BUENOS AIRES - GAC Afternoon Sessions
Sunday, June 21, 2015 – 14:00 to 18:00
ICANN – Buenos Aires, Argentina

CHAIR SCHNEIDER: So welcome back. We're already eight minutes past 2:00, and we understand there is a very good session of the underserved regions working group going on. This is why some of us are not yet here, but nevertheless, we need to start.

We have a session now with the SSAC where we have two important people, James and Patrik here. They have a huge knowledge about many things, and they are ahead of us with one discussion, which is the discussion on the membership model of accountability of course where they in the SSAC took a decision that, without any prejudice to what we will discuss, but may be interesting for us at this stage where we are in particular to have them share a little bit of their reflections and reasoning that led them to the decision, but, again, like, their analysis of this community empowerment discussion. So that is not the only reason why they're here, because we normally try to have an exchange with them on, let's say, some of the normal, more technical security and stability issues, but this time in addition to the fact that they may give us some information about what they think is -- are things that governments should know, one of the particular ideas was to have an exchange with them, to be able to exchange on their assessment of the IANA transition and the accountability discussions that are ongoing.

So we have very little time, but we hope we'll make maximum use of it, and I think we just start by giving you the floor.

Thank you very much.

PATRIK FALTSTROM:     Thank you very much.  Patrik Faltstrom, chair of SSAC, and together with Jim, vice chair of SSAC, we're going to try to dive as quickly as possible into the issues that you are interested in.

Next slide, please.  And next one again.

I want, though, to start by just explaining to people that are new to SSAC is that we are an advisory committee, just like GAC.  We have 35 members.  We're appointed by ICANN Board.  And our charter, which is really important to remember when we're going into the discussions, to advise the ICANN community and Board on matters related -- relating to the security and integrity of the Internet's naming and address allocation systems.  That's our charter, and that's what we are doing.

We advise by producing publications, and we have 71 publications since 2002.

Next slide, please.

The process that we're using is that we are creating a work party internally.  The work party is doing some research and writing, and then SSAC as a whole is doing a review and approve the report, which then is published.  And our three recent publications -- Out of the three

recent publications, two of them are related to the IANA transition. It is number 69, which is an advisory on maintaining the security and stability of IANA functions through the stewardship transition. And that was published on December 10, 2014. I will reference that in a few minutes.

We have number 70 that was published on May 21 -- 29 that was not related to the stewardship transition at all. It has to do more with related to how new TLDs and TLD policies are accepted and implemented in browsers and other software. And then we have the most recent report from June 8, which is number 71, which is our comment on the Cross-Community Working Group proposal on ICANN accountability enhancements. So that is our response to -- during the open -- first open consultation period on the accountability process.

And now we can skip forward to -- let's see. Move forward. And the first -- Skip forward to slide -- just wait a sec.

Can we move to slide -- what number is that? Slide 16. Thank you. Slide 16, please.

Thank you very much.

So to go directly to our comments on the accountability proposal. Next slide, please.

Once again, the charter is that we're advising ICANN and the community on security and integrity issues on the naming and address allocation systems. We draw the conclusion that -- or we have, during the years, we have drawn the conclusion that we don't

ICANN | 53
*Buenos Aires*

have any special standing for the advice we give other than it be evaluated on its merits, and people that read it choose themselves whether they want to take our advice into account. So the affected parties are the ones that evaluate our advice.

It is a little bit special with ICANN Board relationship, but I will come back to that.

Next slide, please.

So in this draft we say we have no comments at this time on whether or not a legal structure is required or desirable to compel ICANN and the Board to respond to the SSAC's advice.

We are concerned about the way in which the proposed new SO/AC membership model might affect the way in SSAC operates, considering its narrow focus on security and stability matters and its reluctance to become involved in issues outside of that remit.

So -- next slide, please.

We are pointing out that given the proposed commitment number one of ICANN to take security and stability integrity issues -- and I don't remember the wording explicitly off the top of my head, but that's a new commitment one that ICANN has to live up to -- we expect that the community will adopt an organizational structure that recognizes the role and importance of this kind of high-quality expert advice on security and stability. And of course we see ourselves be chartered to give such advice to ICANN Board and the community.

And we also, like everyone else, remember the ATRT2 recommendation that formal advice from the advisory committees must be taken into account by the ICANN Board. And it was also said in the CCWG Accountability proposal that that very ATRT2 recommendation should be implemented before the transition. And that is sort of where we and our advice are sort of hooking into the structure and sort of the dotted line between our charter to give advice, to specific advise ICANN Board, have the ICANN Board be required to take advice from -- formal advice from the advisory committees into account, and then having them implemented in the case that they choose to do so.

So that is where we see our role be, and we are, as you saw on the previous slide, we are not asked to sort of -- our structure is not really -- is not really -- and our way of operating is not really designed to be able to participate in many of these other proposed functions in the accountability structure where the S.O.s and A.C.s are suggested to take part. So that's the reasoning behind that.

Any questions on that?

CHAIR SCHNEIDER:     Thank you very much, Patrik. I think there are some elements that are very interested in this. Please use the opportunity to ask them questions. Maybe why they get to where they are, but also what their expectations are in the future. There are some elements that are also forward looking with regard to their role and what is not their role and how they should be respected by a future model, which is something

ICANN | 53
Buenos Aires

that is similar, actually, to the question -- some of the questions that we ask ourselves.

So please, go ahead. Kavouss.


IRAN:                    Thank you, Patrik. Could you kindly confirm my understanding that the ASAC -- SSAC is not interested in any of the six, or whatever, seven, because now we're discussing, areas of empowerment of community nor in the independent review mechanisms? Can I understand clearly, you are not interested in any of them?

Thank you.


PATRIK FALTSTROM:        We are reserving our review on making that determination. What we are pointing out is that SSAC, as we operate at the moment, SSAC itself is not designed to be able to participate in those kind of constructions. That is what we have said.


CHAIR SCHNEIDER:         Thank you.

Other questions or comments?

Yes, Iran, please.


IRAN:                    A follow-up question.

If the SSAC is not designed to take any actions or any -- participate in any of those, and if other S.O. and A.C. -- I'm not talking of GAC; I will it leave aside -- decides to participate fully, what do you think of SSAC? Do you think that you will be separated from them or you have no concern that whether they will be participating or not participating? Your interest will be in any way observed and respected?

Thank you.

PATRIK FALTSTROM:     We have not made that decision.  What we are saying is that if it is the case that we are to participate in any of these, we must redesign how we operate.  That is what we're saying.  But we're also saying, note that to be able to live up to our existing charter and to ensure that the security and stability of the identifiers are taken into account, we do not see at the moment us being -- we don't see any need for us to participate in any of these, because -- and it's really important, this -- that we have our charter together with the proposed commitment, number one, of ICANN to take security and stability into account, together with the proposal that the Board must take formal advice from the A.C.s into account, and then we have -- So you have -- So because of the connection between our charter, we have the requirement of the Board to take the advice into account, connected to the new commitment, security and stability.  So we think it's covered there.

So what we are tasked to do is covered by that structure.

ICANN | 53
Buenos Aires

CHAIR SCHNEIDER:    Thank you.

I think one thing that is probably clearly different between the SSAC and the GAC is that your mandate is very precise and very limited, whereas the GAC's mandate, in terms of issues, is much broader because we're supposed to give advice on public-policy issues, which is more complex.  Not to diminish, let's say, the complexity of the field that you're working in.

What is actually something that we may dig a little bit deeper is the first bullet we see on the screen is you expect that the -- any future structure will recognize your role and basically make sure that you will be able to exercise your role.  This is something where we may have, on the level of concept, similarities.

So what does that mean, if you say that you will expect that you will be able to exercise your role?  That means that even if you stay outside, you will have the same possibilities to give the advice and you will have the same expectation that the advice is taken into account?  Or maybe this might be interesting to hear a little more from you.

PATRIK FALTSTROM:    First of all, yes, you do the correct interpretation of this statement.  I think it's really important for people that are interested in what we actually are saying that they don't only read the slides; that they go back and read the document, because of course there are more words

in the document itself that explain the background here. This is just an excerpt, yeah.

But you're absolutely right, that, for example, as I said, the requirement to -- for the Board to take our advice into account, that security and stability is one of the commitments. So that is really important for us, and also the ability for us to continue to operate the way we do. For example, how we are incorporated in the ICANN bylaws and other kind of things. That's also part of the way we operate, yes.

CHAIR SCHNEIDER:       Thank you.

Norway.

NORWAY:                      Yes, thank you, Chair.

And thanks to the SSAC for the information, et cetera.

So just a quick clarifying point. You made your specific comments to the CCWG, and you consider that group to have the most impacts on the security and stability issues with regard to the IANA transfer. So there my question is you don't have no intention to make any comments to the CWG proposal. So that's just a clarifying on that.

PATRIK FALTSTROM:      Oh, no, we have comments on that, too.

[ Laughter ]

So regarding the CWG work, as one of the chartering organizations, we all have to respond no later than on Thursday.

We have already evaluated in the document SAC 67, we describe what -- no, in SAC 67, we describe what the IANA function is doing.  In SAC 68 we describe what is covered in the IANA contract.  And in SAC 69, we wrote down a number of recommendations for what the operational community should look into to make sure that their proposal is fulfilling the SSAC requirements on security and stability.

What we have done, and, well, what we are working on, which you might guess, it's not hard to extrapolate, is that we have taken SAC 69 and we are comparing our recommendations in SAC 69 with the CWG names proposal.  That is work that is currently ongoing.  We are currently analyzing it.  And we will respond -- If there is no any, like, really bad things happening, we will respond no later than Thursday.  Just because we do know that lots of organizations and groups, including GAC, might be interested in this result, I hope that we can respond already on Wednesday, to give you a day to read it, if you want to.

We will in SSAC discuss this report on Tuesday in our closed face-to-face meeting, and that is one of the main reasons why I cannot say anything on how -- what the result of the evaluation is, because it's currently ongoing, but we will, hopefully, be able to present that within the next couple of days.

