cannot go to the court -- you have to do it on your own and pay. And that's not what we are looking at I thought.

Avri Doria: Okay. Time check first of all. Our first hour is gone. We have more time but I just wanted to get - now one of the things that I want to suggest and I want to put on the table is the reason the waiver exists is because the GNSO indeed passed a resolution of recommendation many years ago.

And in fact I think it was the first recommendation I ever voted on - I was a non-com GNSO member - was that basically prompted this but the way it came out was this acquiring a breach to take in the waiver. One thing that we could perhaps look at is putting a motion on the GNSO table obviously not this week but along the range thing and because of time we might not want to go into it now but ask the policy committee to look at it is some proposal for recommendation that we not force registrars to break laws. So I don't know. Yes, (Mark), please.

(Mark Perkel): I'm not sure about Europe and the United States and there may be something in European law you could initiate a lawsuit for declaratory judgment asking the court to basically make a legal opinion on a situation and I would think that ICANN could bring that on their own without having to wait for somebody to sue a registrar but just to have ICANN ask a court to make a determination of law and speed up the process and maybe we should encourage ICANN to do something like that.

Avri Doria: Perhaps we should. We'll have to see how the GAC and others felt about them doing that but that would be interesting. Anything else on this issue before moving on? Okay. So, really, though, what we're going to look at to sum up what I think I heard is we'll send it to the policy committee and think

about whether there's any motion action, whether it's declaratory - what was it, declaratory judgment? I'm just trying to get the right word.

(Mark Perkel): Yeah. It's an action to where somebody sues somebody - traditionally there's sometimes it's almost like an advisory position, you know, where you're asking the court just to make an interpretation on what this law means and it's a little bit unusual compared to what most people think of but I believe there's a - would be a procedure for doing that.

Avri Doria: So we'll ask the policy committee to look at that and look at whether there's any other possible motion that they want to suggest to the GNSO but in terms of anything else I guess it's just individuals writing in their favorite media to comment on this as they might.

Okay. The next one I'll give a quick review of what's happened. You've seen the letter. There's basically been a proposed letter that was initiated by the Intellectual Property people specifically Amazon people within Intellectual Property to say what (hodack) you have overreached in picking winners and losers in the new GTLD competition and we don't think the GAC should overreach like that.

I've been communicating with them. We've had some initial discussions on the list. I spoke to them earlier today. I gave them initial feedback. The initial feedback I gave them was I'm not sure that we'll support that, that we certainly support the notion that GAC has overreached in terms of geographical names.

I don't think there's been a lot of discussion about that, that we're having difficulty separating though this issue at the moment between geographical names and the whole open and closed GTLD issue which we are split on as a stakeholder group. In fact, that's why we have the session that Bill was talking about earlier to discuss that tomorrow because we are split on that.

And also just noting that various people in the NCSG had noted within interest and curiosity and perhaps irony the fact that the APC which had woken the GAC giant as to their cower on various IP issues, IGO and INGO issues and such that all of a sudden the giant turned around and swatted them. and we had noted that with some irony but we have sympathy because we don't like to see the GAC overreach.

So I basically said I don't think we'll end up supporting this as a group but we hadn't talked about it as a group so that's why it's on the agenda. Do we want to leave it as it is that sort of says, you know, good for you guys, put together the support motion but we're not signing onto it or do we want to talk further, do we want to support it, what do we do?

If we do nothing then we stay where we are. They do a statement and then we as individuals can certainly get up in the forum and say that's right or we can say what I just said, you know? Or do we want to as a stakeholder group say we support it?

Man: Quickly I basically agree with what you proposed may be only eliminating the irony part.

Avri Doria: You don't think we should point that out in public? Aw, shucks. I'm kidding. Okay. Any other comments? So I'm taking it - yes, please.

Man: Sorry. My name is (Remi Waker). I'm from (Iran) and (Iran) (unintelligible). My apologies for joining late. I think I ought to second what he just commented on. You have to be careful about that because they're (southern) (president's) (descent) and then subsequently in order too good for the group.

