

Transcription of the Meeting of the ALAC and the ALAC Working Group – 23 June 2009, Sydney

Cheryl: Well, good morning, ladies and gentlemen. Thank you very much for getting up on such an early -- if not bright -- day. Again, sorry about the weather. We didn't choose to have it in Sydney in the middle of winter. Normally, it's sunny climes.

We don't have an audio bridge out today to the remote participants, but the recording of today's meeting will be available. "We will be recording the Adobe Room," she says, looking to her left -- hoping someone is in control of the Adobe Room and has a red light happening, soon. I can't see it.

I will, however, remind you all that for the sake and sanity of the interpreters, it would be very nice if -- when you started to speak this morning... if I am not introducing you by saying, "Thank you, Alan," or, "Over to you -- thank you, Dev," and therefore the interpreters know who is going to be speaking next... If you'll name yourself.

I'd also remind you -- even if it is in a moment of absolute excitement -- not to speak that fast. It makes their job much easier, and the transcription for the later notes and minutes far more humane, to those we ask to do it -- if we speak in a modulated tone.

Thank you all for coming. In terms of our people -- the At-Large community -- the regional leaders -- and of course, the ALAC are here today. But a special thanks to our review team. I'm sure you all know most of these people.

We have Tricia Drakes, who is -- I think -- probably an honorary ALAC member, now. She's been to so many of these meetings. Patrick Sherry, who -- for some reason -- needs to be seven steps behind me. He perhaps took what Vivek was saying very seriously yesterday afternoon. And Marco. And where's Harold? Oh! Harold! Hello! And Harold. [laughter]

Well, welcome. Come grab a seat and join us at the table. Someone make room for a board member. That is not a suggestion. That is a command. [laughter]

V: The seat next to [Howah].

Cheryl: Next to [Howah] is quite free.

V: Andrés is here.

Cheryl: Andrés is here. Okay.

V: [inaudible] Harold [inaudible]

Cheryl: Harold? Seated upon the left hand. [laughter]

V: Harold?

V: [inaudible]

Cheryl: Someone will get you coffee. We'll make the magic happen.

V: I take mine black.

V: That's very easy.

Cheryl: Okay -- are we transmitting to radio today? Someone should tell me so I can get it right. Okay.

V: No.

Cheryl: No, we're not going live to air. So you can perhaps breathe a little bit more easily. And I believe Marco, you're going to start off the session. Or is Trish doing [inaudible]?

Marco: Good morning. Marco Lorenzoni.

As staff, I coordinate all the organization and due-processes. Before leaving the room to Tricia Drakes, which is with the ALAC working group, and conducting the work to the end in such a wonderful way... I would like just to give you some information about the present state. Particularly, where we are.

We are at the end of the fourth phase of the organization of due-process. The working group delivered its final-final-final version of the final report, after so many fruitful consultations with the community.

Their report is now posted on the ICANN website. It has been approved by the Structural Improvements Committee, in its session of Saturday. The Structural Improvements Committee approved the report, thinking the group for the excellent work that has been done. The [inaudible] committee is going to transmit now the report to the board of directors for action.

We'll come back with more details about next actions in a few moments -- after a very short work through of a different set of recommendations that have been issued in the report.

This is a very important moment. It [ends] the process of analysis, and conclusions of the review process, and it starts the process of implementation. Pending board approval.

So we will come back on this later on. Tricia may want to have a short walk through all of the recommendations that have been crystallized and issued in the final version of the final report.

Tricia: Thank you very much, Marco.

In terms of comments and walking through, I must say it was an amazing team effort. Not just from the working group team -- which includes staff -- but also from everybody here. I think it's true that in life, you get out as much as you put in. There was a lot of energy and efforts that went in from yourselves and the community in this.

There are one or two sentences missing in the final report, as you know. They reflect a point raised by Alan Greenberg that we actually thought very, very strongly about. In looking at the final things, somehow it slipped through the net. That will get in there. It picked up really in terms of the language of English -- of transacting business. That is, I think, an important point to balance against.

But we were all working on picking up on some of the comments coming from [Tim Ruiz] and the ISP constituency -- balancing and getting that in. But the sentence from Alan slipped through the net, so I apologize for that.

I'm going to run through what actually stands at the moment. The slides for the workshop. The basis of the recommendations. But if there are any points you want to make to fit into that, now is the time -- and it would be very helpful to do that.

I decided to kick off the recommendations with an extract from Henry Waxman. Henry Waxman is actually the chair of the House Oversight Committee in Congress. But he was co-chair at the hearing on the oversight of ICANN.

There's a lot of obvious comment about that very interesting hearing. But I thought actually not too many people might have picked up what I think was the second paragraph of his opening statement. It basically said, "As we review ICANN's capabilities and resources in relation to the effective and efficient operation of the domain name system, we must not lose sight of how this organization effects 1.5 billion Internet users, worldwide. It's not just the registries. It's registrars and eCommerce providers or government entities that have a stake in ICANN.

Every person who relies on the Internet for work, entertainment and study -- or simply to manage a hectic schedule -- should care about this issue.

Actually, in the [dictor] of the hearing, there are occasional places you can find reference where this comes out. This was actually in Waxman's opening statement.

I felt that perhaps this challenge should be mutual, but I'm not going to be mutual, for the moment. I feel very strongly that actually in terms of both ALAC itself and any other groups -- because with a [bottomless] organization and -- as we said in the report -- ALAC is the primary organizational home... Actually looking at that 1.5 billion and rising users, obviously there are many other places there.