So in SAC 69, that's where we have the requirements that we see on the operational community, specifically the CWG names on what has to be implemented to satisfy what -- the stability and integrity that we are chartered to do.

CHAIR SCHNEIDER:      Thank you.  This is very useful.

We'll take three hours off on Wednesday afternoon while drafting the communique to read your proposal (laughing).

Yes.

PATRIK FALTSTROM:      Well, actually, if you go back and read SAC 69, you will actually see seven, I think -- yeah, seven very specific recommendations that we are looking for.  And I think that will give you a view on where we are. And that report we released already in December last year.

CHAIR SCHNEIDER:      Yeah, thank you.  I was just going to say that probably 69 tells a lot of what the answers will be if they are compared to the proposal.

Yes, Iran has another --

IRAN:      Yes, another confirmation, Patrik.

I think you have mentioned clearly that your recommendation is that no matter what structure will be taken, you consider or recommend that Board should continue to take the advice of the SSAC as was before.  I understood.  My question is that your advice is based on consensus or your advice based on something other than consensus?

The reason is that there is similarity between yours and ours.  Principle 47 talks about consensus of the advice of the GAC, and there is a proposal -- not proposal -- a stress test 6-18 which at least I, as a participant, are not in favor of that saying that GAC may consider to modify that and bring that to the majority, or whatever type.  So I would like to know whether they make such a stress test for SSAC or not.

Thank you.

PATRIK FALTSTROM:     Thank you.  There are two things I would like to say as a response to your question, and maybe I'm answering a different question tha you didn't ask as well.

First of all, we think the ATRT2 recommendation that ICANN Board must take formal advice from the ACs into account, we think that is really important, and as far as we understand it, and we are working very actively to come up with a tracker of advice together with ICANN to keep better track of what's actually happening.  To take advice into account, for us, as far as I understand, just like with you, give the ability for the Board to actually make a different decision and not

following the advice but they have to take it into account and explain why they choose a different path, we do understand that, because there might be other things which we don't know which makes them okay, but they must take it into account. That is really, really important.

The second thing then has to do with the question of how do we, in SSAC, come to consensus. We do have this internal working group that comes up with the document, and after that, we running -- we are checking inside SSAC whether a document do have consensus or not.

We -- In the documents, we give the ability for individual SSAC members that do not support the document, they have the ability to add verbatim a dissenting view.

If they don't have that, we have complete consensus within SSAC, so individuals do stand behind the document.

So everyone that reads the SSAC document can look in the document and see whether any single SSAC member was opposing or had a dissenting view to what was -- what is described in it. And that is also information to whoever reads the document, including ICANN Board, how they -- that is also a way for them to evaluate how they are going to interpret and take the document into account.

For these specific documents that has to do with IANA transition, I, as the chair, I have chosen personally to have as a goal to have a higher requirement on SSAC to really reach full, complete consensus without

any dissenting views. And that has worked so far. We'll what's happening with the document we're now discussing.

So we do run a consensus-driven process. We do accept dissenting views, which has happened a few times.

Thank you.

CHAIR SCHNEIDER: Thank you for this clarification.

I have the U.K. and then Spain.

UNITED KINGDOM: Yes, thank you, Patrik, for updating us and explaining the position of the SSAC in respect to the IANA transition processes.

I just want to clarify first of all the ATRT2 point about formal advice. This is both situations where the Board has asked you for advice and where you have initiated advice, perhaps to the community but also, at the same time, to the Board, I presume. So that's the first question.

And the second question was just if, by any chance, come Wednesday you find there is a deficiency with regard to implement of SAC 69, what will be the process for resolving that? Is there going to be some kind of delay as a result or what?

I mean, I'm sorry to be sort of negative sounding, but presumably you've contemplated that as perhaps one situation.

Thank you.

PATRIK FALTSTROM:     Thank you, yes.  To start with the second question, given that we work on security and stability, yes, we have a plan B.  We've been thinking about disastrous scenarios as well.

What I think is really, really important to be able to answer this question is to remember that the way cross-community working groups work, just like this one that has now presented their proposal, the ability to comment on the content is something that we have already passed that window, to some degree.

There's a very specific question asked to the chartering organizations.  You can see in the charter of the CWG names, the question is in there.  And that is what needs to be responded to.

So that is really -- so the answer to the question in the CWG names charter, that is the question that should be answered on Thursday, no later than Thursday.  And that asks for whether we, as a charting organization, adopts the proposal.  And then there are some other sort of things.

Our interpretation of that is that we can adopt it and have comments as long as we met -- we don't have any material change in the document itself.  Whether we don't have any -- as I say, violation and other kind of things that we think would be absolutely materially wrong.

On the other hand, we have already given those comments before to this report. So the report is supposed to be the result of a consensus process that we, as a chartering organization, has supported. So the question on the table at the moment is much more do you believe that the -- that the accountability -- that the work has been done in the proper way and more than ask whether we are satisfied with the content. So we do believe that we have answered the question of whether we think it's -- we agree with the content or not. In some cases, our interests have been taken into account. In other cases not, because we were in the minority in the consensus process in the CWG.

So it's really important to remember that the question that is asked is the one that is really in the charter of the CWG names.

Regarding -- let's see. There was -- the first question.

UNITED KINGDOM:             Initiate and --

PATRIK FALTSTROM:           Thank you. Yes. Our reports can be triggered by us picking something up or we've been asked questions. For example, we've been asked questions by the GAC and we issued a report. Regardless of how the report production is triggered, in the report we do write recommendations to various parties to act. And those recommending might include recommendations to the Board on doing something. And you're absolutely right. We might write recommendations to the Board regardless of how the report is triggered.

CHAIR SCHNEIDER:    Thank you.  Spain.  We should try to sum up, so please make your questions or comments short.  Thank you.

SPAIN:    Thank you.  I would like to know if your committee on security and stability advisory committee have any views regarding the proposal put forward by IETF on protocols and by the RIRs on IP addresses?

PATRIK FALTSTROM:    We have not done an evaluation of any of those proposals compared to SAC 69, even though, of course, SAC 69 is directed at all the operational communities.

We have -- we are, as I said earlier, evaluating the proposal from the CWG names.  So the answer to your question is no, we have not been looking at that.  Whether we are going to do it or not is something that to the future will tell.  Thank you.

CHAIR SCHNEIDER:    Thank you very much.  We have -- yes, we have the Organization of the American States.  And then we'll close.

ORGANIZATION OF THE AMERICAN STATES:    Just a quick question to follow up on.  It was similar to what Spain asked.

ICANN | 53
Buenos Aires

Given what the current rules are in terms of having to take into consideration your advice and then advising you why they did not take it in, I was just wondering is anyone keeping track of the new documents or the new positions that would be to ensure that that section remains?  Because, to me, it's very important that, as everything trans -- and everything transitions and all the changes are made, that someone is keeping track that at least that line is maintained with all the changes that have been made, based on everything SAC 69 and if anyone is keeping track of that.

PATRIK FALTSTROM:          First of all, we in SSAC are trying to keep track of that as much as we can just like all the other SOs and ACs that you have participation in all of these various processes.

Secondly, as we have heard from, for example, the ICG and the CCWG, when the CCWG has produced their final report, ICG has decided to ask the CWG whether the CCWG actually fulfills all the requirements requested.  And that is something that we in SSAC hope will solve some of that problem.  But the CWG, even though they have handed in their report, that there is a final check there, that there is no sort of that there is no mismatch between the two proposals.  But most of the work, of course, must be done within these processes where all of us have participation.

CHAIR SCHNEIDER:          Thank you.  Iran.  And then we'll close.

IRAN:                       Yes, Thomas.  Just to comment on Spain.  I don't think that SO and AC has been requested by any entity to comment on the IETF (indiscernible).  This is not the case.  The IETF and (indiscernible) has been questioned by ICG to talk about that, but not the reverse.  But more from the AC and SO.

But my question to Patrik is that, when you reply to the CCWG, do you mention that, subject to the meeting or satisfaction to the requirement mentioned in the CWG5 area, that accountability should be made and subject to some of the questions which is raised in the CWG that they said that at this stage they don't know yet what is the situation?

So my question simply is that would your reply would be subject to some qualifications mentioned or not?  Thank you.


PATRIK FALTSTROM:           That is a question I cannot answer, because we're currently evaluating.  But, given the charter of the CWG names and how cross-community working groups are working, yes, it is possible to give a response that includes conditionalities.  That is my interpretation.  Whether we're going to do it or not, that's something that we'll see on Wednesday or Thursday.

CHAIR SCHNEIDER: Thank you very much. So with this, that was actually really useful. There were many issues that are also good for us to know and to think about. So I'd like to thank you very much for having come here. And looking forward to a future exchange. Thank you.

PATRIK FALTSTROM: Thank you very much.

CHAIR SCHNEIDER: With this, we will move to slot item 10, which is, basically, not an item, per se. But it's actually giving us some time to continue on the deliberations and work of the transition end of the accountability work. As from what I understand, the work on the transition has already started and led by Elise and Wanawit with the support of the secretariat. I would suggest that we continue to spend some time on getting a better picture on where we are with the accountability track, if this is okay for you.

So the floor is open for further questions, comments, on what we have discussed this morning before the lunch break. I don't know if somebody wants to make a start.

Iran thank you.

IRAN: Are you talking about the CCWG, or are you talking about the CWG, stewardship naming or enhanced accountability? Thank you.

CHAIR SCHNEIDER: Thank you. I thought I was, but maybe it was very confusing. So my proposal is to talk about the CCWG work. Because that is probably the more blurry thing yet.

So we've had a number of exchanges this morning. Maybe. If we hook on what we've just heard, from what I sense from the SSAC reflection is that they have a very clear understanding what their role is. And they seem to be very consensual about their role. And then they derive their reflections from this. That maybe a little bit more complex in the GAC with regard to the role of governments. But the expectation that they expressed that no matter what the exact structure will be that we'll follow, that they will be able to fulfill their role in the system as something that, I guess, is valid for us, too. We would assume or would expect that governments in this system would be able to fulfill their role as well.