Avri Doria: I can't hear him.

Man: I said there may be (southern) president from descent and might not be too good for the group in the (Tehran) so I second that motion. Thank you.

Woman: Thank you. Okay. So - yes?

Man: I am supporting the idea that GAC does not overreach and also agree that this specific letter we don't have consensus.

Avri Doria: Right. Okay. So what we could do is actually say that at the end or I could get up on the line and say NCSG discuss the letter, we support the notion that GAC must not overreach but we were not able to reach consensus on supporting this specific letter and I do not mention the fact of irony. Right.

Woman: Agreed. Agreed.

Avri Doria: Okay. Thank you. Anything further on this issue? Okay. Next thing is the expert working group draft evaluation. I think it's critical that we get an opinion and a comment and I don't know if anyone remembers what the date is for August 12th so do we have volunteers to work on a first draft? Great, that's one. That's two. And I'll work on it somewhat but I'm way overloaded.

Woman: And I'm not speaking in the name of (Kathy) but I'm sure...

Avri Doria: You're right. I'm sure.

Woman: Because we've been conspiring.

Avri Doria: Okay, good. So we have at least three people working on a draft. Can I ask that you try and give us a draft at least a week or so before the deadline so that we have a chance to do it? Okay. Anything else on that? So we've got three people working on it and we have an old tradition that's it's perfectly fine to volunteer people who aren't at a meeting for tasks. If you're not here you can always be volunteered for things. So it's fine to volunteer (Kathy). That's an old tradition.

(Makilof): (Makilof) speaking.

Woman: Okay. And (Sentra) as well.

Makilof: Just for the record poor (Kathy) is so upset about and worried about this report that she woke about 4 in the morning so that she could hear us with the (issue) so she's really committed to it.

Avri Doria: Yes, I got a few emails from (Kathy) over the last 24 hours that made that point quite pointedly. Okay. Anything else on that? Anything else on policy issues other than the ones that are already listed for the board?

Now, in which case we'll move on - okay. Section 3. This is the one that we were going to talk about but this is the one where if you wanted to talk about experts - I mean, the - I forgot what it is. I've been talking so much my mind's gone blank. The roundtable - the CEO roundtable with NGOs.

Rob Hoggarth: Thank you very much. This is Rob Hoggarth from ICANN staff. I wanted to raise the issue in the broader NCSG. The concept is I believe one that was introduced around the Beijing meeting primarily by Robin and other parties from the NCSG from your group to seek out ICANN senior executives (Foddy) in particular for a roundtable discussion similar to the type of discussions he's had with other members of the community.

I reached out and had some discussions with Bill by email, with (Marie Lorb) by telephone and wanted to tee up at least for this group in some brainstorming discussions about potential time tables when that type of event could take place later this calendar year.

I think (Foddy)'s original hope was that we might be able to pull something off between Beijing and Durban but clearly there were activities in the community that were preventing that from coming off from a scheduling perspective.

And so from now really a staff perspective my goal is to be able to target or at least get some general idea about what some good timetable might be for this type of event or potentially series of events over time.

The concept is simply one that from a senior executive standpoint there's an interest and a desire to continue the dialogue with community members, the fact that we had an intercessional meeting back in January of this year in Los Angeles prompted some additional value I think on (Foddy)'s part of having these types of limited roundtable discussions.

And when I say limited I mean about 20 people along with ICANN senior executives to talk about issues that are of importance to this community and in particular to civil society. And the concept or idea is to at least have an initial organizational meeting of this type of concept, see if it works, identify thoughts and opportunities, how future dialogues could take place.

And so again the critical aspect from my perspective is to begin to narrow down what the timetable and potential location for that type of get together would be. There are other issues about what the agenda would be, who could participate and we reached out to the constituency leaders and Robin and her position AS the NCSG chair to provide us specific guidance on that. I mean, essentially teeing up the issue of Aubrey.

Avri Doria: Thank you. Any comments? Yes, please.

Poncelet Illeleji: Poncelet Illeleji for the transcript. I just want to ask, Rob, are you planning since like for example NCUC is having this organized forum including NPOC in Bali, are you planning to do anything around (unintelligible) before Bali?