I just wanted to set our recommendations against that opening statement. As there is much discussion on JPA, I think it's really important that not only do we pick out all the contentious issues of how ICANN has either performed or not performed -- or whether there's this wrong or that wrong or whatever -- we're all about that 1.5 billion users and rising. I think that's an important thing to take into account.

Equally, Waxman will have to get his rights heading when we do the workshop. Otherwise, I've upset some people. He's a very, very influential person. So I put that really in the basis of putting the recommendations.

I think the other thing -- from an ALAC perspective -- is again... Perhaps, Cheryl, I shouldn't be saying this -- but I will...

In terms of the target of the users that ALAC actually reaches... or ICANN brings into its remit... I think there's actually something in terms of measuring against that 1.5 billion and rising. Anyway, food for thought.

Moving then on to the presentation. It's going to be very much for the workshop later in the week. Setting out that 1-page summary. I don't think anybody noticed, but I had to change the font to get it all onto one page, in the end. But it still stayed there.

The first one is that ALAC most definitely -- and the group was totally unanimous... Even though we had Carlos' statement at the end... He was there, as well... ALAC has a continuing purpose. That's very important, in terms of providing advice on policy, and that it's listened to.

Providing input into ICANN's operations and structure -- an important part of ICANN's accountability mechanisms. Again -- if we could cross-relate that back to the Waxman statement... It's again measuring how it impacts that 1.5 billion and rising aspect. And it is an organizing mechanism for some of ICANN's outreach.

That's the general part of the 1-pager.

In terms of organization... At-Large should be allocated to voting seats on the ICANN board. I probably don't need to say anything further on that. And that the ALAC-RALO-ALS structure should remain in place, for now.

I think everybody actually recognizes the amazing improvement, and I think striking improvement that's been made in recent months, with the work that Cheryl and you and the ALAC has done. But actually, I think there's also the basis that there's continuing improvement that's needed, moving forward, on that.

Next slide?

Immediate priority -- education and engaging the ALSs with the longer-term goal of bringing in compliance. Again, this is not for the chair -- because we [inaudible] for implementation to staff. We were speaking last night with Kevin Wilson... and really needing to make sure with Nick and Marco as well... that there's sufficient money in the budget to enable what needs to be done.

In fact, you can question them. Perhaps Marco and Nick need to pick that up -- but it's very important.

Developing the strategic and operational plans is an integral part of ICANN's planning process -- together with the cost models and other aspects, as well. Really, it need to be pushed to the edge, as with the Internet, to make your choice of the tools you use for working together.

Again, unanimous view on that.

Next slide?

Again -- details about the public comment period? Increasing and strengthening of the translation and interpretation processes. I think that's happening now, but a long way to go. Equally at the same time, recognizing the point that Alan and I discussed -- English is the language of this committee. That's a really important point.

It's really in the next two bullets where the changes from the final draft were made and posted. We spent quite a bit of time -- even though it's only a few words. There's a paragraph later on the report.

The recognition that ALAC is -- as the representative body for At-Large -- the primary organizational home for the voice and concerns of the individual Internet user in ICANN processes. But there are many opportunities for individual users to participate in other ways.

It was quite clear from reading both some of the comments and other activities -- particularly in relation to [the user house] that there seems to be a competitive -- perhaps a healthy competitive -- situation developing for that 1.5 billion.

Not I, but we, think it's really important that the positioning of ALAC as the representative body and the primarily organizational home is recognized by all.

The next slide?

As part of that, really, the board should be requested to make a statement recognizing that that is the case. At-Large is the primary organizational home. Clarifying the relationship between ALAC and the gNSO user house.

We felt that really because most people don't seem to understand it. So it's very helpful to have... And you can ignore this recommendation if you wish, but there's a lack of -- I think -- understanding of the broad, overall reach of ALAC, as opposed to [in the G] space. I think that is equally important.

If there were a clear statement -- A -- recognizing the role you have, and clarifying the relationship -- we felt that could be helpful.

At the same time, recognizing the bottoms-up structure of ICANN. There is freedom to choose, if people want to go and do whatever is the most appropriate. It's getting that balanced.

As I say, I think those were the major changes that were made from the final draft, as posted to what we've got in there. Developing the mechanism for the voice of groups, and also in terms of giving input into that.

Next one?

This is the same wording as before, in terms of... We need to go back one. But... Who's operating the slides? Can we go back one? Yes. Okay.

That really is making sure that you provide the advice, and that you're listened to. Even if you're ignored, you're listened to. I think that is -- again -- a really, really important point.

Obviously for the workshop... I'm treating this as a session and a working session. We'll run through it quickly and picking points up. That's really how we will cover it. We'll actually set the scene with the Waxman statement and run through -- briefly -- the conclusions. The 1-page aspect of it. Really, that's the handing in [inaudible] of the working group to [yourselves, there].

Before passing it back on to Marco, to pick up on the next steps, I don't know whether Harold has... And I know you're under a [inaudible] to be somewhere else, this morning. So I'm really pleased that Harold -- as a board member -- is here.

Vs: [laughter]

Tricia: I did a bit of lobbying yesterday. Patrick and [inaudible] sent little notes. Diane [Schroeder], who looks after the board was saying, "No, no. They have to be. They can't be." So we haven't got [inaudible] was he representing.

But basically, he may like to say just a few words in terms of board on what we've covered, there.

Harold: The next step is -- as Marco will be telling -- to pass the recommendation to the board. The board will make a decision to accept the report -- whatever that means -- and to direct staff to implement it.