Maybe they can help us to go a little bit into the how or some of the aspects what do we need in order to fulfill our role? We also may want to engage in what is our role. But I'm afraid that 20 minutes may not be enough. But maybe there's some elements that we may want to touch upon. So trying to get the ball rolling again after the lunch break. Yes, the Netherlands.

NETHERLANDS: Yes. Thank you, Chairman.

ICANN | 53
Buenos Aires

I think you captured the thing which I think we could even, let's say, look at our -- in our point of view of GAC, if we could even have the same kind of relation. Because, as I noted, the SSAC expects that the community will adopt an organizational structure that recognizes the role and importance of advice of that committee. And, basically, I think, this applies equally to us. So it's a general form of saying. But it's -- I think it's crucial. Thank you.

CHAIR SCHNEIDER: Thank you, Netherlands. U.K. Sorry, first Iran and then U.K.

IRAN: Maybe I give it to you, UK, if you want. Thank you, Thomas.

I think something that we have to explain. Currently, we have Affirmation of Commitments. Affirmation of Commitment is a contract between NTIA and ICANN based on the requirement of NTIA. Once this is transferred to the global multistakeholder community, the requirement would not be the same. So we've raised the issue at the CCWG that we need to carefully look at all provisions of the AoC and to see which one should be carried forward and which one should not be carried forward because may not be any longer required.

With respect to whether or not it has been properly identified, there's one question. Those area which has not been a candidate to be carried forward, what do we do with that? Do -- that will be deleted or surplus between NTIA and ICANN? That is one question.

And the second: Some of the remaining -- it was suggested to go to the bylaw. And the bylaw, as we heard this morning, there was two category of bylaw. One category with three-fourths of the vote for adoption which previously called fundamental. No longer can it be called fundamental because of the California law. And the second is the two-third of majority we call the traditional bylaw, which is not clear that those which were candidate to go to the higher threshold bylaw really we have any comment to make with respect to that or not. One of the issues with directly related GAC is paragraph 9.3.1 of the Affirmation of Commitments, this paragraph relating to the WHOIS policy.

And in the current Affirmation of Commitments the team of the WHOIS policy is chair of the GAC and CEO of ICANN. But now they have changed. They put everybody. So we have to see whether we are happy with that or not. So that is something that is very important that we look at that. I raised the question. Unfortunately, we do not know why we only give this task to GAC chair and the CEO of ICANN? Everybody should be involved like any other review team. I'm not in favor nor against, but I want to draw your attention that this is something that we need to look at.

And the second one is what we have heard this morning, stress test 18 and stress test 11. These are the important things we have.

But now coming to other situations, we have to be really careful about the whole process. And there are many, many questions that we need to be answered. And we have to really go through them one by one

and to see the situation. But these are the two points that I wanted to make. Paragraph 9.3.1, which is now modified and stress test 18 and stress test 11. Thank you.

CHAIR SCHNEIDER: Thank you very much.

United Kingdom.

UNITED KINGDOM: Thank you, Chair. And I'm sorry. I don't know if this follows directly from the intervention from our colleague from Iran.

But what I was thinking in terms of getting the ball rolling on some further discussion is whether we go back to the recommendations for community powers in the current draft CCWG proposal.

Recall the ICANN board of directors, remove individual board of directors; veto or approve changes to the ICANN bylaws, mission, commitments, and core values; and reject board decisions on a strategic plan and budget where the Board has failed to appropriately reflect community input.

Whether there is -- as I sense from the discussion so far -- a broad consensus that these are the right powers, that need to be in place or committed to at the time of transition, does the GAC agree? My feeling is that there's broad consensus for that. But the following question is: Should the GAC have a role in some but not all of those powers? Removal of individual board directors. Some colleagues may feel that

is not an appropriate power for government representatives to take part in.

So is that a base -- am I setting out a basis for some discussion, given that we've concluded that we can't conclude on empowerment mechanisms because of fluidity of the situation there?  But I'm not clear where exactly the GAC is in terms of endorsing those powers or taking the position on individually whether the GAC might wish to say that's not for us.  But other powers vetoing the strategy plan budget might be more important for the GAC in securing public interest objectives.  Thanks.

CHAIR SCHNEIDER:           Thank you, U.K.  Before giving the floor further, with regard to Iran, it's actually not just, from what I understand, in paragraph 9.3.1 that you referred to, it talks about the WHOIS review.  But, actually, if you look at paragraph 9.3 of the AoC where you have the chair of the GAC mentioned as part of those who select these review teams, not just the WHOIS but actually in general, to my recollection, the chair of the GAC has always been in the core of those who selected these review teams. And, in case that would be taken over to the fundamental bylaws but with that modification that you say then that this is something the GAC would need to discuss whether they are fine with this or not, this is up to the GAC in the end to say.

And, with regard to the U.K., I think, yes, you trigger a good discussion. Because, as we discussed in the morning, we will somehow -- it would be useful for us to know to look at all these empowerment areas and

to have a clearer view on what this means for governments, what we think the role is for governments, and/or the GAC because it's not necessarily the same when we talk about the GAC or when we talk about governments. So thank you for this. Vietnam, I think is --

VIETNAM: Thank you, Chairman. I would like to share some view from Vietnam. We all know that in the Internet, day after day it becomes more and more important to the development of social society. I mean, social economy of the whole world.

So, in order to make Internet work, an Internet resource like a name, IP address or other number, I mean, yeah, it's very important. And, therefore, the role of ICANN becomes very important.

Furthermore, once I heard back from the CEO of ICANN, Mr. Fadi, he says that ICANN intends to get involved more and more about policies areas not only Internet resource. So regarding this, also I think that the role of government in the process of making policy and making decisions is very important.

So this morning we heard two different from -- two different proposals from CCWG and CWG. Meanwhile, CWG makes a proposal to set up an independent body with PTI, with ICANN, with CSC. CCWG make a proposal to -- for the memberships model. So I have feeling that the proposal from CCWG is closer with a new development. So just now, Mr. Patrik shares a view from SSAC that the chapter does not require the ICANN board to take advice in accountability, in account. So I

ICANN | 53
Buenos Aires

think it's understandable, because their advice mostly on technical issue. Meanwhile, our advice is broader. And we care about not only about the individual needs, but we care about the public interest.

So with the different views from advisory committee and S.O., so I would like to share the views that we may (indiscernible) an idea with other A.C. and S.O. to see whether they concern about the empowerment of A.C. and S.O., and it's case that not only A.C. and S.O. concerned about this.

So when we seek the advice from legal advice whether we can develop model in which at least government can have more role in the process of making the decision of ICANN Board.

Thank you.


CHAIR SCHNEIDER:      Thank you very much.

I think that -- As you say, the Internet is becoming more important, and the role of ICANN is also maybe becoming more important growing with the Internet. But I think there is a consensus that the mandate of ICANN is limited and should remain limited. So ICANN should not expand into areas where they are not competent.

Yes, I just wanted to think -- make that point.

We have a few minutes left, then we have a break, and that should give us the opportunity to -- those who want to participate in the exchange between the Board and the CCWG.

So I have the Netherlands, I have Japan -- Thailand, sorry.

By the way, one of the elements of the holistic review should maybe discuss introducing country name plates because the bigger we get, it's getting more and more difficult to actually catch the right intervention. So that's just a side remark that -- okay. And there was somebody else. Iran. Okay.

So Netherlands, please. And Spain.

NETHERLANDS:                Yes, thank you, Chairman.

I want to come back very quickly on the question, I think it was raised first by U.S. before the break, before the lunch about the role of the governments and the powers. And I think U.K. also referred to this, to assess whether we have a role there. And I think we should step down one step earlier and look at what our role is. I think our role is not to -- let's say to exert powers in a private organization. And be it, let's say, one of these five, I think our role is to make sure public interest is taken into account through our advice.

And that means that with this look at the new mechanisms, I think we should not look at what powers we can exert but in which way public interest is best guaranteed. For example, in ways like, in this new mechanism, there should always be GAC advice on, for example, some major decisions made in this new -- let's say in this maybe a supervisory body or whatever new mechanisms will exist.

So I think we should always look at our reason of existence, and then on that basis react on the mechanisms.

Thank you.

CHAIR SCHNEIDER: Thank you.

Thailand.

THAILAND: Hi. Thank you, Chairs. I have two questions regarding on the -- looked at in the empowerments of the S.O. and A.C. The first thing is do we have the criteria to look at which the S.O. and A.C. need to be strengthened? Have we agreed upon that criteria first? And the second, once we decide these organizations, S.O. and A.C., need to be strengthened, whether we have the proper implementation to who going to take responsibility to improve and help them to enhance their capacity? That is the two related question.

CHAIR SCHNEIDER: Thank you. If I may try to quickly respond to this and other members and participants in the CCWG may correct me or join me, but I think it is not -- actually, the aim is not to strengthen particular sub-institutions in ICANN but it's to strengthen the community as a whole that ICANN is performing in a way or doing what the community as a whole wants.

Of course, if there are different views in the community, then they may be balanced, and that may have an effect, depending on the different functions and roles.

But I'm not aware of a discussion on criteria to prioritize or change the balance between the SO/ACs, but I stand to be corrected if somebody....

And so I hope that answers your two questions.

I have Iran and then Spain, and then I think we'll close this window for discussion.

Thank you.


IRAN:                        Thank you, Chairman.  I wish to come back to the review committee.  You mentioned that in review committee, it is not only WHOIS.  There are four review process.  One is ensuring accountability and transparency and interest of global Internet users.  There's no problem here.

The second one is 9-2, preserving security, stability.

The third one is 9-3 for gTLD, and the fourth one is for WHOIS.  In both 9-3 and 9-3.1, before it was Chair of GAC and CEO of ICANN.  Now it has been changed and they put everybody.  So both of them are valid.  So we have to be careful on that.  It is not only one.  Both of them has been changed.

And coming to the question raised, you are absolutely right, there has been no distinction between which S.O. and A.C. should be certain. If you look into the document of the CCWG, we have for all of these six powers a diagram indicating all S.O. and all A.C. have been put for being empowerment, except in one case that those who designate -- that do not designate director with voting, they are not there. But the other one, everybody is there, and it is up to us to see whether we would like to exercise that or we would not like to exercise that power.