Rob Hoggarth: There's actually - this is Rob Hoggarth - there is actually nothing planned at the moment. At this stage we're really trying to identify what sort of windows of opportunity there are. The Bali gathering may be one of those windows of opportunity.

For those of you not familiar with the roundtable concept it's essentially a half day program where (Foddy) gets together with senior members of various parts of the community to just talk generally about where's ICANN going, where are the important issues that are critical importance to the community that he's talking to.

Obviously it's a different sort of structure or hierarchy on a civil society perspective than it is with the ISPs. Where for example the structure there was let me pick the highest senior executive of some of the biggest ISPs around the world to have a conversation to combine internal ICANN knowledge with new parties who might be perspective members of the community. There it was a different structure in that you pretty much do the research and do the numbers and say okay - I (Foddy) want 5 of the top 10 or something like that. Civil society is a different community makeup.

You've got a number of different communities and players and hence the outreach to Bill and at the time (Alan) and to Robin and to really just help us understand how would we begin to approach that, what would be a fair way to identify people and we get the right mix.

When you're acknowledging that from meeting to meeting you're only talking about 20 people. So I mean, it's a much more diverse community, much more challenges in terms of who to bring together initially and then over time.

Avri Doria: Thank you. Anyone else want to comment? Yes, Bill.

Bill Drake: So I'm looking at the long...

Avri Doria: Name, please. We're supposed to give our name at the beginning of the interaction.

Bill Drake: Name, Bill Drake. I'm looking at the chain of mail that we're exchanged on this speck in May about the timing and location. And I don't really know about other people what their parameters are so I mean maybe we can use this opportunity to find out.

It just seems to me that October and November get really dense with Bali and Buenos Aires. Adding another - if we're flying to L.A. from all over the world, for a lot of us that's a long trip which takes several days each way when you've got everything up and so my priority would be maybe later in the year.

But if (Foddy) is eager to get this conversation going which is sort of what I was inferring from you the last time that might not be sufficient. So I'm just curious - I'm looking at my calendar. I mean, I'm totally screwed in the near term so I'm just wondering what other people's parameters are.

Woman: From your description it didn't sound to me like it's a conversation so much as (Foddy) doing one of his presentations and I'm not - to me what really needs to happen is that (Foddy) understands more clearly the needs of the non-commercial community and that doesn't sound like that's going to happen. Thank you.

Woman: Actually from the conversation I had with Rob it's actually the former is supposed to be a conversation and that's the impression I got when we discussed the issue and Rob explained to me and I pretty much - I'm sorry - I liked the idea of having one or two people from let's say NPOC or NCUC plus experts that we would pick external experts that we would pick from our membership not necessarily all executive committee members but from our membership or external NGOs or other institutions where we think that could be useful - their advice could be useful and bring them on. That's - I understand with the spirits of the activity.

Regarding what Bill was saying about the place and dates and location and date - also one of the things we discussed is that we could sort of do a pre-

event - pre-IGF if I remember well or pre-ICANN activity - one the activity so that we wouldn't have to fly somewhere before, you know, the Friday or Thursday before IGF. So we avoid wherever it's going to go to fly around and spend more time doing this.

Avri Doria: Thank you. This is Aubrey again and by the way I neglected to interrupt either of you when you were starting to give your name. My fault. We need to do that. One question I have - and Rob I know you have your hand up but I wanted to give you one more question before you spoke.

Given the when it's been CEOs of companies those are people that have bags of money to be able to do these things whereas when NGOs these things often they're relying on contributions and contributions are iffy to spend them to go to Bali for a discussion with the CEO of ICANN.

Great idea - I totally support it. I'm not being critical but is there any notion of funding in all of this or are these NGOs expected to get themselves there because talking to ICANN is that important to them.

Rob Hoggarth: This is Rob Hoggarth. Part of the planning did include the concept of travel funding. Obviously if ICANN's taking on someone that increases the interest in being able to combine it with some other industry event. We were able to prove with the intercessional meeting in January of this year that we had the capability to control the cost and I think give some comfort level to management that we could do those in a cost effective way.