Now, there is a certain amount of chaos around the issue of board composition, as you well know. So that has been flagged as something that will be singled out for the board review working group to come up with exactly how we will put this together. Given the...

V: [inaudible] Just one [inaudible] what is it?

Harold: We're seeing that getting to the ALAC breakfast is not a problem. Getting up at 7.30 is a problem.

V: [laughter]

Harold: I think, at least in the SIC, we have found no issues with the recommendation, itself. But every time we turn around, there's another thing that comes up that talks about exactly how the board should be composed. There are strongly opposing viewpoints on even the general principle of how large the board should be.

There's more controversy about that than about whether there should be ALAC people on it, I think. So this one takes a little time.

That said, I think we're at a significant ending point of part of the process. A lot of stuff just needs doing -- so now it's just a matter of going ahead and doing it. Marco? You want to talk about...?

Marco: Yes. Just to follow up on this...

As I said earlier, the Structural Improvements Committee approved the report in its entirety. Next step will be done this week -- to pass the report to the board of directors for approval.

The board of directors has requested to instruct staff to support the community in developing a time plan and an implementation plan for passing to action. This will be something that will involve very strongly the community, in stabling -- for instance -- a list of priorities for action. In filtering down from recommendations to single actions that need to be done. To identify the actors that are involved in each step of the process. And to put also some budget figures aside the different steps to be done.

Regarding the recommendation, as mentioned briefly by Harold. Regarding the recommendation of two working directors for the At-Large Community... The Structural Improvements Committee made in the last month a long series of considerations about interconnection between the different key organizations and due-processes. Four of them were particularly taken into consideration for their importance and their value. They were ALAC Review, the Board Review, the Non-Com Review -- which is unfinished, and the gNSO Review.

After a long series of discussions, it has been pointed out that in reality, there is a very big interconnection with [LinksOp] board, non-com and ALAC reviews. From one side, we have the recommendation coming from the ALAC review working group to grant up to two voting directors to At-Large. From the other side, we have the recommendation from the board review to reduce the size of the board.

This is the first question that has to be solve. How to grant this possibility to the At-Large community, without impacting negatively on the size of the board? And possibly reducing the size of the board.

Contemporarily, there is also another recommendation coming through the process, which is not finished yet -- which is the non-com. To reconsider the size and composition of the nominating committee.

The present presence has been known of ALAC within the nominating committee. It was decided several years ago. ALAC is represented with five delegates in the nominating committee. Somehow to counterbalance the absence of voting directors from the At-Large ALAC ward with some more weight in the nominating committee.

All those three issues need to be solved together. The SIC asks both of the working groups to come up with some scenarios -- imagining different sizes and compositions of the board; of the non-com -- with the introduction of voting At-Large directors.

The [inaudible] of course needs to be discussed by the SIC. It needs to go to public comments for input from the community before the board decision.

This is just to explain the third and fourth ballots that you see on the screen. The synthesis sometimes helps, but sometimes it needs a long discussion and explanation, because it's difficult to synthesize in a few words, this concept.

This set of slides was prepared a few days ago for the workshop that's going to happen tomorrow with the At-Large community. This workshop will have more or less the same development of this meeting, today.

The ALAC working group would like -- in agreement with staff -- to introduce the need with the community, to start discussing the next phase of [spending] the board approval. As I say -- define [periods] of action. Define the needed action.

Recommendations are statements. So recommendations need to be physically put down on lines of action. Set a timeline for each of the lines of action. For each of the recommendations. Define the need of the resources. So -- "Who does what?" basically. This implies also the finishing of the budget.

The exercise that we would like to have tomorrow at 11 with the community is to go through -- again -- this very list of recommendations. To start to draft and put on paper the actions that are needed to implement the different recommendations.

Some of them would not need any specific action. Like voting seats on the board. So no action now is needed from the community, because this is a process that is going in parallel and will end up in a public consultation and interboard decision. Others will surely require several actions or one or two actions.

It will be very important for tomorrow, and if you agree, it would be very interesting to start today -- even to think... using the same logic... to start to draft a series of needed actions and recommendations [by accommodation].

We can just quote, one-by-one again, at least the main recommendations -- and ask the floor just to start to [inaudible] a bit. To break down the recommendations into actions. The same exercise would be done tomorrow with a larger number of participants in the community.

We would like a staff -- because then the work would be done mainly by supporting staff. By policy staff, in supporting the community in this effort. We would like to come up with a document making a synthesis of the different proposals that come from this discussion.

Tricia: Thanks very much, Marco.

I agree. I think what's going to be important... And I would like Thomas and [Georgette] before we... Okay...

Vs: [inaudible]

Tricia: ...to maybe say a few words.

But one thing I think is very important... The working group's work is now complete. We're passed to SIC, who's approved. So really, the role of this session and also tomorrow is handing over the baton for the next area.

The one thing I think I'd like to leave as the final maker of the working group is that in terms of the voting seats on the board, I was marginally uncomfortable that it got handed over to the board review. Although I understand the reasons. Even if I didn't want it, that's there.

I think it's really a plea to you to keep that voice going, so that it doesn't disappear into a black hole. Actually, I think that is a [note worth marking]. It's great, but... I may not be as direct with this, tomorrow -- but I think it's really important that that was one of the very clear recommendations accepted by SIC -- hopefully accepted by the board. Because I understand the board is going to be asked to approve this.