But perhaps as Mark mentioned, maybe at some time we have to come back to each of these six powers and to see which one is the case for us and which one we may not wish to be included, if everybody agree to that. If not, there might be different comments.

Thank you.


CHAIR SCHNEIDER:      Thank you, Iran.

Spain.


SPAIN:                Thank you. This time I'm going to speak in Spanish.

I would like to express my support to what has been said by The Netherlands because this was exactly what I wanted to say.

I think that the GAC has to first analyze what is important to the GAC and then decide whether it would be willing to participate in the new

ICANN | 53
Buenos Aires

structure or not. And, in fact, I think that the most important thing for us is to give good advice based on public-policy aspects. And that advice should be taken into account.

We should analyze to what extent the possibility of removing a member of the board, of the whole board, of rejecting the budget or strategic plan involves a public interest. In some cases, that may be the case, while it may not be the case in some others.

So what's important is that during this process, we, at least, might have our current capacity to have an influence on the decisions of the Board so as not to see that our role may be conditioned or may be diminished. Our role as advisors, I mean. This is really key.

Additionally, we have decided to participate as members in the new structures, and that may involve certain technical problems because the GAC would have five members, I think, in this new organization, in this new committee of members, and so we would have to decide whether the five members should vote in the same sense or they may vote individually. And if the GAC refrains from participating in a vote because there's no public interest involved, the committee might otherwise pass the decision. If we need three-fourth, that would be three-fourth of the community or three-fourth vote or 75% of the votes actually cast? So these are secondary problems, and we should discuss that if the GAC decides to participate in the new structure.

Thank you.

CHAIR SCHNEIDER: Thank you, Spain.

If there are no more requests for the floor at this stage, then I think we will make the break and allow people, those who want, to be over to the -- Has it changed?  Retiro C room, which is, I think, right above us, more or less, to participate in the discussion -- attend the meeting of the CCWG and the Board.

And then we come back here at 4:00 to meet the GNSO.  So please be on time, everybody, at 4:00 back here.

Thank you very much.

[ Break ]

GAC meeting with GNSO

CHAIR SCHNEIDER: Thank you, all.  Please take your seats as time is rushing.

So welcome back.  There are a lot of parallel sessions going on, and a number of us have at the session just one floor above us.  So please sit down, and let's begin.  We are on agenda item 11 in our GAC agenda, which is the meeting with the GNSO.

ICANN | 53
*Buenos Aires*

So welcome to all the people from the GNSO to join us here.  We would have 1,000 things to discuss.  We have one hour, so let's try to make the best out of it.

Let me hand over the floor to Jonathan to say a few words.  Thank you.

JONATHAN ROBINSON:     Okay.  Thanks.  So my name is Jonathan Robinson.  You know that because we met earlier in my capacity as chair of the CWG stewardship.  I'm chair of the GNSO Council.  And I'm joined on my left here by David Cake, vice chair of the GNSO Council, and Mason Cole, GNSO liaison to the GAC.

So we have a small agenda here that we discussed prior to coming to Buenos Aires.  This is an opportunity to just spend these next 45 minutes with you having a brief review of some key items here.  And I think let me hand straight over, perhaps, to Manal, who we've worked with on the GAC-GNSO Consultation Group to give you a brief date, And then we'll come back to the points under number 2.  So thank you for having us, and we look forward to talking with you over the next few minutes.

MANAL ISMAIL:     Thank you, Jonathan.  I'll try to be brief.  But we always have new GAC members, so allow me to mention very quickly that the objective of the GAC-GNSO Consultation Group is to explore mechanisms to facilitate early GAC engagement in GNSO policy development process.

The work has been divided into two tracks, day-to-day communication and PDP. We used to meet biweekly intersessionally. But, during this past intersessional period, the consultation group met less regularly at the beginning. And then we had to pause our meetings to accommodate for other pressing and intensive processes going on; namely, the IANA transition and the ICANN accountability.

But, meanwhile, the consultation group agreed to put the adopted mechanisms into practice. So we have the GNSO liaison to the GAC, Mason Cole. And also we have agreed to have a GAC quick look mechanism that would look into issues and flag early whether it has a public policy aspect that the GAC would like to submit comments on. And I also believe there are now more frequent, I think, conference calls and meetings between both constituencies, leadership groups, which I'm sure implies also closer coordination among both secretariats.

Having said that, I would like also to highlight that the consultation group is yet to consider a range of possible initiatives that include other opportunities for early engagement in the GNSO PDP beyond the issues scoping phase also possible procedures for cases where the GAC early input is in conflict with the GNSO views; and, finally, a success criteria for the GAC early engagement in the GNSO scoping issue scoping phase.

So this is where the current work stands. Finally, it's worth flagging that the one-year approval of the pilot mechanism of having a GNSO liaison to the GAC is coming to an end this June.

And I'm sure GAC colleagues agree with me that this pilot has been very useful but did not take its time yet. So maybe we can agree to have a one-year extension if -- and I'll hand it back to you, Thomas, to -- thank you.

CHAIR SCHNEIDER: Thank you, Manal.

With regard to the GNSO liaison, this is something that was new, has been new to us. And, of course, we'll make a thorough review process to assess this.

Now, what I can say we haven't had the time to discuss this in detail because of other issues that are taking up a lot of our time. But I personally -- and I think -- hadn't had any signal from anybody in the GAC that this was not useful. So I would say that we would agree to and be happy to continue for another year with this and try even to make more use of it. And, once the transition is done and we will have more time to go into other substantive issues, of course, that will be something that will be very useful. So thank you. We're happy to accept.

JONATHAN ROBINSON: So thank you, Manal and Thomas. Just let me help a little bit further with some detail on that. I suppose first just taking a big step back and recognizing that the work of this GAC-GNSO Consultation Group is addressing recommendations that came out of the ATRT reviews of ICANN as a whole and recognizing that actually the GAC and we and

ICANN | 53
Buenos Aires

the community at large would benefit substantially from early involvement of the GAC in the PDP process. And so, really, we must remind ourselves that that's where all of this comes from.

And we together, the GNSO and the GAC, have taken the initiative and worked with colleagues such as Manal and others in the GAC to develop these mechanisms. Many of them are very early. We haven't had a chance to develop them properly. And they certainly haven't seen a full cycle of a PDP in place. So I think, you know, in broad terms, we should be evaluating these. And Mason just reminds me -- and we should be thinking around maybe having gone through something like three PDP cycles to have a real feel for what -- where they are.

As far as the specific mechanism of the GNSO liaison to the GAC, we took the preemptive measure of applying for the funding prior to this financial year, which commences around now, for a further year of funding to fall a pilot. So just for the avoidance of doubt, there's no pay for this position. It simply funds the basic ICANN travel expenses so the liaison can be present at the ICANN meetings and use that to facilitate the liaison mechanism. And we have that funding approved.

In addition, we have a motion for the council meeting on Wednesday to approve,

in fact, Mason as the occupant of that role and to -- you know, he is willing to serve. We have a motion to adopt at the meeting on Wednesday in order to do that. We would strongly encourage you and appreciate if you would receive this gesture as part of the broader

GAC-GNSO Consultation Group outputs and look forward to, obviously, working with you through those over the next year.

I wonder if we should pause at this point before -- well, maybe let's do the status, the second bullet point. Because this all relates to the work of the GAC-GNSO Consultation Group. And then, before we update you on any current and upcoming policy issues, we'll talk a pause for questions in and around this general topic. So, for that second bullet point, let me hand over now to Mason to talk about the status of the early engagement, if there is anything more to add.

MASON COLE: Thank you very much, Jonathan.

Good afternoon, everyone.

It's good to be back with you. Just to add to what Manal provided in terms of an update, just allow me to give you a bit of an update on how we're implementing the early engagement procedure.

So, as Manal mentioned, the council and the GAC have agreed to implement this consultation group recommendation in relation to issue scoping. We did that after the last -- after our last meeting of the consultation group.

So the issue scoping recommendations, what they do is provide -- it's a recommendation -- I'm sorry -- the issue scoping recommendations prescribe how the GAC is informed when a request for an issues report

is made. And an issues report is the first step in a GNSO policy development process.

So, once that is received, then the GAC has sufficient time to provide any information that they have in relation to existing GAC advice on the topic, which at that point is expected to be included in the preliminary issue report.

So, if there's standing GAC advice, then the GNSO policy team is advised of that. And that GAC advice is included as an element of the issue report so that the GNSO is informed about whether or not the GAC has a standing position on that issue.

So, following the publication then of that issue report, the GAC is again notified. And at that point the GAC is to provide its input through what's called a quick look mechanism.

And that quick look mechanism informs the GNSO on whether or not that issue is expected to have public policy implications. And that, in turn, informs the GNSO Council on whether or not that issue is going to be of particular interest to the GAC. And then as well as allows the GAC then to start its own internal process on devising input to the GNSO. So this process now, I'm pleased to tell you, has been initiated for the first PDP since the consultation group finalized this quick look procedure.

And this is on the Board initiated PDP for an issue report on the purpose of gTLD registration data.

And I notified the GAC of this request for the preliminary issue report and was provided by the GAC secretariat with a reply that, in fact, this had put into -- this issue had been put into the GAC's workstream.

Now, the issue report should be published shortly. In fact, ICANN policy staff let us know that it will be published very soon after Buenos Aires. So I encourage you to anticipate that, because it will be coming very shortly.

So now the consultation group is going to consider other phases of the policy development process to find out whether there are additional mechanisms or measures that can be explored in relation to GAC providing advice or input to the GNSO on other phases of the PDP.

So, Jonathan, would you like me to stop there? That seems to be a good spot.

JONATHAN ROBINSON: Thank you, Mason.

So, Thomas, if there are any questions or issues arising at this point, I think we should take that input at this stage. If not, we can continue through the agenda.