And the concept here is to your point earlier is to really learn. I think that's what was the driving force of this concept and idea. It's a recognition I think that from ICANN's perspective the newer management really needed to learn more and I think that will come out in the agenda preparation and really a discussion about what do we have time for, what available topics make the most sense given a potentially very diverse group of people.

From a staff recommendation perspective I think a number of us were looking at this as the beginning of a future series of meeting that might turn into - oh, the CEO of ICANN is going to the continent of Australia and he's going to be in a certain city and we know three months in advance and you don't have to fly people in from all over the world, it's just people gathered together.

The original concept was to combine internal leadership and others and if not leaders but at least experts people comfortable with ICANN and its background combining with some newer people that you all might have identified as perspective recruits, people who are just notable in the community who can provide good perspectives and get them together to just talk about the general concepts and the idea while at the same time providing some opportunity for education issues spotting if not issue resolution.

Avri Doria: Thank you. I have Poncelet and then Wolfgang.

Poncelet Illeleji: Poncelet Illeleji for the transcript. I just wanted based on what Bill said especially with the dates it looks very - I've tried to look at the calendar and it looks very impossible between now and December except something happens in Bali and of course with Buenos Aires meeting. It's obviously a full blown ICANN meeting.

But when I looked at what happened when we had the intersession of (unintelligible) in Los Angeles the dates was quite flexible and, you know, January.

Although it was very hectic flying for just two dates like for me from Africa down to Los Angeles and back I'm thinking when you look at - you have the office space in (Alay) to do the sort of small meetings for specific can that also happen in the new (hubs) especially in Istanbul, especially now that (unintelligible) in policy is going to be heading the Istanbul office.

So if you're going to be having those - it's easy if you want to pull Bill from Switzerland down to Istanbul then him going to early. So I don't know what are you going to look at them modalities in you plan and thank you.

Avri Doria: Thank you. Well, first of all I didn't assume that it was necessarily us. I thought they were actually looking for the people that weren't - I mean, it may even include some of us.

I notice when you have some of the registrar CEOs, you had some of the regulars and you had some of the people that never show. So I'm not assuming that it's primarily us that they're talking to so it would be lovely for us to talk to (Foddy) at some point. I don't know that we ever have.

But in general I think they were actually looking for, you know, the executive directors that we haven't managed to get to communicate to (Foddy). Although of course as I say we've never communicated with (Foddy). But so I have Wolfgang and then Bill.

Anyone else? I'd like to actually close this one so that we can get to the board one so we can continue talking. So I have Wolfgang, I have Bill and then I'd like to give you the last word, Rob so that you can also tell us how we'll follow through with this.

Wolfgang Kleinwachter: First of all I think basically it's a good idea to enhance communication and ICANN leadership and an important part of the stakeholder group which is the civil society.

It's also very (article) to approach first the non-commercial stakeholder group because this is the one important home of civil society within ICANN so it makes sense. Anyhow my problem is that what is intention of (Foddy) or the ICANN leadership. Do they want to talk specifically with communities and organizations who are already deep involved in ICANN or won't they have a more general civil society perspective around the issue?

In the previous meeting we had was to government advisory committee. The two co-chairs of the GAC said okay for them it's sometimes also a little bit problematic to locate where civil society was (unintelligible) or is this NCUC.

And so the question is, you know, what is the plan, to whom do you really want to talk to? It's the non-commercial stakeholder group just, you know, one smaller element in the so-called 20 - group of 20 you want to invite or is it basically, you know, this group.

To let you know we have discussions a couple of days a week, you know, how to communication between the various civil society units within ICANN. We'll have tomorrow a joint meeting with the advisory committee and, you know, there's a plan to have a summit in London in June where more or less the role of civil society end-user, the individual user, you know, will be the subject of discussion and we will certainly have something to (divide) up until this London summit meeting.