But I think it's really important in the implementation that it doesn't then disappear into a black hole. So in handing over the baton to the committee, I'd like to make that clear -- that you're just as vigilant as we have been in relation to that point.

Thomas?

Thomas: If I may add just [another thought]. I think it will not disappear. The board has asked the SIC to come up with scenarios for the inclusion of At-Large directors within the board. The SIC asked the working group to form a scenario for discussion.

The working groups... You know -- the working groups structure is much more operational than the committee. They meet more frequently.

I think the board [and/of] the working group is the logical place where this discussion has to be conducted. Because it's the place where everything is coming together. The size and composition of the board -- inclusion of At-Large working directors, and non-com size and composition.

It's important to keep it very warm. I fully agree with Tricia. But as a note of optimism, I would like to remind that the board has requested explicitly to see scenarios for this possibility.

Marco[?]: Just to give you a hint of all the complexities that people come up with... One of the nice things about board committee meetings is that you have our general counsel present. General counsels are very good at coming up with problems that nobody has ever seen before.

It turns out that under California law, a non-profit has to have a majority of unaffiliated board members. Now, what is an unaffiliated board member? I have no idea!

I'm pretty sure the gNSO representative is not unaffiliated. I'm pretty sure I am unaffiliated. But whether or not the IRS will accept the idea that the ALAC board members are unaffiliated or not... That's an issue. It requires actual lawyers to make actual thinking.

So, I [make the case] that we could consider ALAC board members more independent and more unaffiliated than non-com board members. It was an interesting argument, but they didn't quite buy it. So we'll see.

There are issues that actually could affect ICANN's status as a non-profit corporation. You know how expensive it is to get that sort of thing re-evaluated. Even if you win. So I have no envy for the board review working group handling these talks.

Tricia: Thanks, Harold. I know there are challenges. It was just really making sure that this group and everybody keeps up the momentum to get what we need.

Just finally before opening it really, Cheryl, to any points that people would like to make... I'd just really like to ask Thomas if he's got any points or things to say. Because this was a team effort.

Thomas: Thanks, Tricia. I'm just going to speak very briefly. Just to say that I'm really pleased overall with the result of this work. In particular, I think there's a number of good recommendations. I think there's really broad support across the organization from not just ALAC, but the organization as a whole -- and from board members.

I think that ultimately means that these changes and recommendations will go forward. I think they will move ICANN as an organization forward, too -- which is great.

As we talked already a lot, there are going to be some challenges in getting things implemented. But they just need to be worked out. It'll take some time. But given the support from within the organization as a whole, I'm optimistic that we will make some of these changes. In fact, we'll make most -- if not all -- of the changes.

So in response to what Harold said about the [issue that John Jeffrey writes]... Don't make too much of that. I think that's going to be a minor kind of issue. It's the job of lawyers to look at the details and make sure that there aren't any issues. And it's the job of those that want things done a certain way to make sure that if there are issues, they are resolved and don't just become roadblocks.

Tricia: Well -- plenty of food for thought. I must say, I can only live and die in fear of what would happen if the community getting this close were suddenly found to have something as important as board seats just black-holed in the process. I think it would be an extraordinarily brave act for an organization in transition to do. But perhaps you may end up being brave.

I would perhaps be [pitifully] in the game -- which is, of course, a well-balanced global -- interoperable -- interactive secure and stable system of user voices -- as well as Internet -- as the outcome of all of this.

We're going to open the floor. The usual rules apply. You can wave at me. Or even better, you can put your light on. We can have up to 3 lights on at any time. I will now recognize, Alan. Thank you. Go ahead, Alan.

Alan: I've got a number of points. They're all short. But I won't be able to be at the meeting tomorrow, due to a conflict. So I'll try to get them out quickly, now.

First of all, the statement that Tricia referred to at the beginning regarding language... I posted the statement. But it was very clearly done on behalf of Vanda and Sébastien. So I would like the record to show that.

Number 2 -- I was exceedingly pleased by the introduction and reference to the 1.5 billion users. In ICANN meetings, one far too often hears the registrars saying, "It's our money that you're spending." Or the next level down -- saying -- "We're really here for the registrants."

We're really here for the 1.5 billion users. No one would bother putting up a website if people didn't go to it. Both non-profit and for-profits. Ultimately, the whole job we're doing is on behalf of the users of the Internet. The people who post things on websites are only doing it because there's someone out there that's going to them. So it's very refreshing.

On the issue of ALAC being the primary user vehicle, and the desire to have a clear statement made of how this relates to the gNSO user component is exceedingly difficult. If one were to do it, very clearly, we would say the ALAC and At-Large exist, and they have a subset of those people who are exceedingly interested in gTLD issues, and they participate in the gNSO.

That violates one of ICANN's rules of having a separation of body and not being represented in multiple places. If we said it that way, it would be exceedingly easy to understand from board members all the way down. But we can't do that.

So we're going to have to come up with something that's a little bit more convoluted, and that immediately demands the question, "So, what's the difference? Why should we have two?" I wish us all luck in figuring out how to word that.

I know that I, for one, have tried many times and not succeeded. I thought I did, but getting the answers back shows I didn't.

Second-to-last, on board reps... I really wish you would word it saying that that At-Large should have board representation comparable to the gNSO and ccNSO -- which means two, right now -- if they have two -- and one, if they have one. That would allow the board to pass the concept. Then the other committees could quibble over how many each of those groups get. It would be so much clearer, if we could do it that way.

V: [inaudible]

Alan: And safer, perhaps.