CHAIR SCHNEIDER: Yes. Thank you. So, in addition to, generally, say, everything that helps improve communication at an early stage is something that the GAC has always supported and will continue support. That includes

ICANN | 53
Buenos Aires

the GNSO liaison. That also includes the quick look mechanism that we've decided is something that we're looking forward to use.

So let me give the floor to the GAC to ask questions, make comments, if you have any right now. Yes, U.K.

UNITED KINGDOM: Yes. Thank you, Chair. And thank you, Jonathan and Mason.

The only point I would underline that sort of nil return at the quick look mechanism phase does not preclude the GAC taking another position subsequently once the policy starts to develop in the GNSO. Just to underline that point in case there was any concern that that's the one and only opportunity, if you like. Thanks.

MASON COLE: Thank you very much, U.K. That, in fact, is correct. It doesn't preclude the GAC from contributing to PDP work later on in the process.

CHAIR SCHNEIDER: Thank you for this clarification. Other questions or comments? If that is not the case, then I think we can move on.

JONATHAN ROBINSON: Okay. So our next item then is to give a brief update on current and upcoming policy issues just to make sure that we have alerted you to the current landscape. And for that I'll pass you back on to Mason.

MASON COLE:    Thank you very much again. There are a number of issues that are coming before the GNSO that I thought I would highlight for the purpose of the GAC. Some of these may or may not have public policy implications. They may or may not be of particular interest to the GAC. But the GAC will certainly be alerted to all these in due course.

There are policy development activities regarding the purpose of gTLD registration data, regarding potential subsequent rounds of new gTLDs. And there's an upcoming review of all rights protection mechanisms in both legacy TLDs and new gTLDs. And that particular matter of policy was agreed to as an element of the current round of new gTLDs. So, with regard to current activities, I'd like to mention two. These will be up for a vote during the meeting, during the GNSO's meeting on Wednesday.

There is a final recommendation report on what we call policy and implementation, which is a way for the GNSO to better describe for itself and for the community what, in fact, is a matter of policy and then what is a matter of implementation of that policy, so as to avoid confusion between the two.

There is also a PDP on the translation and transliteration final report, which actually has had, from what I understand, some active contributions from GAC members.

So those are items on the agenda for us either coming up or here in Buenos Aires this week.

ICANN | 53
Buenos Aires

JONATHAN ROBINSON:     Thanks, Mason.  And on that former one, the policy implementation, a key outcome of implementing the largest program that ICANN's almost certainly have implemented, which is the rollout of the new gTLDs, what became apparent was that there were many areas that needed more detail.  And, in fact, the GAC has been involved in many of those.  And what the GNSO has worked on through this working group is some other mechanisms to be able to -- that don't override existing mechanisms but complement existing mechanisms in the same way as we've tried to work with you through areas such as the consultation group to further enhance the way in which we work and provide advice on matters of policy to the Board and so on.

So that's a very productive piece of work that should further lubricate and make more effective the way in which we work.

So the next item is item 3.  And this is something else.  It's another initiative that we'd like to share with you and discuss a mechanism by which we think we may be able to further enhance the way in which we work together.  And for that I'm going to hand over to David Cake on my left.


DAVID CAKE:     Before I do that, I'd just like to -- that we just talked about the policy and implementation working group.  While that's an internal, you know, add to our policy process, I have noted that the GAC is sometimes a little frustrated with the way the PDP can, you know,

ICANN | 53
*Buenos Aires*

make the GNSO be less agile in responding to GAC advice.  And I think this will alert -- some of these new mechanisms will alleviate some of those frustrations in the future, though, of course, we'd rather that the GAC is early integrated into our PDP and all goes smoothly in the first place.

Anyway, when I talk about this new initiative for the GNSO, it's fairly simple.  We are intending to issue a Council response to the GAC communique.  This will be -- I want to stress this is an informal mechanism.  It will simply be a letter to the Board -- be in the form of a letter from the Council to the Board.

The specific primary purpose of this will be to inform the Board's response.  So when the GAC communique touches on issues that are also of interest to the GNSO, we will clarify the GNSO position.  So, for example, if the GAC mentions an area of policy, we may mention a GNSO policy initiative that is ongoing at the same time, clarify what process it is, and opportunities for incorporating GAC advice.

We may also talk about existing GNSO consensus policy in the area, or we may clarify GNSO processes, if that is -- I mean, occasionally, a GAC communique does discuss directly GNSO processes as well as just policy.

I want to stress informal mechanisms, so it changes nothing in the formal relationship here.  It's designed so that when the Board does -- the Board is sometimes placed in the position of having to sort of integrate the different policy advice from the GNSO and the GAC, and

we would just -- it's to make sure they're fully informed when they do so.

It's purely supplementary. So existing processes, it changes nothing. It simply means the GNSO are giving a little additional, small "a," advice to the Board.

Of course, though, we expect that the GAC -- We'll cc the GAC in any correspondence. We'll expecting the GAC members will read it and it will help inform the debate -- or not the debate. Help understand the relationship between the policy -- the various policy development processes that are ongoing.

It's intended to reflect policy positions of the GNSO, and particularly -- including but not limited to existing consensus policy. So we'll also talk about, you know, if we're only partway through a policy process, it will let you know where we are, or if we have chosen not to consider an issue or various other things, and it will talk about the Council's -- (indiscernible) basically the Council's role as the manager of gTLD policy.

It is not intended to reflect all of the opinions of the GNSO. The GNSO, of course, a very disparate body with many different stakeholder groups that have their own specific opinions, so we were not trying to tell you this is what the whole of the GNSO tells you. This is what the Council, in its role as manager of GNSO policy, feels that the Board needs to know.

And we do not intend to comment on the GAC communique when it does not concern gTLD policy. So it's simply a new mechanism. We're trialing it to see if it's useful, but it did come as a suggestion from the Board.

We want to put the -- We want the Board to have to -- not to be put in the position of speculating about what the GNSO position is but to have to be clearly informed. And we hope that, in fact, it will be useful to the GAC as well to clarify the GNSO -- where the GNSO and GAC positions overlap.

So as I said, it's a light weight, informal mechanism. We hope that it will aid communication generally and be directly -- specifically to the Board, but also the GAC in understanding how the GNSO fits into the various issues where the GAC and GNSO interests overlap.

So we've put a bit into thought into how we're doing it but we have not yet done it. It will be interesting to hear opinions on how well we do it once we have responded to the GAC communique.

CHAIR SCHNEIDER:   Thank you. Maybe this is a moment to ask questions or make comments from the GAC on this new initiative that is coming from the GNSO, in case you have you any.

Yes, United States.

UNITED STATES: Thank you, Chair, and thank you again to our colleagues from the GNSO.

I think we have all been challenged recently -- I'm speaking also a member of the GAC-GNSO Joint Working Group, but we have all been challenged with other work and enormous workloads, but I think that this is a useful reminder of how constructive this joint exercise has been, and I'm grateful to hear about your latest initiative. I think that will go a long way toward improving understanding and facilitating communication.

But I also thought it was a great opportunity to draw the GAC's attention back to the conversation we had just before the break, and we were talking -- in the context of developing our views on the transition proposals and the accountability proposals, we were talking about sort of what is the role of the GAC. And I think this exercise helps refresh memories that we are intended, at least we think, from my country's perspective, to provide public-policy advice on the matters that are pending before the ICANN community, the ICANN Board related to the management of the Domain Name System. And the concrete examples you're giving us of issues reports and specific projects that are under consideration, that gives us quite a useful roadmap to remind ourselves as to what our role is. So thank you again.

CHAIR SCHNEIDER: Thank you, United States.

ICANN | 53
Buenos Aires

Other comments or questions on agenda item 3?

Yes, U.K.

UNITED KINGDOM:         Thank you, Chair.  And simply to say I think this is a very valuable initiative that's going to serve those objectives you recounted of enhancing communication and understanding of where the GNSO positions itself on issues that the GAC has already engaged on.  So support, yes.

Thank you.

CHAIR SCHNEIDER:        Thank you very much.

If there are no other --

DAVID CAKE:             Thank you for your positive comments.

CHAIR SCHNEIDER:        If there are no other comments or questions, then I think we can use the remaining time, which is about 20 minutes, on an exchange of IANA stewardship transition and/or enhancing ICANN accountability.

JONATHAN ROBINSON:      Thomas, let me make a couple of initial remarks and then see where that goes.

ICANN | 53
Buenos Aires

We've clearly had -- We have a motion for our meeting on Wednesday this seeks to approve the transmission of the CWG final report to the ICG. We've had some discussion about the content of that motion and how that motion is best phrased and structured.

There have been a number of discussions over the past few days looking into some details of the proposal, but whilst there is refinement of the detail in the motion, in general there seems to be no significant concerns at this stage emerging on the intention to vote to support that motion.

The way in which it works is this will be discussed in detail during the so-called constituency day or constituency and stakeholder group day on Tuesday in the different groups, and those groups will then make their decisions and bring those back to the GNSO Council on Wednesday. And we have a specific meeting available, a meeting slot available on Tuesday evening at the end of the constituency day in order to discuss any -- if there are contentious views that need to be dealt with or concerns over specific motions. So we have a sort of mechanic to get through this, and we've had the preliminary discussions over our weekend session. And I think that captures where we are at at the moment. And if there's anything we can help with, if you would like to understand and know any more about the process or elements of the discussion or share with us any thoughts that you have had from your morning discussions on this, we'd welcome that.

CHAIR SCHNEIDER: Thank you. So you have just given us some information about how you deal with the proposal that is coming out of the CWG. We will probably also be interested to see how you deal with the CCWG work at the stage where it is, but I see there are some requests from the floor to react to this.

So I see Iran, you would like to say something.

IRAN: Thank you, Jonathan.

I understood that your proposal was ready to be sent to ICG, but you wait until you receive responses from the charter organization. You said that you want to send this on Thursday to the ICG, but before receiving any reply from the chartering organizations and attaching that (indiscernible), the most important element is how you draft the part relating to reply that you receive from chartering organization, depending on the nature of their comments.

So I think your main job will be after you are receiving the comments, not before that. Thank you.