And in my eyes it would make perfect sense if you plan such a meeting to put this into this process on the (role) to London and to say, okay, this could be an additional element which would both enable (Foddy) and ICANN leader get a better feeling on the fingertips, you know, what the civil society and any kind of governance in particular ICANN wants to do.

And on the other hand it would also enable this various groups of the civil society to be better prepared on the way to London and to come this very concrete proposals. One of the discussion points just to let you know is probably that we establish and we propose the launching of so-called civil society sector (in construction).

This would mean not to abolish the existing units. It's means the launch advisory committee (unintelligible) and large structures continue the non-commercial stakeholder group this is to continue probably new emerging civil

society groups from the new GTLD program. If you have GTLDs which are more community based and define themselves as part of the civil society.

So then it would make sense to have let's say a civil society sector with a coordination committee. We are all the various civil society groups are working together and this could be used as a mechanism, an instrument. I wouldn't say to harmonize but to come with certain strategic directions, you know, how this could be integrated.

So this needs more time, fresh idea and we are moving forward with the discussion of this idea more. Tomorrow would be a first step and we have the meeting with the chair of the (launch) advisory committee.

And I would not rush for such a meeting and it has to be here and now. But it means if it's in January or February it would be fine and I think you plan in the financial year not from January to December but from June to July, yeah so it means that probably January is better date for such a meeting. And by the way Istanbul, this could be a test to do there.

Avri Doria: Thank you. Bill, you had another brief comment to make, please? We don't have that much time left.

Bill Drake: Okay. Yes, I just I understood that a lot of the things that people are asking about we talked back and forth quite a lot and all these emails we shared people are asking me questions.

The agreement as I understood was there would be 9 community members and 8 to 11 new people brought in from the outside, some kind of a mix like that. And I had the impression that you had a preference for L.A. because of facilities and so on.

I think personally I think it would be best to do it before the IGF. Before the IGF there are so many pre-events already, days and days and days of pre-events and flying everybody to Bali is kind of insane.

If you really wanted to do it for a day prior to Buenos Aires that might work but otherwise my argument would be I would rather wait until December, January. And I think when people are clear of the cycle - we're in the cycle now just a really thick period - you know how we all live. We're all flying around the world going to meetings and everybody has stuff lined up and your calendar's blocked out.

So it's just - we don't even know if you're trying to get the leadership from the large NGOs that are not involved in the space. They're probably very busy too so it could take a while to really pull this together.

Avri Doria: Thank you. Rob, if you'd like a closing word on this one. Thanks and I appreciate the time that you've spent talking about this. I didn't anticipate this long of discussion but I think it's been very helpful.

What I'm hearing is a timetable in the January to February time period not limited to a location of Los Angeles but ideally perhaps utilizing one of the hub spaces as well.

What I'd like to suggest for next steps is that again working with (Marie Lore), with Bill and with Robin or whoever the new NCSG chair is is to nail down that time period. I would really like to have that date picked now.

Appreciate too that I think the concept of the first meeting is to address a lot of the questions and points that you all have been raising. It's potentially to look at what this is and not to look at it as an end product but a beginning product for the discussions to say this is the first time we're doing this, let's set out what we could do in the future.

So we take that perspective to it. I will follow up in the next week or so after Durban with Bill, (Marie Lore), with Robin or her designate so that we have some continuity going forward it might be a good idea to designate somebody. And then we can continue that planning with an eye toward nailing down a time by the end of August.

Avri Doria: Thank you. Okay. Moving on. One thing I wanted to point out, there was a comment from Robin on the EWG issue. She plans to request a Webinar call on EWG in the next she says couple of weeks. It would have to be real soon. But anyhow be ready to talk with them. Read the reports. So for those of us who haven't read it yet please read it.

Okay. Now we go to preparing for the board meeting, meeting with the board which is in less than half an hour. We should probably leave her at 25 minutes after the hour or thereabout. Plan on that so we can actually be there when it starts.

So, David, I'd like to turn it to you since you said you guys already talked about it and especially you already have the names of the people who will start off with our discussion because that's critical.

David Cake: The first thing was we discussed changing the order of these things in which we talk about them so I'm not quite sure whether to go through the order...