Lastly, the reference to the number of members on the non-com. If we get board members, then that has to be addressed. I just want to remind people that we do have five reps on the non-com. Or five people or whatever. The gNSO has seven.

Everyone always states it as the gNSO constituencies have 1 or 2. But the gNSO as a group -- which has two board members right now -- has seven people on the nominating committee. So our five pales compared to that. I'm somewhat tired of hearing that we overwhelm the non-com -- whereas the largest single group are indeed gNSO people.

Audience: [applause]

Cheryl: I think that does deserve recognition. And Alan, of course, we're supposed to be happy with what we're offered. You know that. [laughter]

Alan: Delighted!

Cheryl: I can't imagine that that's all that's going to be heard on that. Thank you. [inaudible] go ahead.

V: Yes. About this controversy or problem of more than [two constituencies and a percent of users]. GNSO and ATL. I don't know how politically sensitive this question is. Just a suggestion that's on the top of my mind. Hopefully the meeting is not broadcast...

V: But it is recorded. [laughter]

V: But anyway, my question does not represent ALAC views. It's just a question.

Is it possible to bring [NCOC] or other user groups under the same structure as ALAC, At-Large and the At-Large structures or user bodies? Then there is a parallel structure similar to an organizational member kind of structure, where the non-commercial users could be brought in all under one umbrella. I don't know whether it makes sense or could be useful or politically correct.

How would you react to one such possibility?

Cheryl: Well, [Moshe], there are a couple of responses, here. First of all, it's not so much how we will react. We have little or no say in that matter. That particular part of it comes in under the gNSO review and restructuring.

Historically, the charters for constituencies are put together, and that's something that's going on right now. Heidi's waving at me. I was going to toss the staff, anyway.

V: [inaudible] queue.

Cheryl: You're joining the queue. Fine.

You've got historical representation in how the gNSO runs itself. The non-commercial user constituency is not designed in any way like we have been designed.

To suggest that we've got the ideal model, I think, is a little presumptuous. We are a model that is regionally balanced. It clearly has a nexus with Internet end-users that may or may not be registrants. Our interests go across all the activities in ICANN.

Our interests also -- because of the nature of the civil society, telecommunication, consumer advocacy or other roles like an ISOC chapter -- may also have other [seats in society and] actions as well. But they are happening outside of the ICANN ball of string.

Within the gNSO, the interests are in the [G] space. That seems very simple to Alan and myself, but we've clearly not managed to get that very much through a number of peoples' minds.

How a consumer group gets represented. How a civil society group gets represented. How a group of registrants -- not-for-profit -- get represented -- is defined in how the gNSO restructuring and the charter for the non-commercial side of the user house gets organized.

Now that's been a complex challenge, and a highly-politically-charged area. I'm a relatively brave person, and I would not make that suggestion. Certainly not to those who fought long and hard from different directions.

However, because it is a thorny subject, to my knowledge, the board has instructed staff to look at helping the community develop a charter for this side of the user house -- that meets the requirements of the review. So there's light at the end of the tunnel, but I don't think it's our place. It would be very bold, indeed, to be making those types of recommendations.

The way we're modeled is not perfect. It's the model we've got, and we're making it work better and better. But to think it's a model that should be picked up and shoved into a [G] space only I think would be very bold.

Would either of the board members like to jump in on that? You're in the queue, anyway. Go ahead, Thomas.

Thomas: Yes. Thanks.

I guess what I'd just say on this topic is, I think it's kind of unfortunate that this topic has actually come up. I think if you look at the background, there was some wording that came out in a document somewhere that got peoples' attention.

But I think fundamentally, the issue here is that ALAC is the main organization or place for individual users to participate. I don't think there's any question about that. I haven't heard anybody suggest otherwise.

That said, it doesn't mean it's the only place where an individual should be allowed to participate. In the context of the gNSO, there are examples where you might have individual users that do want to group and work together collectively. We need to allow and support that.

It just doesn't make sense for them to have to go through the ALAC. It's not the case that we want to allow a structure in the gNSO that has a potential threat to ALAC. The challenge is in coming up with wording that reflects that, without making it sound like we're trying to restrict something or prevent something from happening, or make things go in a particular direction.

In general, I think there's agreement that individual users should be allowed to participate in the gNSO. But that shouldn't be viewed as a threat to ALAC as a whole.

V: It is theoretically like if GAC allows a user constituency within itself, and...

[throat clearing]

Audience: [inaudible]

V: Or constituencies of registrars, also? To provide space for user participation? Is it more like that?

Alan: Perhaps. Except I don't know those are good examples. I can't imagine the GAC having subgroups. That's just not the way the GAC is structured, and so forth.

Cheryl: Of course not.

V: My calendar for today is full of interesting little details. Like structural improvements committee is meeting with the NCUC. SIC is meeting with the registries and so on.

It turns out that how that part of ICANN is structured is an interesting subject -- with a lot of strong opinions. Flack jackets have been suggested.

Cheryl: [laughter]

V: There are a number of issues on that table.

We'll just have to figure it out.

Cheryl: It will happen. It may not happen gracefully, but it will happen. I see Alan. I see [Howah]. I see Adam. And I see [Howah]. In that order. Thank you.

Alan: It struck me over the last couple of days that it's not too surprising that the current gNSO liaison -- me -- and the previous one -- Bret Fausett -- were both from North America.

If you look at it, right now with the tld space as it is, most people around the world are not using gTLDs. They're using ccTLDs in their own countries. That's one of the best developments of the Internet over the last 15 years that I can comment on.