JONATHAN ROBINSON: So perhaps I should just respond and make very clear. First of all, I'm sitting in front of you as both the chair of that group that drafted that proposal and, therefore -- or the co-chair, and, therefore, that final proposal is put to the chartering organizations. One of those chartering organizations is the GNSO, and the GNSO will review that.

But the way in which the GNSO reviews that for the purposes of voting on the motion is to delegate that out into the constituencies and stakeholder groups on Tuesday, and then bring that back to the GNSO Council on Wednesday. And I happen to be chair of the GNSO Council. So, therefore, that's -- so apologies for any confusion, but because I have those two roles, that may be -- maybe I created some confusion there.

CHAIR SCHNEIDER: Thank you. And I just also wanted to make this clear. This is the exchange with the GNSO, so we should look at Jonathan as the chair of the GNSO this time, unlike this morning and unlike Wednesday where we have another Jonathan looking quite similarly but being like the chair, co-chair of the other group.

Maybe something that maybe of interest for us. When you say you vote, how does this go? Is -- Will there be a voting internally in the different subconstituencies and then that will be somehow aggregated in the Council? What if there are disagreeing elements? And how do you concretely do that?

So how do you deal with dissenting opinions on all levels? That may be something that is of interest for us.

JONATHAN ROBINSON: Well, the way the Council deals with formal business is formal business is put to the Council in the form of a motion, and then those motions are voted on by the councillors. And those councillors

ICANN | 53
Buenos Aires

represent the stakeholder groups or constituencies of the GNSO. And, will typically, although not always, be directed by their groups as to how they should vote.

In any event, whether or not they decide of their own accord how to vote or they're directed by their stakeholder groups and constituencies how to vote, they will vote. And then there are various voting thresholds and mechanisms by which the resolution, the motion will be passed or not.

Now, clearly, thinking from my point of view as a CWG co-chair, I would like that to be a unanimous passing of the vote. But of course that's not the only basis on which the motion will be passed and the report will be transmitted on to the ICG.

Clearly, if there's insufficient support, it is possible that we wouldn't pass that threshold, but I'm hopeful that that's not likely to be the case.

CHAIR SCHNEIDER:         Thank you.

Any other questions or comments?

Iran.

IRAN:                   Thank you, Chairman.

ICANN | 53
Buenos Aires

What you explained to us, Jonathan, is your internal procedures. So it has nothing applied to the GAC and so on, this voting. These are purely internal procedures.

Thank you.

JONATHAN ROBINSON:    Thank you, Iran. And that's actually an important point. I mean, there are -- I'm trying to think. I think there are five chartering organizations of the CWG. How each chartering organization decides to approve or support that CWG report is up to them. Whether they vote or have some mechanism of humming or no such mechanism, it doesn't matter.

I described to you, as you correctly said, the GNSO mechanism, but that's not applicable to any other chartering organization, S.O. or A.C., who is dealing with this report.

CHAIR SCHNEIDER:    Thank you for this clarification. I just thought it would be interesting to hear that because we had a session with the SSAC where we also got to know how they work and how they take decisions or make recommendations or give advice. So that's just to also complete the picture, or....

So we have 15 minutes, 14 minutes left. Maybe we want to have an exchange on the accountability aspect of the work, as you may have had in your part of the ICANN world different -- not different, similar

reflections while looking at the work as it is ongoing. And it may be useful to share a little bit the reflections that are going on in the GAC with the reflections that are going on in the GNSO.

So just take the floor, whoever wants to ask or say something. I have the Netherlands. Thank you.

NETHERLANDS:             Yes, thank you, Chairman. One thing which would be interesting to know is whether you -- because of course we have the CWG and we have the CCWG, two proposals, two tracks. Formally, you only have to approve or support the CWG proposal, but, still, in the GAC we have a discussion about, let's say, the conditionality, the requisites which are put out or worked out in the CCWG proposal.

So my question is will you just formally endorse one proposal or will you also couple this to conditions?

Thank you.

JONATHAN ROBINSON:      That's a very good question. And so at this meeting in Buenos Aires, we will vote on the -- and determine whether or not to approve the transmission of the CWG proposal on to the ICG.

At the meeting in Dublin, we anticipate that we will have a similar motion to deal with the work of the accountability group. And I would expect that in dealing with the work of the accountability group, we will seek to communicate with the CWG to satisfy ourselves that their

conditions have been met by that then final report of the accountability group.

So that in the end, we will have voted on and approved the transmission, ideally, of the CWG report to the ICG, and moreover, on the CCWG report on accountability. And when we vote on that CCWG report on accountability, we will have a knowledge as to whether or not the CWG is satisfied that its conditions have been met. And, therefore, the two come together at that point and are transmitted as both stewardship proposal and accountability proposals, coupled for the NTIA to have that package that we will have voted on both by then.

DAVID CAKE:                 It's also -- Of course, that's not the end of the accountability group's work. That's workstream one. The accountability group will continue with workstream two.

CHAIR SCHNEIDER:           Thank you. Other questions or remarks?

I have Iran.

IRAN:                      Thank you, Jonathan. Could you kindly clarify whether this week, when you vote on the CWG report, do you envisage that or you have any intention to also having some or requiring some clarification? I know your other hats of being chairman of CWG. Put it aside for the

ICANN | 53
Buenos Aires

time being, and just as far as the GNSO is concerned, do you intend that you say, okay, we agree with that, for instance, with the conditions; however, there are following questions or following clarifications required, or you do not see to have any room to ask any clarification or anything?  Just a question to help us.

Thank you.

JONATHAN ROBINSON:     I suppose the honest answer is that I can't be sure, but I think it will be cleanest if it will be a -- clearly a simpler -- I mean, I could let you -- There is no reason -- I mean it's public and readily available what the motion before the Council is.  And that's why I referred to that motion, because there is some work in progress, and it is normal for us to do this.  There is a motion on the table.  It was submitted in good time and good order to approve the CWG proposal, but that motion can be modified by amendments over the next two or three days.  And there is the opportunity in that motion to either perhaps emphasize elements of the report or highlight areas of work that will need to be completed during the implementation.

But if I wear the different hat, I mean I guess my ideal from a CWG chair's perspective is that to the extent that work needs to be done, it is highlighted as necessary to be done as part of the implementation of the work so that we don't get into a complicated variation of the proposal.

I mean, from a CWG chair's point of view, the ideal is that the chartering organizations support the proposal and perhaps recognize or emphasize that certain areas will need further work as part of the implementation as they travel down the track towards finalization.

Thank you.

CHAIR SCHNEIDER:     Thank you.  Other questions?  Comments?

Yes, Egypt.

EGYPT:     Just very quickly to follow on the answer -- your last answer, Jonathan.  So the accountability part of the CWG proposal is going to be emphasized as part of the implementation?  Or is it going to be conditioned somehow or -- Thank you.

JONATHAN ROBINSON:     Thank you, Egypt, Manal.

The way in which that -- The CWG proposal is written in such a way that it says it is expressly conditioned and reliant on certain accountability mechanisms being produced by the CCWG.  So if we vote, and when we vote on Wednesday to approve that proposal, we are vote to go approve a proposal with conditions in it.

And those conditions will then be worked on and ideally met by the work of the accountability group as they conduct their next three months' work.

And I have a picture which I described to you this morning where it's like two trains running on a parallel track, and then for a moment the signal is here, then the one goes off on a separate track, but then they come together again. And they must be delivered simultaneously at the end, but the one goes briefly off on a separate track as it goes through the ICG process, but then they come together again for delivery to the NTIA.

So we, as the GNSO -- I don't expect that we would seek to add further conditionality. And that conditionality has been thoroughly thought about and prepared and built into the CWG proposal. And, as GNSO, to the excepted that that's what we'd like to achieve, we've achieved that through our members and participants in the CWG.

CHAIR SCHNEIDER:    Thank you. Other comments, questions? If that is not the case, I think that we have five minutes break for us all, which I guess nobody would have a problem with. So, in that case, thank you very much. We may meet again rather soon. So, yeah, have a nice evening and we'll make a five minutes break. We'll start with agenda item 12 at 5:00 sharp. Thank you.

JONATHAN ROBINSON:    Thank you.

ICANN | 53
Buenos Aires

DAVID CAKE:                       Thank you.


[ Coffee break ]



GAC and ICANN GSE meeting



CHAIR SCHNEIDER:          Thank you, all.  Let's sit down.  We have one hour to go for today with the formal part.

So let me welcome Anne-Rachel from ICANN and Tarek.  Where is he? Ah, over there.  Because they are crucial to the next item, of course, which is about global stakeholder engagement and government engagement.  Unfortunately, Imad had to inform us that he was not able to come due to some family reasons.  So we'll have to manage without him this time, which would bring me to giving the floor to Anne-Rachel to start.  Thank you.



ANNE-RACHEL INNE:       Thanks so much, Thomas.  And good afternoon, everybody.  My name is Anne-Rachel Inne, and I work with the government engagement team in Geneva with Dr. Tarek Kamel and Veni Markovski who is part

of our team in New York and Nigel Hickson and Mandy Carver. And also we team up with what we call the Global Stakeholder Engagement Group, which are all the people who are in regions and with whom, you know, we're working on this joint working group of the GAC which has quite a few members of the GAC and was piloted by -- and is piloted actually until now by Dr. Imad Hoballah. What we have done since the group was created was really work on recommendations that came from ATRT2. And the specific ones that we worked on were recommendations 6.8 and 6.9.

Next slide, Julia.

So what we're doing here is just reporting on what we have done since the last time we saw you. People will remember that we gave an update in Los Angeles and also last meeting in Singapore.

So I'm just going to walk you through on what we have achieved on 6.8 and 6.9 very quickly. And we can, hopefully, have a little discussion on what is part of 6.9 specifically that we have not yet, basically, closed in terms of items.

Next slide, please.

So these are the two recommendations we had from ATRT2 recommendations. 6.8, basically, recommends that the Board works jointly with the GAC through the BGRI working group to work on ICANN's global stakeholder -- with ICANN's Global Stakeholder Engagement Team, which is the GSET and GE now also, to develop guidelines for engaging governments both current and non-GAC also.