Avri Doria: Go through them in the order that you think we should go through them.

David Cake: The thing about that is we actually discuss - at the policy committee meeting no one was that interested in the 1A presenting ICANN's commitment to the bottom up community-led model presented in that form. We felt that we weren't going to get a good reaction from the board unless it was much more specific.

Avri Doria: In other words, it's another one of those apple pie issues desperate...

David Cake: Exactly. We felt the board would say we are committed to the bottom up and we all go yay, that's great. But we and continue to be as skeptical about what that means operationally. We needed to give them an operational question basically.

Avri Doria: Stopping you at that one for a second. So that means if we get to that one it would be sufficient for me to say we're interested in the topic but we're afraid it's not specific enough, we'd like to continue on something else?

David Cake: Yes.

Joy Liddicoat: Sorry, Joy, to interrupt, David. Didn't we discuss this for reversing the order?

Avri Doria: Yes. That's what he's getting to.

David Cake: So in the order I think we thought the review and restructuring one probably would be a good one to lead with clarifications of the board's direction.

Avri Doria: Wait a second. So one is reviewed, GNSO review and restructuring. Two is?

David Cake: The outreach issue.

Avri Doria: So, okay. Let's get this order from them and then see where we're at.

David Cake: We can certainly change the order.

Avri Doria: Let's not spend a lot of time talking about order.

David Cake: Then the Article 29, then reconsideration, then censorship in GAC safeguards. Now I'm just going to briefly say comments from the policy committee meeting on each of these, there are a few...

Avri Doria: And name of leader of the discussion?

David Cake: Now, the review and restructuring one, Mari Lora, you weren't there at the policy committee meeting but we noted that you put this issue of the review and restructuring on the agenda. So we wanted to ask you if you would like to speak to it.

Avri Doria: Right. And now it's the way these board conversations start basically we put the topic on the table and then we point to one of our kind and say would you like - please start the discussion. So then you bring up the first issues and then the discussion.

David Cake: I mean, Wolfgang also had offered to speak to it so...

Avri Doria: You don't want it.

David Cake: You don't want it?

(Mari Lora): It's not that I don't want it, it's just I don't remember doing this. Are you sure I did this?

Woman: Yes, it's because you missed the meeting. This is the meeting that we discussed - this is the meeting on Monday, yeah? We had the NCSG meeting on Monday to discuss this.

David Cake: No, we had a policy committee meeting on Sunday evening, Sunday afternoon.

Avri Doria: Doing the rehash could be wonderful over a drink tonight but...

David Cake: If you don't particularly wish to address this issue Wolfgang had agreed to take it.

(Mari Lora): Yes, please, Wolfgang. I'd rather stay silent instead of saying something inappropriate.

David Cake: The review and restructuring one we felt this made it a bit more firming up on what was meant by it rather than just sort of - but I can't remember. Do you remember what you were going to say on this one?

Avri Doria: Thank you. Wolfgang, just to give you a quick recap in case anyone else needed it, we're working on the preparation for the NCSG discussion. We decided that A was not something that we needed to cover though if I needed to I could make a quick comment.

And then we talked about reordering these as you all and a policy committee decided to reorder them. Number one which is called be there is GNSO review restructuring clarification of board's direction so as to align near-term efforts of SG and constituents. Right.

And so that's one where you'll take the lead on the discussion. Now David had just said that there was a little bit more development needed on that so briefly is there something more that you wanted to say about shaping that discussion?

Wolfgang Kleinwachter: I think we probably you have seen that was just mailed that the GNSO review has been postponed and the questions, you know, we should raise is what does it mean if so many new registries and registrars join the GNSO and, you know, how the (unintelligible) will be saved in more commercialized environment.

And the question is also that we have see now - it's not yet officially discussed. There are no official requests. You know, some groups organize themselves and will ask for recognition at a constituency probably in the contracting house. Does it mean for the balance of the whole consult

between the houses and the stakeholder groups? So it would be good to get a few from the board what they think about how they want to handle this.