That may change with new gTLDs being introduced -- if and when that ever happens -- and IDN TLDs. The rest of the world may suddenly take a much larger interest in gTLD issues.

But right now, just as not all users are interested in gTLD or even ccTLD issues, certainly gTLDs are geographically restricted in their use. Therefore, we can't say that all users have a great interest in gTLDs.

Some of them don't use them at all, and have absolutely no care of how bad a job ICANN does in policy on gTLDs -- because it doesn't affect them one iota. That may change. But we have to look at levels of interest more than in, "What color is the hat you're wearing," or whatever.

Just for the board, [Howah] will be speaking French. So, you see, ladies and gentlemen -- just do what I do. Put them on, leave them on, and then there's no scrambling for them.

English is on Channel 1. French is on Channel 2. Spanish is on Channel 3.

Cheryl: Just hurry up and get set up. Come on, boys and girls. We know we are not [inaudible] in this room.

Go ahead, [Howah].

Howah[?]: [inaudible] Howah.

French Channel: My concern is the same as my colleague [from NC]. The duplication of NTTs -- like [user] has. And non-commercial users. Isn't there a conflict somewhere? How is ICANN -- how is the board -- going to manage all these user houses and non-commercial users and ALAC? All of this is more or less the same audience or public. Isn't there a conflict of interest that might arise later?

Has this been examined by the review committee?

Tricia[?]: Well, mine was actually easy. In terms of the developments on the user house, that actually came later in time -- when the review was well in process.

The reason we picked up the final comments that we [inaudible] [reported] was really in light of some of the comments both from the ISP constituency at the end. If you haven't seen one, you may need to refresh your mind. It's worth doing that.

Tim Ruiz of GoDaddy -- it was just that they were bringing out the strength of that aspect of it.

In terms of the remit of both the independent review and the working group, [I don't think] it was very simple. Is there a continuing purpose. Yes. That's our recommendation. Are there improvements and things that need to happen to change? Yes, that's what we covered there. But we drew attention at the very end, because the user-houses themselves over recent months have been developing their activities.

I think we've done all within our remit that we needed to do. Because [of/I'm] the working group chair, I can now step back, and you can put Harold and Thomas maybe on the hot seat as to what's next. And [inaudible] Marco in his responsibility there.

V: Je pense que la quelle a...

French Channel: Regarding the working group, [as already given an answer]. The answer is that when the working group said ALAC in [Fini] is the main meeting place to hear the voices of Internet users... They can also participate in other instances. This is what Thomas had underlined, also. This is really the most important dimension that the working group had underlined for the organization of ALAC.

V: The board side is that...

Audience: [laughter]

V: Hearing myself is an interesting experience. Yes. This is one of those things that we have to consider and consider and consider. It happens all the time.

It's clear from having dived into the whole thing -- to me -- that ALAC is one thing and gNSO is another thing.

How to organize the gNSO is a pain in the posterior.

Audience: [laughter]

V: Just one thing I learned a couple of ICANN meetings back -- in Cairo, I think... You know [Marilyn Kate]?

Cheryl: Yes, we do. Many of us do.

V: She is a [inaudible] contributor in the commercial house. We should allow for that!

So, no, it's not simple. The way the gNSO is put together, it's being restructured as we speak.

It's not [again].

Cheryl: Still.

V: We're still aren't done with the first one.

Cheryl: [laughter] should be [tossed] a second one.

V: Yes. One of the things we discussed in the SIC was how long it should be between cycles, and exactly what we measure from. With the idea that -- "Well, we should perhaps allow the first of the organization to finish before we evaluate the [inaudible] of the organization."

Cheryl: [laughter]

V: Exciting times.

Cheryl: A radical approach, and something that none of us around this table envy you.

Are you wishing to continue your question? Thank you. Something else moving back to the end of the queue.

I've got Olivier and I've got Adam.

Olivier: Well, I wanted to thank the ALAC review board. I myself was very pleased with the outcome. The whole process was extremely transparent.

There were so many opportunities for both everyone here and everyone else outside to give feedback to the review team.

It looked really good at the beginning. The first report from [West Lake] was not perhaps the most accurate. But with time, the document improved very, very much.

There is one thing that I do want to put on record, though. That is, due to the length of time that it has taken to review the whole process, or for the process to go forward, ALAC has actually improved even further.

One particular thing that has taken place -- and which has taken ALAC from Version 1.0 to Version 1.5 or -- I don't know... Maybe we can be ambitious and say Version 2.0... is the actual At-Large Summit that took place in Mexico.

We had a large number of people that turned up. A lot of ALSs. A lot of work was done. Working groups were put together. These are actually ongoing working groups. So there is structure now within the At-Large and within ALAC.

So we really are now going into the phase of actually doing work, and reviewing processes that are taking place in other constituencies. Putting in our comments. Maybe a year or year and a half ago, ALAC was more searching, itself. Spending more time on procedures and internal procedures, rather than actually doing work.

At the moment, a lot of work is being done. So the structural side of it seems to be something that is now gelling and coming together.

Cheryl: Go ahead, Adam.

Adam: Thank you.

Could we go back to Slide 8? In the meantime, while we're doing that, I have a note here that says, "Next steps -- geographic balance, gender and other things."

I think what I wanted to say about that is, the SIC -- I hope -- will take note of the role at the moment that the non-com in particular played. As a sort of balancer against the other houses or other organizations in placing board members in other seats. Particularly in terms of ensuring geographic balance of the board -- a balance of expertise of the board -- and gender balance of the board... Which the others seem to forget, completely.