So that -- this part has, practically, you know, been finished.

And we have draft guidelines that we reviewed with you that were circulated on the GAC mailing list. We received comments. We integrated the comments. And those draft guidelines today have become a living and working document that is on the Web site of the GAC. And the teams on the ground-the ICANN teams on the ground, basically, work via some of the recommendations that we got in terms of the ways of, basically, ensuring that synergy and efforts are being done between GAC representatives and ICANN staff on the ground.

So this one part is practically that.

6.9 has a series of small items inside. And, practically -- B, C, and D are being executed at the moment with the GAC. And A is the one that, basically, we have a little -- we would love to have a little discussion with you to get your understanding of what, you know, this database of relevant government ministers should be or if at all, actually, it's needed. Because I think, when this was done, there was -- Olof might help me here because he was present when this happened.

And I'm not too sure if this is something that is still needed at the moment because -- Olof, you want to chime in first?


OLOF NORDLING: Just for a moment to just confirm that, well, of course, a lot of things have happened since these recommendations were considered and crafted. And a database of contact information, well, it has a number of aspects. And, of course, one of the aspects was that the

membership of the GAC at the time when this was considered -- I mean, we're going years back here -- was not as extensive at all as it is right now.

So, as the membership develops, the need for such a database, at least from a GAC perspective, is on a decreasing path, I would say.

Then again, there may be a need for it among the -- within your organization or rather within your department of ICANN, Anne-Rachel. But that's something totally different. And, certainly, we're not talking about a public database here. So -- well, yes, I agree with you that it is probably a big question mark on the need for such a database.

ANNE-RACHEL INNE:      Thanks, Olof. And, as you say, it was something that was, basically, called for at one point of time. And if people feel it's something relevant, maybe we can have a discussion. Go ahead, Julia. One more.

So this is really a part of 6.8. One of the other things that we have is also -- go ahead, Julia. There.

So we also have an activities report. And, in fact, so to relate that to, you know, the membership of the GAC, the activities report that we have tells about the engagement that the group is having on the ground with GAC membership, with ccTLDs, sometimes with other technical organizations that are on the ground. Because, you know, for things, for example, that are not dealt with directly at ICANN, when we meet people in countries and they talk about -- I'm just saying this

as an example. Somebody says we want an ISP, can you help? We make sure they go to our dear friends at ISOC, for example, to help us do that. And we put them in touch. And, you know, we talk about, for example, in terms of technical training, some of the things that we do with our DNSSEC and so on and so forth.

So these are all the meetings that were happening -- that we're having on the ground. And, basically, we report on those. And thanks very much for everybody who has been reading them and, you know, asking back questions. We really do appreciate to know that, you know, that the report is being exploited.

So we -- the draft guidelines, as I said, are a living document. So, if there are things that people think we should add in terms of activities on the ground or things that we should do with GAC membership and representatives, we would also love to know. Go ahead. Next, please.

So 6.9 same, the database, as we said. One of the things that -- one of the concerns that we could have, you know, for the database is that at one point also the GAC membership was pretty technical. And, you know, you could trace back membership in terms of ministries of communication simply or information technology.

Today we, basically, have, practically, you know, all walks of all sectors. You know, in GAC. We have foreign affairs. We have economy. We have, you know, sometimes even Prime Ministers' office and stuff like that. So maintaining such a database would really be something that is pretty -- it could be a huge task. And, you know, it would really take a lot of time. And, as you know, ministers change in

some parts of the world quite frequently. Let's be frank. And, you know, we would really need a lot of work to keep it updated.

Though, if lists like that are needed on an ad hoc basis -- and I can think of the next high-level ministerial, for example, that is going to happen. And, if people need us to help them find information about specific ministers or ministries that need to be part of, you know, GAC's engagement, we'll be more than happy, of course, to help them do that. So that would not be an issue.

Go ahead.

So the rest is really, you know, recommendation 6 and small c and small d are, worked on. For example, if you look at d, one of the things that we're doing, and it pertains to develop and execute for each world region a plan to allow local enterprises and entrepreneurs to fully and on equal terms use ICANN services, including new gTLDs, we have started with DNS entrepreneurship center for the Middle East and Africa. That is now running. And if you have been looking at the newsletters that came from EMEA -- so Europe, Middle East, Africa -- you would have seen that the DNS training center has had already activities. They're in the process of having now trained the trainers in things like DNS, DNSSEC, but also how to become a registrar, how to become a registry.

As you know, these regions where IDNs are starting to pick up quite well. So, you know, helping people to basically come up with -- not come up, but, I mean, evolve and develop their ideas about how to become registries and registrars is something that has picked up, that

is really working well, we're happy to say. So this is one of the things that, for example, we hope can be replicated in other regions.

Next.

So this is basically where we have teams, and some of the activities that they have been doing with GAC representatives include anywhere from Webinars to, you know, individual meetings, conference calls, specific visits as they're invited. And this includes, again, GAC members and non-GAC members. You know, member countries. And I think if you have seen the trend lately in terms of membership at the GAC, I think we're doing pretty well in terms of making sure that non-GAC members are coming and, you know, becoming members of the GAC.

So I think this was my last slide, and I will stop here so we can -- if you have any questions, we're happy to respond. Some of my colleagues are, I think, in the room. I see -- yeah.

So, Thomas, if you allow me, maybe.

One of the things that we did, following, actually, the monthly report that we have been doing, a few of you have asked for an update on the World Summit on the Information Society +10 roadmap. We have sent in a small report. If you have questions, my colleagues that are here and myself are happy to respond, but I would also like to ask Olof to probably convey to you that a Cross-Community Working Group on Internet governance at ICANN that has a lot of our community people who are part of these processes are going to have a meeting, and they

will be discussing basically the roadmap plus all the activities that are integrated in the WSIS+10 upcoming -- till the end of the year, basically.

So happy to respond to questions also for that.

Thank you.

OLOF NORDLING: And that session will take place tomorrow at 6:15, if I remember right, in the evening, at Libertador, the big room. And of course, Anne-Rachel, you may also be informed that the GAC is seriously considering joining that CCWG on Internet governance. So that's in the card.

CHAIR SCHNEIDER: Thank you. I think it would be -- it's very good to maybe -- if GAC members wish to have a little bit of discussion or exchange of information on WSIS+10, because this process is a process of fundamental importance, as we all know.

I just, before that, wanted to quickly jump on the issue about this database of ministers' names. And as you say, this recommendation has been drafted at a time when we had much less members in the GAC, and it is also something that we may question. And again, as you say, it probably is useful to have these contacts on concrete occasions like a high-level governmental meeting. But to keep a formal database of names of ministers is maybe something that would be an

additional burden of a limited value as we all know that in many countries, ministers change. Even ministries change and disappear, and then even if the ministers and the ministries remain, competencies of ministers change. And to basically, in theory, try and keep this list updated would be an almost permanent exercise. So it's maybe good to have such a list, and then to update it, actually, in relation to an upcoming event where you need to have these contacts anyway.

So I'm not sure, but maybe we can discuss whether we could consider this recommendation as basically completed in the sense that we will use this information for high-level governmental meetings, but it's not necessary to have a formal list that is, every day, up-to-date because maybe the value added of this is not justifying the effort that it would take to do this.

This is something that I would maybe like to ask you for comments and how you feel about a database that would be permanently updated or kept updated on names of ministers and ministries. But, actually, rather have something that is event oriented and in a more informal way (indiscernible).

Yes, Olof.

OLOF NORDLING:    I could briefly comment upon that. Two reflections. Of course the need would be there. Information of that nature was, of course, useful in order to canvass for new members to the GAC. And as we see, we're

not there yet.  Well, we have to go to another planet in order to solicit -- to find new GAC members.

But we're approaching that kind of situation.  So I think it's primarily for the high-level meetings and such circumstances that it would be used, but I also would like to add that of course the global stakeholder engagement and government engagement team has developed considerably since this recommendation was drafted.  And that takes care of much of the member solicitation outreach to non-GAC members.

So -- And for that, you have got your instruments of the global stakeholder engagement team, of course, and the addresses which are necessary as the time develops.

So, well, just another -- couple of other aspects on this particular issue.

Thank you.


CHAIR SCHNEIDER:        Yes.  Iran, please.


IRAN:                   Thank you, Thomas.

I see a little usefulness for updating any address.  If you want at least something more that's updated, go to the ITU glossaries, and ITU glossary provide you the latest information about the ministry

ICANN | 53
Buenos Aires

responsible, with name of minister, deputy minister, department, all of those things.

So I don't think that you need to put any effort to update that because more or less the ITU updated the situation, and you can get that.

I have another question, Chair.  What is -- Not "what is."  Did we have any follow-up action of the previous high-level ministerial meeting? Or it just was a meeting and finished and we had no follow-up actions?

There were recommendations, I think.

I think the meeting is quite useful.  The ministers, if they come, they could exchange views.  Sometimes they do not come at all.  They send other people, director general, and so on, so forth.  Sometimes the ministers, some of them, they have difficulty to come to have any things because of the formalities.  For instance, our country had difficulty to get the visa.  For the last three or four days stop, and no -- okay.  Disappointed totally and said, okay, this is us.  We go there and represent us.  But the minister, deputy minister, they couldn't come.

So what is the -- And is there any follow-up action on this ministerial meeting?

Thank you.

OLOF NORDLING:          I think the one immediate effect of the London meeting, the high-level governmental meeting, was that an increase in GAC membership.  We had a couple of new members as a direct consequence of the meeting.

So whether it's a follow-up, in a sense it is, but not in the sense you mean, perhaps.

Thanks.

CHAIR SCHNEIDER:

Thank you. And I think -- Well, we'll discuss on how we shape and frame the next -- the upcoming high-level meeting in Marrakech next March. And this is also up to us to maybe develop this thing, because it's the third time that we're having it, so we don't have a too-long history and we can think of an expected outcome that may be -- because there were, at least in my recollection, no concrete recommendations in terms of bullet points or whatever that were meant to be followed up as such. But of course the discussions fed into our work and fed into broader discussions. But we may think of advancing also this it high-level meeting in a sense that if you want to have a more tangible outcome, this is something that, I guess, the GAC is free to decide.