Avri Doria: Thank you. Rob, you wanted to quickly comment? You notice I'm using that word quickly a lot.

Rob Hoggarth: Thank you. Rob Hoggarth from ICANN staff. I think that's a good approach and you might want to target your questions to the chair of the structural improvements committee for his perspective. We also have a spot for this subject on the agenda that's GNSO counsel but we have the players' right there.

Avri Doria: Anything else on this issue before we move on? Yes, please.

Remi: My name is Remi from (Europe). I'm just wondering why we're not picking the (segay) development (unintelligible) in ICANN as part of the discussion. We begin to have the data (plus) because what time I was covert especially in this part of the world as Africa now.

When you ask people to go and join groups ICANN constituencies they always (have some borders) to cross in order to be part of the committee. And sometimes we appreciate to get called a system. It doesn't help, you know? It creates a barrier for people to be part of the system or even know what is happening. Because over time some of us we move onto some other groups or the (assignments). We need people to also to for us to (back up) for us. So I'm looking at...

Avri Doria: It's not we're not doing that one. It was the second on the list. It was the second topic. All those topics except for A are on the actual list. It's just the (fact) number two. Okay. I didn't have my microphone on. Sorry. What I said was it's not that we're not doing C it's just that C was labeled as topic number two.

- David Cake: Yes, and we had decided Bill would volunteer to speak on that one if anyone else wants to speak on that one too to lead on that one.
- Avri Doria: The point is one person to lead, other people will then be given an opportunity to speak. Bill, was there anything you needed to add on that or...
- Bill Drake: What we talked about in the PC meeting was whether we wanted to get into the question of how society is organized within ICANN and looking down the road and seeing whether the board has been thinking at all about this because I've had very mixed conversations with board members on that topic. So, Wolfgang, if you want to lead with the general bits that you started with about the registries and the evolution of the (market, we're all in and I can take the civil society part.
- Avri Doria: And can you include also the development aspect and the developmental economy aspect that (Remi) was bringing up and put that into your introductory piece and that will open it up for you to make further comments if you wish. Is that okay?
- Bill Drake: Where...
- Avri Doria: Number two is what's called C there is the second item, development of an inclusive outreach strategy scaling participation in ICANN and that was the issue that you were going to be speaking to, right, according to David.
- Bill Drake: No, I thought I was speaking - I thought we were still talking about the GNSO review and restructuring question.
- David Cake: I got that that you were still talking about that. Then we did discuss that point about the review restructuring about how civil society is sort of siloed off and it confuses everybody and so on. But now moving onto the outreach strategy I think you had said you were going to speak about outreach strategy.

Bill Drake: I said I would be willing to but, you know, to be quite honest and this was the point I was trying to make before. Now I wasn't talking about the order when I tried to intervene and you waved me off. Okay. I frankly, I would make this at most - I would put it at the back end if there's time left. I find it personally that there's very little point in talking to the board about outreach. I've tried it over and over and over.

Avri Doria: Perhaps though we just heard from (Remi) there that's it's a critical issue.

Man: Then let (Remi) try and lead a conversation with the board about outreach.

Avri Doria: Would you like to take the lead on this topic?

(Remi): Yeah, that's no problem.

Avri Doria: Great. Cross Bill out and put (Remi) in. Thank you.

Joy Liddicoat: And I'm happy to back you up on that, (Remi), and talk about the discussion we had earlier this morning and the NCUC about what ICANN's offices that are opening and, you know, various other things. I'm happy to back you up on that one.

(Remi): Thank you.

Avri Doria: As I say, the point is to find a lead person and then we all come in and back up as the case may be.

David Cake: Now discussing the article again, sorry about the confusion on the order, but the next one speaking with was the article 29. Now Wolfgang had volunteered to speak to this one as well.

Avri Doria: Two things then. Is there someone, not that I want to take speaking roles away from you but I'd kind of like to have a different person for - this is the

second time you've been volunteered for something. Do you accept your volunteer?

Joy Liddicoat: And that's the second time I'm not listening and I was trying to end up here. I'm trying to enter to be the last - and I was preparing an answer to that.