That is something that has to be retained as they rethink how the board is going to be structured. I think Tricia -- I hope -- you'd agree that that's something that non-com has taken a lot of effort over. That's something that [met] a comment.

On Slide 8 -- which was the second bullet -- a mechanism for hearing the voice of consumer organizations. This has come up within the IRT comment from the board. The consumer voices -- consumer organizations have to be listened to. It's come up as part of the gNSO review as being a critical element that has to be added, there.

It's come up as a reform of the ALAC -- that consumer voices have to be added. It's going to cost money. These organizations are not going to... I believe, though I'm not an expert on consumer organizations... There are people here who are... But I don't think they're going to come unless they are strongly encouraged to come.

I think that will mean someone has to think about how you're going to get them here and how you're going to encourage them to participate. It's going to take budget, basically.

Three independent parts of ICANN's review process have identified them as being important. So I think it's essential that there's funding given to them.

I don't necessarily mean to the ALAC. I mean as a broad improvement of getting consumers there. Consumer organizations and their representatives is what I mean.

Cheryl: Adam -- just on that... I have Vanda next in queue... But I suppose Beau's point is directly to what Adam... Could you cede to Beau for his comment and then straight to you, Vanda?

V: Yes.

Cheryl: Okay. Quickly, Beau. Then Vanda.

Beau: Yes. My comment's very brief. Adam makes an excellent point. I think the things that need to be in place for consumer organizations to participate are things that we've talked about before. They're reflected in this review -- which is good to see.

Some sort of identification of ALAC members and board seats. Some sort of gNSO reform that includes something like the consumer's constituency. There's a meeting about that today at 4.30, here -- or 4.00.

I think the money issue is important, too. But if the doors are open and there are ways to try to explain, and get consumer organizations up-to-speed quickly on the issues, that's going to attract. There's a "cart before the horse" issue to deal with, there."

Vanda: Just looking at the steps that we need to go through -- compared with the problem we had since we started the gNSO review... I believe we need to make some time this week to reorganize our group -- to make sure we're going to have a group of people paying attention on this kind of process.

To make sure we're going to have answers and procedures, and everything we need to put forward. And to make sure we'll not delay as much as things look to happen when we start that. Just to remember not to lose ourselves into many strings -- to get ourselves stuck in a process that should be much more straightforward.

To just realize everything that we need to do. I'm looking...

V: Thanks for the shopping list.

Cheryl: We sent you, too, next week on the [inaudible]

Vanda: Yes. I'm looking. Many actions were needed in each one of those. We need some working group insight -- very proactive -- to make it happen.

Cheryl: Yes. I think that's essential. I was heartened to hear earlier on, and Vanda will note that the review workgroup people were talking... Tricia was particularly saying that in making the action plan, that's one thing. But Marco was talking about having a request for staff to assist allocation.

It has to be driven at a fairly high speed, but in a professional way. We are volunteers, and we all know what happens when we escape from an ICANN meeting. We have 9,042 e-mails and 5 foot of mail when we get back.

So we do need to focus on that, and that's on our absolute to-do list. Consider it done.

I have [Shiva], I have Alan, and then I have Nick. Is there anyone else in the queue? And Dev. Okay. We might draw the line after that, Nick. Go ahead, [Shiva].

Shiva: Yes. This is a comment on [blind poor]. Educating and engaging ALSs.

It's one thing to be active at ALAC level. We are very participative. What we do here is very significant. It's very productive. But then it's all facilitated and the facilities are given to us by ICANN and staff support.

Then it comes to ALSs. We might have thousands of people [in NDR] -- South America -- interested in participating in ALAC duties. But to identify those people and get them together, and to organize even the simplest activities, like a simple meeting... it would require a different level of effort and support.

That also has to be factored into the recommendations. If that is facilitated, probably a good effort could be made for ALS-level participation.

Compared, for example, with the kind of efforts put in by a business company on a street show -- or even by a political party to reach people... What is the effort taken. What has the staff support done? What is the kind of money required to reach out to people?

It's not only important to get participation from 50 people, but it's important to get participation from 50 or 100 representative people. That requires the people to be identified at the ALS level.

Even for simple activities, it requires a lot of support and funding. Those aspects, we have to go into.

Cheryl: Well of course, one of the requirements for being at At-Large structure is that you do not require consistent, ongoing funding or support from ICANN to do your job. I don't think we should muddy those waters at all.

But in terms of the planning of assuming the recommendations and the strategic planning and fiduciary responsibilities and budgeting -- and forecasting -- are an endpoint of the accepted recommendations, then that is where regional plans... outreach exercises, local planning, thinking locally, acting globally, can then be properly planned and forecast and looked at as an integrated part of an ICANN-wide strategic planning direction.

But that's how it has to go. It's got to be an integrated part of the whole process that ICANN is going to be focusing on, as it moves into a post-JPA environment.

Sorry to answer that. Does anyone else want to? If not, then it's Alan. Go ahead.

Alan: My comment follows in on Adam's and Beau's, on funding.

If one looks at the gNSO review -- the document that came out of the board governance committee... They made a very clear statement that if the stakeholder-group model were to succeed -- particularly on the non-com user side, but in general -- ICANN is going to have to actively fund the outreach. To convince people that there's merit in it, and to provide administrative support for these new organizations. Or they're not going to fly. Those were really good words.