Before giving the floor to Egypt, your first point about the list. So could we, then, maybe consider this recommendation completed in the sense that you have your network, which is based on a database which is a consequence of these recommendations that we have the information through the increased number of GAC members. We have with the high-level governmental meetings another angle to this, and that this whole package together would complete not the exact form as it was not about a few years ago but the objective would be completed of that recommendation. Would that be something that

ICANN | 53
Buenos Aires

we would accept and say this is -- this is completed? So that would enable us to tick off another box of the ATRT2 recommendations?

Any objections?

No?

So that we will come up to this in our very next agenda item, but that is, I think, something positive.

Yes, Egypt, you asked for the floor.

Thank you.

EGYPT: Thank you, Chair. Just very quickly to respond to our distinguished colleague from Iran.

Although it's not a substantial follow-up on the substance itself, but again, there is some stock-taking and experience sharing that's been developed and documented from the previous two meetings that took place in Canada and in the U.K. And it's being shared with the upcoming host so that we can build on the experience and enhance and improve as we see appropriate.

So thank you.

CHAIR SCHNEIDER: Thank you, Egypt.

United Kingdom.

UNITED KINGDOM: Yes, thank you, Chair. And I'm sort of responding in similar vein as Egypt has in respect of the high-level governmental meeting in London in particular. This was not intended to be a negotiating forum to produce outcomes. It was intended and constructed, really, as a forum for exchanging views for establishing outreach to developing countries and non-GAC members, in particular. We wanted to hear in very open, interactive sessions the views from a diverse range of high-level officials and ministers, and we achieved that. And the chair's report, which was the report of our minister Ed Vaizey who chaired the proceedings, intended to capture that, and there are messages there, certainly, where he reflects on areas of broad agreement. The importance of IANA transition in particular comes to mind in this regard. And appended to that report by the chair is a more detailed account of particular contributions to the session.

So I think in terms of a one-day forum, it fulfilled its objectives. And maybe this is experience that the next hosts in Marrakech can draw on in terms of constructing a timely agenda where ministers will have an opportunity to contribute in a global discussion and in a very open and interactive way to usefully communicate and exchange views, increase awareness, and develop the kind of outreach which I think has, indeed, strengthened the GAC and increased awareness at the highest level in government of the multistakeholder model and the role of governments in that model.

So that's my response to my colleague from Iran on what was achieved in London at the high-level governmental meeting there.

An additional thing I wanted to raise about reach to non-participating governments in the GAC is that perhaps one mechanism for that is when, for example, in this case we have the meeting hosted in Latin America, there could be specific outreach to those governments in this region -- and I'm thinking, for example, of Ecuador and Nicaragua who are not members of the GAC. We could invite them to observe and see the model in action and where -- to demonstrate the importance of their participation. We could be mindful of that on future occasions to outreach to governments and administrations in the region where ICANN is meeting and invite them to observe. Maybe you've considered that. I don't know. But this is a thought that comes to mind, I think, and was certainly a point I'm conscious of as perhaps we can do more on.

Just, finally, with regard to the briefing on the WSIS+10 reviews, it was very helpful and to see underlined in this briefing the importance of maintaining the primary focus of the review of the contribution that ICT has made to sustainable development. And ICANN, as a member of the technical community, can contribute substantially to that.

And I was very reassured that you're working with the Internet society and others in the technical community to provide that input into that -- into the much broader debate that's going to go on in the WSIS+10 review process of development, sustainable development and

ICANN | 53
Buenos Aires

delivering the vision of the information society to many more people across the world, which I think is -- must be the key emphasis.

IANA transition and the overhaul of accountability of ICANN is important, but I think it's not the center stage issue. It's sustainable development. That's the big issue for the WSIS+10 review. And that comes through in your paper. And that's -- that's very helpful.

Thank you very much.

CHAIR SCHNEIDER: Thank you. We should close this session. We have two more requests for the floor. I would like you to be brief. I have Argentina and Iran. Thank you.

ARGENTINA: Thank you, Chair. And thank you, Mark, for commenting about the region activities. In the regional plan of action, which is where I come from -- this is why I was not in this meeting -- we have organized a previous and after the ICANN meetings webinars encouraging other governments in the region. So that is an action done by the steering committee and supported by ICANN.

Also, I am the president of the ISOC chapter in Argentina. And we have organized webinars about the ICANN meeting. It was very successful. ICANN participated in it. We had more than 60 persons participating in a one-hour webinar, which for Latin America specifically talking about ICANN, it's a lot. I can tell you. So things are being done.

It's not easy. What we should work on is explaining that there are ways to funding the participation. Maybe we should be more effective in that. Thank you very much.

CHAIR SCHNEIDER: Thank you. Last one we have Kavouss. Please be brief.

IRAN: Thank you, Chair. I think, Mark and Manal, perhaps, because I was not clear, they misunderstood my question. My comment. I did not put in question the effectiveness. I said has there been any follow-up action. So both the distinguished colleagues misunderstood me.

I appreciate that one in London. I participated. Very, very effective. Any follow-up action I'd ask. So perhaps that should be clear. Thank you.

CHAIR SCHNEIDER: Thank you very much for this clarification.

With this I think we can end this session and move to the next one. So thank you, all of those who helped in the work regarding the government and stakeholder engagement. Again, this is an important issue. And we need to continue our efforts to continue to make progress.

Let's now move to agenda item 13, which is the last one for us today. I see that there are some members of the board here. So, if you want to come up, feel free.

Before giving the floor to Tom who will help us guide through this session, I just wanted to say that this is -- what we just discussed is actually one of the consequences of the last recommendations as we have seen. There are a number of others. We have spent quite some time in previous meetings on monitoring our implementation of these recommendations. And I think we are more or less getting to completing these sets of recommendations from ATRT2, which is a positive thing.

But the details -- for the details now please, Tom, go ahead.

TOM DALE: Thank you, Thomas. Good afternoon, everybody. I'm always ever keen to take the final session of the day when everyone is very tired.

Look, what I propose to do, as Thomas indicated, is to run through the latest output from the GAC following the Singapore meeting to remind you what the GAC communicated to the Board about the state of play with the ATRT2 recommendations and then hand over to Manal Ismail from Egypt and to members of the BGRI to indicate what further steps they believe are appropriate.

You'll recall that in Singapore the GAC had a reasonably lengthy session on ATRT2 recommendations. And it was decided that, because of the complexity of some of the issues, that the GAC would

ICANN | 53
Buenos Aires

prepare intersessionally a summary of the state of play with all GAC-related ATRT2 recommendations and convey that to the Board. A letter was -- several versions of what you may recall was a rather long letter was circulated by myself to the GAC and through the leadership group during April. And on the 8th of May the GAC chair wrote to the Board giving them their update. The update is available to you in -- on the GAC Web site under this agenda item.

But the recommendations -- well, two of them you've already dealt with in a previous session, recommendation 6.8 and 6.9 dealing with government engagement.

The remaining recommendations were conveyed to the Board as either implemented or being implemented or partly implemented.

And, without going through all of the details, the GAC had indicated in its letter to the Board that all of these matters were seen as a continuing process of improvement and as part of good governance. So they're not always a work in progress, if you will.

The GAC indicated it would appreciate the Board's views on outstanding recommendation 6.5 concerning a bylaws amendment to implement the process of Board/GAC consultation. And under the bylaws, you'll recall this attracting some adverse public comment last year.

And, finally, for GAC's purposes, it was indicated in the letter to the Board and internally to the GAC that a number of areas for further work were identified and tasked to the ACIG secretariat. Those

matters have not yet been progressed by the secretariat because the secretariat has been a little bit focused on this meeting and IANA stewardship transition matters. But they are still issues where the GAC has requested us to undertake work to continue the implementation in a number of areas, which I can go into in detail, if you wish.

That's where the matter was left. That's where the matter stands now.

As far as we're aware, there has been no reply yet from the Board. And perhaps we can -- or you may wish to pursue that with the BGRI and with the Board here.

I think that's a quick update. Thank you. Thomas.

CHAIR SCHNEIDER:     Thank you, Tom, for this update. Maybe let's give the floor to members of the BGRI and the Board for comments or questions on if they have on the letter on where we think we stand. So whoever wants to --

MANAL ISMAIL:      I definitely don't have any questions regarding the letter. But, I mean, are we going through the -- so, again, back to the letter, if we have any response to the letter?

ERIKA MANN:       Maybe just a quick vision. I know what you mean. What was the expectation of timetable to receive a response from the Board? Was

ICANN | 53
Buenos Aires

there something mentioned in there, or shall I just look at it? No, this wasn't on my memory. Okay.

CHAIR SCHNEIDER: It's, basically, as we said. We think that -- the GAC thinks that we're more or less completing all the recommendations and partially -- we've completed, to the extent possible, recommendation 6.5, as has been mentioned by Tom. So, in our view, we would try to fully complete the exercise and then consider this done. So that would be, like, the vision from our side. And maybe, if you comment on this and how you see it, whether something is outstanding or how to complete the whole ATRT2 recommendations. Thank you.

GONZALO NAVARRO: Thank you, Thomas. This is a work in progress. It's continuous work that we both the GAC and the Board needs to take in the future.

So we don't see any issues as those pending from resolution from the Board. And, certainly, we can address them in the next future in order to have a response for a list for the next ICANN meeting which is Dublin. That's pretty much --

CHAIR SCHNEIDER: Thank you, Gonzalo. Other questions or comments as well? So, if this is not the case and we're all happy that we are about to complete another process, which is a good thing -- so there's no need to

unnecessarily prolong the session unless somebody will pop up, which doesn't happen.  So thank you all for coming.


GONZALO NAVARRO:    One of the shortest sessions with the Board so far, which is another nice experience.   So thank you all.   And enjoy dinner and further sessions or whatever your plans are for tonight.  Thank you very much. Always a pleasure.


**[END OF TRANSCRIPTION]**