Avri Doria: We're at F which is item 3 in the order and we were wondering whether you would like to take the lead on starting off that conversation.

(Remi): Yes. Yes.

Avri Doria: Thank you.

(Remi): May I ask something because I was trying to organize my thoughts about that. Would you agree, because I was reading the quotes of the ICANN the answer to the GAC yesterday and the person said that because ICANN procedures that article 29 is an authority but not a legal authority. So then that's the first argument and the other one is that, and I quote, it actually has not been adopted into legislation by DEU. So I would have two questions. You should agree with that.

The first one would be I would like the board to explain to us what ICANN procedures are in the definition of a legal authority considering that article 29 represents the higher and major that's our protection authority in 27 countries.

And number two explaining what it means that it has not been adopted into legislation. It's not very clear so maybe they could clarify by this. That will be like the two question I could ask. I don't know whether you would agree.

Avri Doria: Sounds like a good place to start to me. Does anyone wish to...And then we can all again other people can come in with other contacts.

Joy Liddicoat: Because we could start like I would like to start with the actual quotes that was...

David Cake: Yes, it's an interesting one on the story. The issue has actually developed significantly since we had our policy committee meeting on Sunday so we really do need to...

Avri Doria: That's right. The letter hadn't been out. Okay. (Rudy), time check. 10 minutes left.

Rudy Dekker: I'll be short. I will back up my up my (unintelligible) as I'm European and I'm really concerned.

Avri Doria: Okay. Great. Okay. And then you had number four...

Rudy Dekker: Requests for reconsideration. I volunteered to take the lead on this one. I'm happy to - I'm basically going to say that what I sort of said to the ATRT that this is the - we were incredibly - actually using the requests for reconsideration process we were sort of stunned by how badly it went and just ask the board but it's how they feel the process should work and doesn't need to be replaced. And sort of what happens to make it come out so badly and how can we make sure that doesn't happen again, how do you think the process should work and should we be reconsidering, you know, what should we be doing about replacing this process which clearly very satisfactory. I'm happy to hear anyone else's viewpoint on that but I'm...

Avri Doria: That sounds like a good way to start again people can then come in with other arguments behind your conversation. Anything else on that? And then the last topic is the censorship issue.

David Cake: Now, I don't know who put this one on the list so we felt that phrasing it in terms of censorship as a general sort of topic again it's one of those

questions where the board is not very operationally phrased. The board will say, yes, we think censorship is terrible.

Woman: And we don't censor.

David Cake: And we don't censor and move on whereas actually what we really wanted to I guess the intention of this one was to talk about the many GAC safeguards and so on and we feel that there is, you know, a lot of potential for censorship and problems of free expression in the way the GAC advice expresses it. And what can we do basically to express that point of view forcefully. We didn't have someone lined up to take this one.

Avri Doria: Anyone want to take it or I'm trying to point to Joy but does anyone want to take it while Joy's deciding whether she wants to be pointed to?

Joy Liddicoat: No, I think I've done lots of talking at these meetings and I think it would be really great for someone else to do it.

Avri Doria: Well, for the board meeting we're looking for someone to lead to start each the discussion so you would...

Joy Liddicoat: I'm happy to nominate Rafik. That would be fine.

Avri Doria: Okay. So we don't have - Rudy, are you putting you hand up semi, sort of, maybe?

Rudy Dekker: Yeah, I'm going to volunteer.

Avri Doria: Thank you. So we've got Rudy on that one.

Rudy Dekker:: Thank you.

Avri Doria: Okay. We've got another six minutes. So anything further that needs to be said on this. I'll work with Steve to do a reordering. They have their own questions to ask of us but I don't think we know what those are yet. They know our questions first but, you know, they're the board.

Man: (Unintelligible).

Avri Doria: Yeah, anything else or should we say that we've had an NCSG meeting and it was successful? Yes? Thank you very much. Grab some of the candy and meet you in Room 6 at the end there which gives us actually room to stop off at the bathrooms. Thank you very much. We're done.

END