Other than some ICANN policy staff being allocated to the various groups that are formulating rules, none of this has happened. As far as I know. And certainly no one has come up and told me anything else.

So it's fine to have pious words and reviews saying, "We need support and funding." It actually has to follow up.

Cheryl: Nick?

Nick: I just wanted to note, in relation to outreach to consumers... Of course, the reason why four consumer groups are in At-Large... that is the only place that they are engaging in ICANN. Because At-Large supported me going in and reaching out to them.

Most notably, that resulted in Beau being at this table. But there are four others, as well. Heidi and I, of course -- with the support of Denise -- are actively reaching out to more groups.

There is a commitment. We made it quite clear that the only way to get advocates for the consumer interest to participate in ICANN is provide information on what ICANN does in a format that is actually meaningful to consumer advocates. And therefore, to consumers.

ICANN does not do a good job in providing information on its activities in that kind of accessible language and format. We are in the process of organizing a sustained response, which would provide that information.

But I also note that you all have said consistently and repeatedly that outreach -- such that far more ALSs from many more countries -- is an important priority to ensure the representation of At-Large. That effort should be supported by the informational and other products that are needed for outreach to consumer groups.

Cheryl: Yes. In fact, there are so many opportunities where ICANN's already involved and committed, and indeed, budgeted for certain regional activities that there are leveraged opportunities.

Of course, within the Asia-Pacific region, it's one of our performance indicators that we've set ourselves. One ALS as a minimum per country. They're [mapped/maxed] somewhere. I think you can add up how many countries that's going to be.

Dev -- over to you.

Dev: Thank you.

Actually, just a clarification on a slide. I think it was Slide Number 2 -- regarding the next step of... Okay. My mistake, then. It was probably Slide 5. It talked about ALS compliance. What exactly did that mean?

Longer-term goal compliance. I wasn't too sure what that meant.

I guess also to just echo the confusion I have with -- and I guess what [Howah and Shiva] have said -- regarding the non-com users group, and ALSs. To me, there's a difference. I think it's going to be a little bit more complicated. Especially when new gTLDs come out.

The more globally Internet users start using that, and how that would work... As you all said, it is complicated.

Tricia: Hopefully there's an easy answer to that one. Basically, the working group felt very strongly from the very beginning that there was a lot of work needed to both educate and increase awareness. Also, to engage the ALSs within this. It was only when you had reached that stage that you could look to develop the compliance requirements. So don't read too much into it.

I think what I'm saying is that we wanted to focus on education. To increase awareness and engage ALSs. Having done that, to then look on the compliance side.

There's no point in introducing strict and complex compliance requirements when you don't actually even have the ALSs aware, and engaging them.

Cheryl: [Harold]?

Harold: Just to relate an old story. About 10 years ago, I was part of creating an Internet society chapter in Norway. We had an integration meeting. We had a founding meeting. We had a press release. We had [startup] activity. Then nothing more happened.

Now, sooner or later, ISOC should come along and say, "Hey! You didn't do anything! We have to delete you from the list!"

Cheryl: That happens.

Howard: I think if you read much more into compliance than that, you're reading too much into it.

Audience: [laughter]

Cheryl: I can see the sign of relief right now.

In fact, you've got to remember... The compliance requirements we put on our criteria -- what we expect of an At-Large structure -- is nothing more than being an effective conduit to your community. Having input back into these processes.

In fact, if you aren't in a position as an ALS to have a website, of course, you can do a microsite underneath our At-Large ones, anyway. We've actually gone a long way to make it. Even if you don't have the tools.

If you're in an area that is behind a firewall -- or if you're unable to meet some of what we expect of you... We'll find a way to help. It's just a matter of having taken that role and that mandate.

There is a performance requirement, and that's input. Not just when it's called a "Summit," and you get a trip.

Ladies and gentlemen -- I don't know how you feel, but I feel we've had a hugely, hugely productive morning, here. I think the honor that the committee's done for us... to take us through what they're going to go through in the public forum... and to allow us to synthesize some of our thoughts... and to be prepared for the public forum... is something I'd like to ask you all to thank them for in the usual way. Thank you very much, board members.

Audience: [applause]

Cheryl: And Tricia -- and Patrick -- wherever you're hiding back there in the Peanut Gallery. Thank you so much.

Just as a postscript... I actually wrote at one point in my notes, "Postpartum JPA environment." I thought, "Oh, dear. We are going to be talking about Post-Mortems soon."

The amount of traffic on our Skype that was generated by the mention of the California law... We actually have probably as many -- and I'd venture to say very well-qualified -- lawyers out there on the lists. If the board wants to take some of the advice, I could cut-and-paste. There's a selection of countries with laws and posts that we would make more friendly -- including those still in the US -- to meet current needs.

V: [I'll send to] John Jeffrey.

Cheryl: [laughter] Thank you all. Thank you very much.

Yes. Go ahead.

V: Just before everybody goes, I think this is probably going to be my last... Well "we," go. Cheryl and I are going.

I just really wanted to go on record to thank the committee for all their input into the working group report. Without your patience and your input, we wouldn't actually have produced what we did. So on behalf of the group, we thank you, as well.

Cheryl: Thank you.

Okay. Minor point of housekeeping, although housekeeping is never minor, unless it's at my place, because I refuse to do it. We're going into our briefing and policy sessions.

I see Dave. If you'd like to come and get yourself connected to whatever equipment it is you so desire, Tricia and I have a little date outside for a while, and [Vander] is now the chair. Thank you.

[session ends]